

Report of the Head of Planning & Enforcement Services

Address 8 SUNNINGDALE AVENUE RUISLIP

Development: Demolition of existing residential care home and the erection of a two storey, with habitable roof space, detached building comprising 8 two-bedroom flats with associated parking and amenity space and installation of new vehicular crossover to front

LBH Ref Nos: 19038/APP/2010/770

Drawing Nos: Location Plan to Scale 1:1250
2742.HOS.4a
10/3215/1 Rev. A
10/3215/2
10/3215/3
10/3215/4
10/3215/5
10/3215/6
Design & Access Statement
Energy and Sustainability Statement
Arboricultural Survey

Date Plans Received: 06/04/2010 **Date(s) of Amendment(s):**

Date Application Valid: 29/04/2010

Reason for Urgency

Although this application has not been before Members of the committee at least 5 working days in advance of the meeting, it is considered to warrant urgent action as an appeal against non-determination has now been lodged, and the Local Planning Authority needs to advise the Planning Inspectorate of the determination that would have been made, had the appeal not been lodged, within the appeal time frame.

1. SUMMARY

Planning permission is sought for the erection of a detached two storey building with habitable roof space to provide 8 two-bedroom flats to replace the existing detached two storey care home on site. Although the proposed building would occupy the front of the site, in a similar position to the existing building, a large car parking area is proposed at the rear. It is considered that the parking and access arrangements would be out of keeping with the surrounding pattern of residential development and would remove much of the existing rear garden so as to be detrimental to the traditional residential character of the area. The proposed building, with a large crown roof and awkward large rear two storey wing is also not considered to be in keeping with the area. Furthermore, much of the amenity space would be overshadowed for most of the morning and early afternoon, limiting its usability. Also, the tree information is contradictory and the parking access and cycle store provision is considered to be unsatisfactory, prejudicing highway safety. The application also does not make provision for an education contribution.

As the application has been appealed for non-determination, the Planning Inspectorate need to be informed that the application would have been determined accordingly.

2. RECOMMENDATION

That had an appeal for non-determination not been lodged, the application would have been refused for the following reasons:

1 NON2 Non Standard reason for refusal

The proposal, by reason of its excessive density and site coverage with buildings and hard-standing, represents an over-development of the site, that would be out of keeping with the pattern of surrounding residential development and results in an excessive loss of garden space, detrimental to the verdant character and visual amenity of the area. The development therefore fails to harmonise with the character of the surrounding area, contrary to Policies BE13 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007), Policies 3A.3, 4B.1 and 4B.8 of the London Plan, guidance within The London Plan Interim Housing Supplementary Planning Guidance, April 2010 and Planning Policy Statement 3: Housing (as amended) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

2 NON2 Non Standard reason for refusal

The proposed building, by reason of the incorporation of a large crown roof and the siting, size, scale, bulk and roof design of the large two storey projecting rear wing, would appear as a bulky, incongruous and awkward addition to the street scene and surrounding area, detrimental to its character and appearance. As such, the proposal is contrary to Policies BE13 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

3 NON2 Non Standard reason for refusal

The proposal, by reason of the extent and duration of overshadowing to the proposed amenity area, would fail to be sufficiently usable in order to afford an adequate standard of residential amenity to the occupiers of the proposed flats. The proposal is therefore contrary to Policy BE23 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

4 NON2 Non Standard reason for refusal

In the absence of consistent tree information, the Local Planning Authority has been unable to fully assess the impact of the development upon existing trees on and close to the site. The proposal therefore fails to accord with Policy BE38 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 NON2 Non Standard reason for refusal

The proposal would result in unsatisfactory parking, access and cycle storage arrangements, which would be likely to give rise to additional on-street parking and pedestrian and vehicle conflict, prejudicial to conditions of highway safety. The proposal is therefore contrary to Policies AM7 and AM9 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

6 NON2 Non Standard reason for refusal

The development is estimated to give rise to a significant number of children of school age and additional provision would need to be made in the locality due to the shortfall of places in schools serving the area. Given that a legal agreement at this stage has not been offered or secured, the proposal is considered to be contrary to Policy R17 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the adopted London Borough of Hillingdon Planning Obligations Supplementary Planning Document (July 2008).

INFORMATIVES

1 I52 **Compulsory Informative (1)**

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

2 I53 **Compulsory Informative (2)**

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

BE13	New development must harmonise with the existing street scene.
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.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
H4	Mix of housing units
H3	Loss and replacement of residential accommodation
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
PPS3	Housing
LPP	London Plan (February 2008)
LP	London Plan Interim Housing Supplementary Planning Guidance
SPD	Planning Obligations Supplementary Planning Document, July 2008
HDAS	Residential Layouts July 2006 Accessible Hillingdon, January 2010.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a large detached two storey double fronted property with a two storey side extension on a substantial plot, located on the eastern side of Sunningdale Avenue, some 80m to the south of its junction with Field End Road and almost opposite its junction with Newnham Avenue. The site has a 21m wide frontage, more than twice the typical plot width in the road and is approximately 47.5m deep. The property was previously used as a care home, but is now vacant with the building falling into disrepair and in an unsafe condition, with hoarding having been erected around the site.

The site lies within an established residential area on the edge of the Eastcote Town Centre, the southern boundary of which lies within approximately 50m of the rear boundary of the site. Although the surrounding area is predominantly residential, there are three storey commercial buildings at the end of the road fronting Field End Road and Newnham Infant and Junior School is located some 50m to the south of the site. The site forms part of the 'developed area' as identified in the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

3.2 Proposed Scheme

Planning permission is sought for the erection of a detached two storey block with habitable roof space containing 8 two-bedroom flats (Class C3) with associated car parking and landscaping works to replace the existing two storey residential care home (Class C2) on site.

The proposed building would be 17.3m wide, having an overall depth of 15.9m, with a large crown roof, 5.7m high to eaves level and 9.8m to the ridge of the crown roof. The building would be double fronted with gable roof bays, incorporating recessed terraces within the gable roof and two dormers on the front elevation and a large projecting two storey central wing on the rear elevation. Four dormers in total are proposed on the rear elevation, two dormers on the main elevation of the building and two within the hipped roof of the projecting wing. Three rooflights are proposed in each of the side elevations.

The building would be set back from the side boundary adjoining No. 8a Sunningdale Avenue by 1m and by 3.3m adjoining No.6. On this side would be the driveway leading to 8 car parking spaces and a cycle store sited at the end of the rear garden. A disabled person parking bay would be sited in the front garden. The remainder of the rear garden would provide shared amenity space with small private patio areas provided for the ground floor units.

Three two-bedroom flats would be provided on the ground and first floors, with the roof area providing the remaining 2 two-bedroom flats.

A number of documents have been produced in support of the application, namely a Design and Access Statement, an Energy and Sustainability Statement and an Arboricultural Survey. Where necessary, these are discussed at the relevant sections of the report.

3.3 Relevant Planning History

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:

- PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.
- PT1.16 To seek to ensure enough of new residential units are designed to wheelchair and mobility standards.
- PT1.39 To seek where appropriate planning obligations to achieve benefits to the community related to the scale and type of development proposed.

Part 2 Policies:

- BE13 New development must harmonise with the existing street scene.
- 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.
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE8 Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
- H4 Mix of housing units
- H3 Loss and replacement of residential accommodation
- R17 Use of planning obligations to supplement the provision of recreation, leisure and community facilities
- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- AM7 Consideration of traffic generated by proposed developments.
- AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
- AM14 New development and car parking standards.
- PPS3 Housing
- LPP London Plan (February 2008)
- LP London Plan Interim Housing Supplementary Planning Guidance
- SPD Planning Obligations Supplementary Planning Document, July 2008
- HDAS Residential Layouts July 2006

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **21st July 2010**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

18 neighbouring properties have been consulted and a site notice has been displayed. A petition with 21 signatories has been received, together with 9 individual responses. The petition states that:

'We the undersigned wish to be represented at the North Planning Committee Meeting, re. 19038/APP/2010/770. 8 Sunningdale Avenue, Eastcote, Ruislip. The proposal is over-development, out of keeping with the area, over-dominant, lacks private amenity space.'

The individual responses raise the following concerns:

- (i) Flatted development will be out of keeping with surrounding detached and semi-detached houses, and represents over-development of the site at 240 habitable rooms per hectare (hr/ha) contrary to the Hillingdon UDP that restricts densities to no more than 150 hr/ha;
- (ii) First floor and roof space flats have a balcony/French doors to the rear of the building which due to its height and/or position, will have greater potential to overlook adjoining properties and their gardens than the existing building;
- (iii) Proposed building much larger than existing house and being only 1m from side boundary will restrict light to side windows at No. 8a Sunningdale Avenue;
- (iv) With only a 1m gap at the side, the adjoining houses would appear very closed in and look out of place in the road;
- (v) Parking area for 8 cars will result in noise and disturbance from headlights to neighbouring properties, often late at night/early morning, reduce privacy and result in pollution and fumes, particularly on hot days to neighbouring properties;
- (vi) Rear parking arrangement would make adjoining rear gardens more exposed, threatening security and higher risk of burglary and vandalism;
- (vii) Rear parking area does not have enough manoeuvring space;
- (viii) Area currently has permit parking to keep congestion down. Parking is already a major issue with insufficient spaces for those that live in the street, particularly at school arrival and departure times due to the proximity of Newnham School. Visitor parking and occupiers of the flats having more than 1 car will escalate parking issues again;
- (ix) New drive will be directly opposite junction with Newnham Avenue and Newnham School. Parents and children use this area to cross on a regular basis and proposal with will make this more dangerous;
- (x) The existing trees should be retained as they provide essential screening and are essential part of the garden. An ash tree at the end of the garden, which is proposed to be kept requires severe pruning;
- (xi) Residential care home caused blockages to drainage and sewage systems when operational. 8 flats would make this worse;
- (xii) What provision will be made for fencing between proposed and existing properties?
- (xiii) Demolition and construction work will result in conflict with existing traffic, particularly that generated by the school, and generate noise and dust;
- (xiv) Compensation required for inconvenience and possible decrease in property values;

- (xv) Will some of the flats have to be given to those in housing need?
- (xvi) Proposal contrary to government's policy on garden grabbing and will cause harm to the local environment;
- (xvii) Proposal for flats, if approved, will establish precedent;
- (xviii) Plans are inaccurate as regards properties in Woodlands Avenue and position of trees and shrubs and plans too sketchy and do not appear to be to scale;
- (xix) Amenity space is too small for the flats and first floor flats do not have any amenity space;
- (xx) Given experience on organising petition, this is a very unpopular proposal with the neighbourhood on many levels.

Ward Councillor: Requests that this application be presented to committee.

Eastcote Residents' Association:

Original Comments:

This does not appear to be a satisfactory development. This area is predominately semi-detached family homes, a flatted development will appear out of keeping with the area.

The proposed building is situated (according to the drawings) one metre from the boundary with No. 8a. However, there is not a one metre gap for the whole length of the building. Given the size and bulk of the building this will give a closed in effect to the street scene.

The bin and recycling store is situated in the front garden. Having bins in front gardens is not a feature of this area, therefore this will be detrimental to the street scene.

Bedroom 2 in flats 1-6 does appear to be too small to hold more than a single bed, if it is even possible to accommodate a single bed in these rooms.

Overall the size of the flats does appear very small, it is not possible to scale up from the drawings taken from the web site, so please can dimensions be checked very carefully by the planning officer.

The flats on the 1st floor do not have any private amenity space.

The ground floor drawing states that the staircase can take a chair lift. This is not a satisfactory arrangement for other flat dwellers. These being two bedroom flats, it is assumed that they are family homes, therefore at times pushchairs and prams will need access to the stairways, and this will not be possible with a stair lift in situ.

The density of 80 units per hectare is high, and not in keeping with the surrounding area, which is suburban.

We ask that this application be refused in the present form.

Further Comments:

With the changes to PPS3, this application can now be considered as un-acceptable, not only does the proposed building take a sizable amount of the garden, the rear half of the garden is to be a parking lot. Loss of gardens is no longer acceptable.

The proposed density of 80 dwellings per hectare, is also unacceptable.

Therefore, this proposed development does not conform with the current PPS3. In view of these

changes, can this development be immediately refused.

Internal Consultees

Landscape Officer:

THE SITE

The site is occupied by a large detached house within an established garden setting. There is no TPO or Conservation Area designation protecting the trees on or close to the site. The submission includes a Tree Survey which assesses quality and value of the trees on site and includes an implications assessment for the feasibility of retaining trees as part of the development. In summary (5.8) the report notes that there are no 'A' grade trees (good quality and value which should be retained as part of a development proposal), 2No. 'B' grade (fair, whose retention is desirable), 6No. 'C' (poor, not normally considered to be a constraint on development, but may be worthy of retention) and 6No. 'R' grade (justifying removal on the grounds of sound management/short life expectancy).

THE PROPOSAL

The proposal to demolish the existing building and build a new detached block of flats includes the provision of a new access road, parking and amenity space. According to the Design & Access Statement (3.4, 3.5) selected trees will be retained in order to provide some instant screening (and landscape maturity) particularly on the north and south boundaries. However, the D&AS and plans was prepared in advance of the tree survey, and the layout drawing No. 1 Rev A has not taken into account the recommendations of the tree consultant, with the result that trees earmarked for retention are dead and trees recommended for retention are shown to be removed.

RECOMMENDATION

The information submitted is inconsistent. Information provided in the D&AS and layout plan should reflect the recommendations of the tree survey, prior to further consideration.

Highway Engineer:

There are two existing vehicular accesses serving the application site. The south-eastern access would need to be stopped up and the crossover reinstated, and the north-western access is shown to be widened by 2.2m. This crossover extends further to serve property no. 6. The proposed widening of the crossover would result in an undesirably long crossover. It would appear that the marked parking bay and yellow line marking fronting the site would need to be amended due to the proposals but no details have been provided of the same.

The width of access road leading to the rear car parking area would be approximately 3m, which is not adequate for two cars to pass each other and is likely to result in car waiting and/or reversing onto the highway, leading to conditions prejudicial to highway safety.

No pedestrian path is being proposed within the narrow access road.

The site is opposite to the junction of Sunningdale Avenue and Newham Road, and is located close to Newham Junior and Infant School. The drawing shows a 1.2m fence between the site and no.6 within the pedestrian visibility splays, which affects pedestrian visibility. Trip generation information has not been provided to evaluate if the development would result in intensification in use of the access.

The Council's minimum cycle parking standards stipulate a requirement of 8 cycle storage spaces for this development. The proposed cycle storage would not be suitable for 8 cycle spaces.

Turning circles for parking spaces 8 & 9 are unsatisfactory as they would involve several back and

forth movements.

Consequently, the application is not acceptable from the highways point of view and is recommended to be refused, as it is contrary to the Council's policies AM7 & AM9.

Access Officer:

The proposed development should comply with the Lifetime Home Standards and the following observations are provided:

1. The communal entrance door appears to be stepped and would be contrary to the above policy requirements if that were the case. Details of internal and external levels should be submitted to confirm that level or gently sloping access will be achieved.
2. In line with the Council's above-mentioned SPD, at least one communal lift should be provided to serve the units above ground floor level.
3. All internal doorways, including the proposed wet room doors, must provide a minimum clear opening width of 750 mm.

Recommendation: Revised plans should be requested and received prior to any grant of planning permission.

Waste Services:

1) Flats

a) I would recommend the use of 1,100 litre bulk bins to safely and hygienically contain the residual waste, as proposed. The number of 1,100 eurobins required is:

8 two-bedroom flats: 1,360 litres (170 litres per flat). Total = 1,360 litres.

This could be safely and hygienically contained by 1 x 1,100 litre Eurobin with the following dimensions:

1,370mm (height) x 990mm (depth) x 1,260mm (width)

The residents could be included in the dry recycling sack collections to divert part of their waste. Alternately the space for the second 1,100 litre bin could be used for a recycling eurobin.

b) The dimensions of the bin compound should ensure there is at least 150mm clearance in between the bins and the walls of the chamber, based on the size of bin above. The height of the chambers should be at least 2 metres, to allow the lids of the bulk bins to be fully opened.

c) The floor of the bin compound should have a surface that is smooth and that can be washed down. The material used for the floor should be 100mm thick to withstand the weight of the bins. Ideally the walls of the chamber should be made of a material that has a fire resistance of one hour when tested in accordance with BS 472-61.

d) The bin chamber doors/gates needs to be made of either metal, hardwood, or metal clad softwood and ideally have fire resistance of 30 minutes when tested to BS 476-22. The door frame should be rebated into the opening. Again the doorway should allow clearance of 150mm either side of the bin when it is being moved for collection. The door(s) should have a latch or other mechanism to hold them open when the bins are being moved in and out of the chamber.

- g) The collectors should not have to cart a bulk bin more than 10 metres from the point of storage to the collection vehicle (BS 5906 standard).
- h) The gradient of any path that the bulk bins have to be moved on should ideally be no more than 1:20, with a width of at least 2 metres. The surface should be smooth. If the chamber is raised above the area where the collection vehicle parks, then a dropped kerb is needed to safely move the bin to level of the collection vehicle.
- i) The value of the construction project is likely to be in excess of £300,000. If so the Site Waste Management Plans Regulations 2008 apply. This requires a document to be produced which explains how waste arising from the building works will be reused, recycled or otherwise handled. This document needs to be prepared before the building work begins.
- j) The client for the building work should ensure that the contractor complies with the Duty of Care requirements, created by Section 33 and 34 of the Environmental Protection Act.

Education:

An education contribution of £18,061 is required (£7,217 for Primary, £7,029 for Secondary and £3,815 for Post-16).

Crime Prevention Officer (verbal comments):

Developers need to make contact for advice to ensure that the scheme can achieve Secure by Design standards. Appropriate lockable gates across the proposed driveway would ensure that the proposal would not generate any additional potential for crime and anti-social behaviour at the rear. Revised details of the provision to be made for bin storage in the front garden would also need to be sought to ensure that natural surveillance of the front entrance to the new flats was not obscured.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site is located within the 'developed area' as identified in the saved Hillingdon Unitary Development Plan. In order for areas not to incur an over-concentration of flatted development, which may compromise the traditional residential character of the road, paragraph 3.3 of the Council's Supplementary Planning Document (SPD) HDAS: Residential Layouts advises that it is unlikely that proposals will be acceptable where more than 10% of the houses in a street have been converted or redeveloped to provide flats or other forms of housing. In this instance, all the other houses in the road provide single family accommodation and this site is already in a more intensive residential use as a care home. There is therefore no objection in principle to the development of flats on this site.

Although the proposed building would replace and only marginally extend beyond the rear elevation of the existing care home on site, a large part of the rear garden would be given over to car parking. Additional guidance on development in rear gardens and the interpretation of related policies has recently been published and is an important material consideration in assessing the principle of developments such as this.

Key changes in the policy context, since the adoption of the UDP Saved Policies, includes the adoption of The London Plan (consolidated with alterations since 2004), the Letter to Chief Planning Officers: Development on Garden Land dated 19/01/2010, The London Plan Interim Housing Supplementary Planning Guidance April 2010, and new Planning Policy Statement (PPS) 3: Housing adopted June 2010.

In relation to National Policy, the Letter to Chief Planning Officers clarifies that "there is no presumption that previously developed land is necessarily suitable for housing, nor that all of the curtilage should be developed" and commits to move this clarification to a more prominent position within the PPS. It further clarifies that "the main focus of the Government's position therefore is that local authorities are best placed to develop policies and take decisions on the most suitable locations for housing and they can, if appropriate, resist development on existing gardens". This guidance was published prior to submission of the application and should be given appropriate weight in the assessment of the application.

The London Plan Interim Housing Supplementary Planning Guidance (April 2010) was published following the national advice above and represents the Mayor of London's guidance on how applications for development on garden land should be treated within the London Region. The thrust of the guidance is that back gardens contribute to the objectives of a significant number of London Plan policies and these matters should be taken into account when considering the principle of such developments.

The guidance requires that "In implementing London Plan housing policies and especially Policy 3A.3, the Mayor will, and Boroughs and other partners are advised when considering development proposals which entail the loss of garden land, to take full account of the contribution of gardens to achievement of London Plan policies on:

- * local context and character including the historic and built environment;
 - * safe, secure and sustainable environments;
 - * bio-diversity;
 - * trees;
 - * green corridors and networks;
 - * flood risk;
 - * climate change including the heat island effect, and
 - * enhancing the distinct character of suburban London,
- and carefully balance these policy objectives against the generally limited contribution such developments can make toward achieving housing targets."

(The various issues are discussed in more detail within the relevant sections of the report.)

Following on from this, Policy 4B.8 emphasises the importance of local distinctiveness, and ensuring proposed developments preserve or enhance local social, physical, cultural, historical, environmental and economic characteristics.

Notably, revised Planning Policy Statement 3: Housing, was published in April 2010 and, as advised in the Letter to Chief Planning Officers, discussed above, clearly clarifies that not all developed land is necessarily suitable for housing, nor that all of the curtilage should be developed. It also makes it clear that well thought out design and layout which integrates with and complements existing buildings and the surrounding local context is a key consideration which needs to be taken into account when assessing proposals for residential development.

Therefore, revised Planning Policy Statement 3 and the London Plan Interim Housing supplementary Planning Guidance do not introduce additional policy considerations but rather provide greater clarity on the interpretation of existing policy guidance. Whilst there is in general no objection to the principle of an intensification/greater use being made of existing residential sites it is considered that the shifting policy emphasis requires all new proposals for development to be carefully scrutinised.

It is also noted that the Council's Development Plan Annual Monitoring Report 2008/2009 shows that the Council is achieving its housing targets from sites elsewhere in the borough.

7.02 Density of the proposed development

Policy 3A.3 of the London Plan (February 2008) advises that Boroughs should ensure that development proposals achieve the maximum intensity of use compatible with the local context, design principles and public transport accessibility. At Table 3A.2, the London Plan establishes a density matrix to establish a strategic framework for appropriate densities at different locations.

The site is located within a suburban context and has a Public Transport Accessibility Level (PTAL) of 3. Taking these parameters into account, the matrix recommends a density of 35-65 u/ha and 150-250 hr/ha. This proposal, equates to a density of 80 u/ha and 320 hr/ha (counting habitable rooms over 20sqm and capable of subdivision as 2 rooms). The proposed density exceeds that recommended by the London Plan.

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

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.06 Environmental Impact

Not applicable to this application.

7.07 Impact on the character & appearance of the area

The proposed building would have a similar front building line to adjoining properties on this side of Sunningdale Avenue so that it would not appear unduly prominent in the street scene. Although the building would occupy the majority of the width of the plot which is double the size of typical residential plot widths in the road, the building would maintain 1m and 3.3m gaps to the side boundaries and the building is of a comparable scale to the existing double fronted extended building on site that it would replace. Furthermore, although the building would project beyond the main two storey rear elevation of neighbouring residential properties, the main rear elevation would have a similar depth to the extended ground floors of neighbouring properties so that the increased depth on this large plot would not appear so out of keeping with the surrounding area.

Of more concern in terms of the siting and layout of the proposal is the rear car parking area and the side driveway. A number of residential properties do have garages which extend into the rear garden, but these tend to be of a domestic scale and sited reasonably close to the houses they serve. There is car parking at the rear of the office blocks at the end of Sunningdale and Woodlands Avenue, there is a narrow drive at the adjoining property, No.6 which extends the full depth of the garden and there are a couple of properties to the north-west, in Woodlands Avenue (Nos. 169/169A and 173/173A) that provide flatted accommodation with a rear garage court in their respective rear gardens. However, the adjoining drive is narrow and of a domestic scale with the majority of the rear garden at this property having been retained, whereas the office blocks are an extension of the Eastcote Town Centre immediately to the north and read as such. The garage courts in Woodlands Avenue are also closer and adjacent to the town centre boundary. By contrast, this proposal is within an established residential area, surrounded by mature residential gardens. The proposed rear car parking area and driveway would result in an extensive area of hardstanding and vehicle movement along the whole depth of the rear garden that would be out of keeping with the surrounding pattern and layout of

residential development, removing over half the rear garden area of this double width plot. When balanced against the limited contribution the development would make toward achieving housing targets in the borough it is considered that the principle of the proposed residential development is contrary to Policies BE13 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007), Policies 3A.3, 4B.1 and 4B.8 of the London Plan, guidance within The London Plan Interim Housing Supplementary Planning Guidance and Planning Policy Statement 3: Housing (as amended) and paragraph 4.36 of the Council's SPD HDAS: Residential Layouts.

Turning to the design of the proposed building, the overall height of the building would be approximately 0.8m lower than the existing building on site so that the proposal would better respect the ridge heights of surrounding residential properties. The width of the proposal would also be similar to the existing building. The proposed building would however comprise a large crown roof with an extensive area of flat roof. Such roofs are not characteristic within this residential area and the building would have a significantly greater overall bulk than the existing care home and neighbouring properties. The two storey rear projection with a smaller crown roof also appears unduly bulky and awkward, occupying most of the central width of the rear elevation and is ill-conceived. It is therefore considered that the building would appear out of place and unduly dominate, detrimental to the visual amenities of the street scene and character and appearance of the area.

Projecting gable bays are characteristic within the road and no objections are raised to the double fronted gable roof bays proposed, including the recessed glazing and terraces proposed at roof level, which will be contained within the volume of the gables. The proposed front and rear gables are also sufficiently small scale so as not to appear unduly dominant within the roof and given the prevalence of front gables, they would not appear out of keeping in the street scene. The fenestration on the building would also harmonise with surrounding properties.

7.08 Impact on neighbours

Both adjoining properties, Nos. 6 and 8a Sunningdale Avenue have been extended at the rear at ground floor level. The main rear elevation of the proposed building would project approximately 1.5m beyond the extended ground floor at No.6a, but as it would be separated by approximately 6m (3.3m from its side boundary) the proposed building would not appear unduly dominant from this property. The main rear elevation of the proposed building would not project beyond the extended ground floor elevation at No. 8a Sunningdale Avenue. Although the proposed building would have a centrally sited wing that would project a further 2m into the rear garden, this is set off the side elevations of the building by 3m so that it would be further removed from neighbouring boundaries so as not to adversely affect their amenities. Furthermore, the proposed building would not project beyond a 45° line of sight taken from neighbouring habitable room first floor windows, the nearest first floor rear facing window is at No. 8a, and this serves a bathroom. These properties also do not contain any main habitable room windows in their side elevations facing the application site.

As regards loss of light, a sun on the ground diagram shows that only the side part of the rear garden of No.6 would be overshadowed in the early morning, but given that the existing building is sited immediately on the side boundary, this represents an improvement upon the existing situation. As regards No.8a, the proposal would result in additional overshadowing of the rear garden during the afternoon, but this is limited in extent and as the rear elevations of these properties have a north west facing aspect they are already in shadow for the most of the day, with the only additional overshadowing to No.8a occurring at the end of the day, from 4.00pm onwards. No.8a does have two

ground floor windows in its side elevation that would experience greater overshadowing, but as one is secondary window serving a dining area and the other serves a small kitchen, they do not serve habitable rooms and such windows already have very limited outlook and natural lighting, being approximately 1m from the side boundary.

In terms of the potential for overlooking, all the proposed side windows and rooflights are either secondary or would serve non-habitable rooms and therefore could be conditioned to be obscure glazed and non-opening, if the application were being recommended differently. The properties at the rear of the site in Woodlands Avenue would be approximately 50m from the rear elevation of the proposal, greatly in excess of the Council's recommended 21m separation distance as being adequate to safeguard privacy and screened by mature trees.

As such, it is considered that the proposal would comply with Policies BE20, BE21 and BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

As regards the proposed car parking arrangements, the proposed driveway would abut an existing driveway at No.6 that runs the full length of its rear garden. The parking area at the end of the rear garden would be sited over 16m from the neighbouring properties on Sunningdale Avenue and in excess of 20m and screened by mature trees from the adjoining residential properties in Woodlands Avenue. In such circumstances, it is unlikely that the use of the car parking area would give rise to additional noise, fumes, pollution and general disturbance of such magnitude that could not be adequately mitigated by appropriate fencing on the site boundaries. This could have been dealt with by condition if the application had been recommended favourably. As such, it is considered that the proposal complies with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.09 Living conditions for future occupiers

The Council's HDAS Residential Layouts advises that for new residential units to afford an adequate standard of residential accommodation, two-bedroom flats should have a minimum internal floor area of 63m². The two-bedroom flats on the ground and first floors would have floor areas of 65m² and 68m² and the two flats in the roof space would have floor areas of 77m². Furthermore, it is considered that all the proposed habitable rooms would have an adequate outlook.

Guidance also stipulates that with flatted developments sharing amenity space, at least 25m² of amenity space should be provided per two-bedroom unit and the space should be usable. In this instance, approximately 180m² of shared amenity space would be provided within the rear garden. In addition to this, two of the ground floor units would have 6m² private patio areas, with the third ground floor unit an 8m² private patio area at the rear and the flats within the roof space would have 4.5m² enclosed terrace areas at the front. Deducting these areas from the total required, the scheme would provide the overall quantum of space required to satisfy minimum standards, but being sited immediately to the north of the building, a substantial area of this space would be in shadow for large parts of the day. As such, the space is not sufficiently usable to satisfy standards.

The 2m deep patio areas, surrounded by landscaping, would provide defensible space for the occupiers of the ground floor units, so that they would not be unacceptably overlooked by other users of the shared amenity space. The only exception to this are the bedroom windows to Flat 2 which only have a thin landscaping strip in front of them, but this is a relatively minor point that could be dealt with by condition if the scheme had otherwise been found to be acceptable.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The proposal would provide a total of 9 car parking spaces, including a disabled space, for the 8 two-bedroom flats. The Council's Highway Engineer does not raise objection to this level of provision, given the site's proximity to Eastcote Town Centre and its relatively good public transport accessibility, with a PTAL score of 3.

However, the Highway Engineer does raise concern with the proposed parking, access and cycle parking arrangements. The width of the proposed crossover, together with that of the adjoining crossover at No.6 would be undesirably long and create the potential for vehicular and pedestrian conflict. The width of the driveway leading to the rear car parking area at 3m is also not adequate to allow two cars to pass and therefore, the likely result would be for cars to wait and/or having to reverse onto the highway. Two of the bays also have unsatisfactory turning circles. The lack of a pedestrian path on the driveway is also a concern, as are the adequacy of the visibility splays at the entrance, given that no trip information has been submitted to clarify whether its use would intensify with this proposal. The cycle storage provision is also inadequate for 8 cycles.

The overall impact would be the likelihood of additional on-street parking and pedestrian and vehicle conflict which would be prejudicial to conditions of highway safety. The proposal is therefore contrary to Policies AM7 and AM9 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.11 Urban design, access and security

The Council's Crime Prevention Officer advises that subject to suitable gates across the proposed driveway, the proposal would not present any additional potential for crime and anti-social behaviour. Revised details of the provision to be made for bin storage in the front garden would also need to be sought to ensure that natural surveillance of the front door to the new flats was not obstructed.

7.12 Disabled access

The Council's Access Officer does not raise objection to the scheme, advising on detailed matters as regards compliance with Lifetime Homes standards. It is considered that the provision of a lift could not be justified as the scheme is for less than 10 units. If the proposal had not been recommended for refusal, ensuring compliance with Lifetime Homes standards could have been dealt with by way of a condition.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

The Council's Trees and Landscape Officer advises that the tree information submitted with the application is inconsistent and contradictory. The Local Planning Authority has therefore been unable to assess the impact of the development upon existing trees, contrary to Policy BE38 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.15 Sustainable waste management

The proposal makes adequate provision for refuse/recycling storage. Revised details would have been sought by condition to ensure that the storage area did not obstruct the view of the building entrance if the application had not been recommended for refusal.

7.16 Renewable energy / Sustainability

The proposal does ensure that all the habitable rooms would be well served by natural daylight. The Energy and Sustainability Statement states that where possible, internal bathrooms and landings will be lit by 'sun-tubes'. The plans show solar panels in the flat roof area of the crown roof and the statement says that either solar panels or photo-voltaic

cells will be used to ensure that the development satisfies Level 3 of the Code for Sustainable Homes. An appropriate renewable energy scheme to accord with the London Plan would have been conditioned if the application had not been recommended for refusal.

7.17 Flooding or Drainage Issues

This application does not fall within a flood risk area and a sustainable urban drainage system would have been sought by condition, had the application been recommended favourably.

7.18 Noise or Air Quality Issues

This application for residential development within a residential area does not raise any specific noise or air quality issues. The localised impact of the use of the driveway upon the amenities of adjoining residential occupiers has been dealt with in Section 7.08 above.

7.19 Comments on Public Consultations

The relevant planning matters raised by the petitioners and within the individual responses have been dealt with in the main report.

7.20 Planning Obligations

Policy R17 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) is concerned with securing planning obligations to supplement the provision recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals. These UDP policies are supported by more specific supplementary planning guidance.

Education Services advise that this scheme generates a need of a total contribution towards additional education space of £18,061 (Primary - £7,217, Secondary - £7,029 and £3,815 - Post 16). As the application is being recommended for refusal, no detailed negotiations have been entered into with the developer in respect of this contribution. As no legal agreement to address this issue has been offered, the proposal fails to comply with Policy R17 of the UDP Saved Policies (September 2007) and it is recommended the application should be refused on this basis.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

There are no other relevant planning issues.

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

This proposal results in a density of development in excess of the Major's guidelines and the parking arrangements would be out of keeping with the surrounding character and pattern of development and involve the loss of a substantial part of the existing rear garden. The proposed building, with a large crown roof and awkward large rear two storey wing is also not considered to be in keeping with the area. Furthermore, much of the amenity space would be overshadowed for most of the morning and early afternoon, limiting its usability. Also, the tree information is contradictory and the parking access and cycle store provision is considered to be unsatisfactory, prejudicing highway safety. The application also does not make provision for an education contribution.

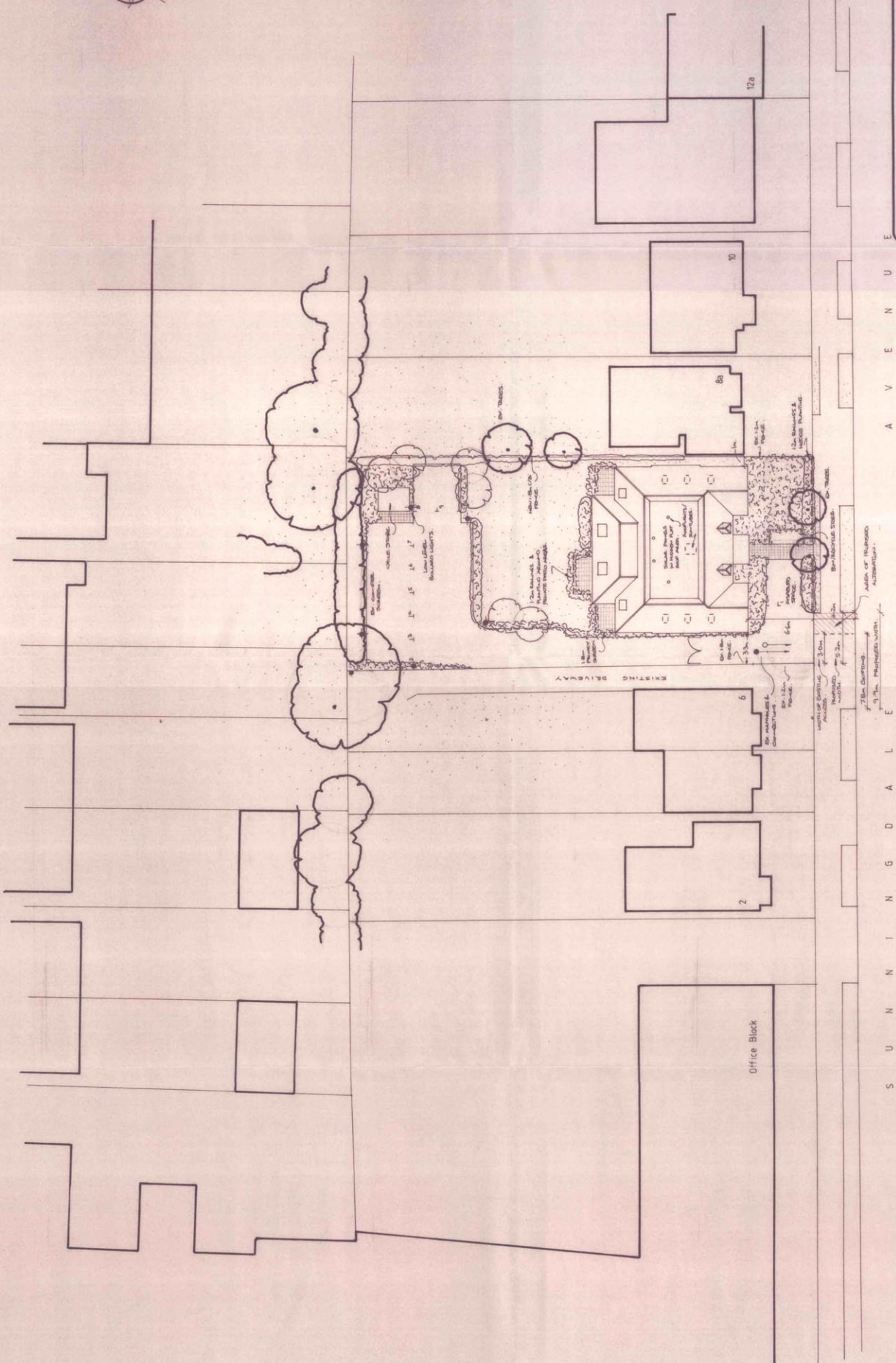
As the application has been appealed for non-determination, the Planning Inspectorate need to be informed that the application would have been determined accordingly.

11. Reference Documents

PPS3: Housing (as amended)
London Plan (February 2008)
Hillingdon Unitary Development Plan Saved Policies (September 2007)
Mayor's Interim Housing Supplementary Planning Guidance, April 2010
Council's HDAS: Residential Layouts (July 2006) & Accessible Hillingdon (January 2010)
Council's Planning Obligations Supplementary Planning Document, July 2007
Consultation responses

Contact Officer: Richard Phillips

Telephone No: 01895 250230

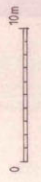


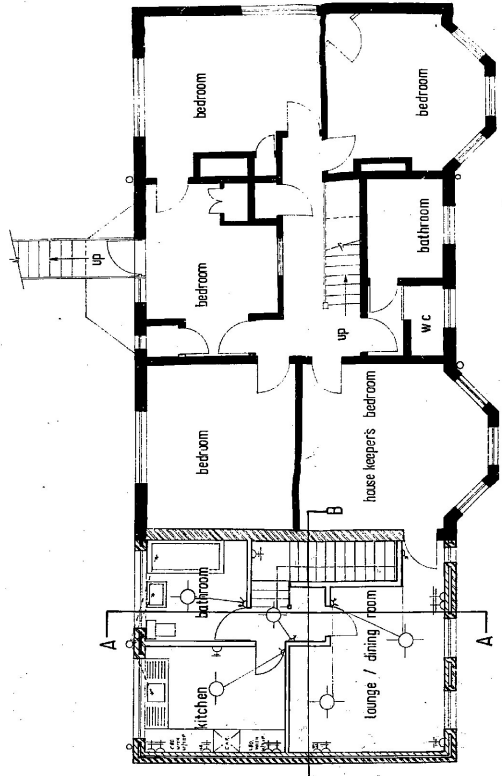
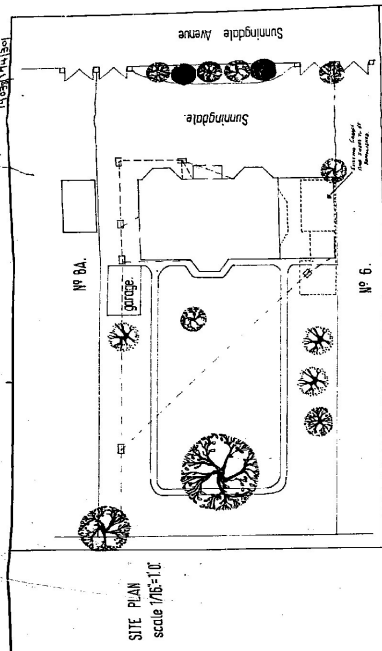
S U N N I N G D A L E A V E N U E

LAND AT 8 SUNNINGDALE AVENUE, EASTCOTE.

W J Macleod
 ARCHITECT
100 High Street, Mount Pleasant, Christchurch 8001

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FIRST FLOOR PLAN

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DATE 11/10/63
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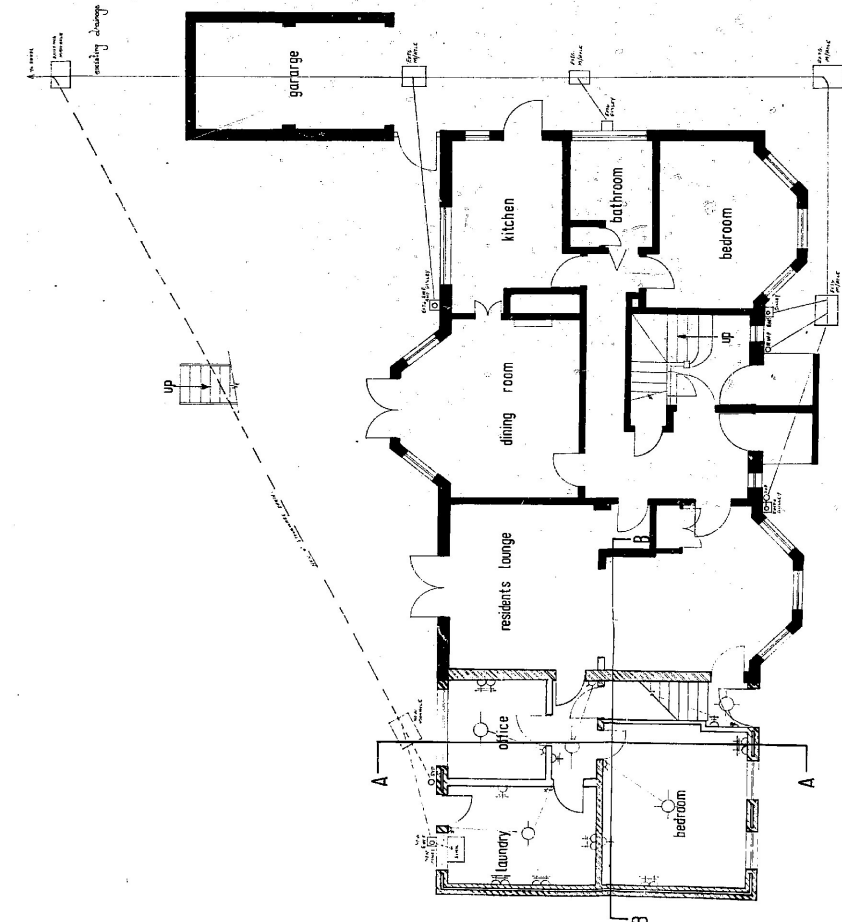
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HOTEL 8, SUNNINGDALE AVE.
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ARCHITECT

REVISIONS

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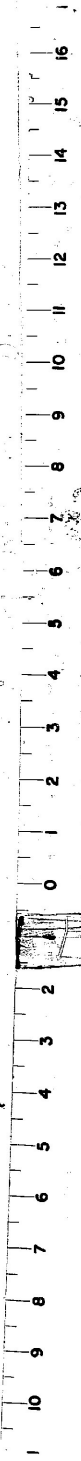
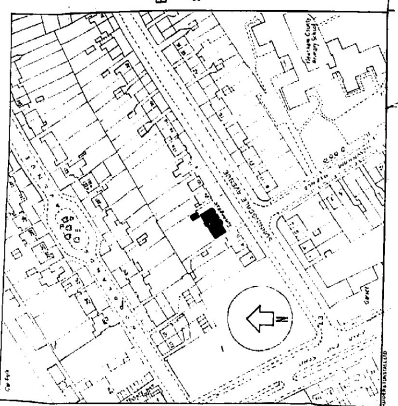
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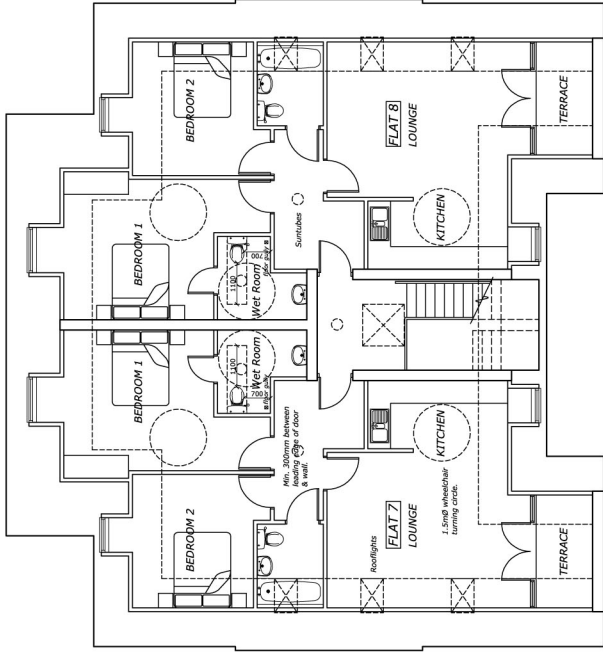
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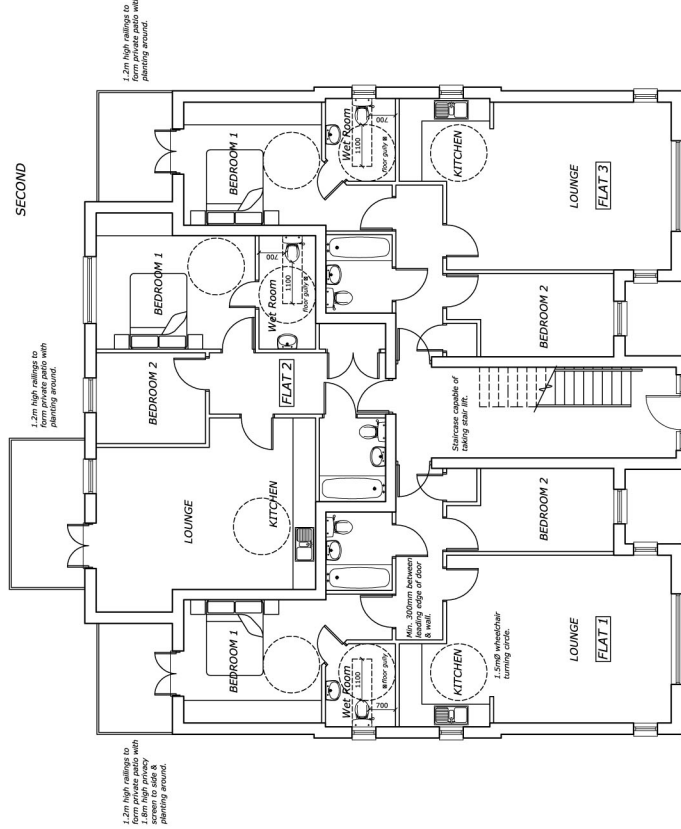
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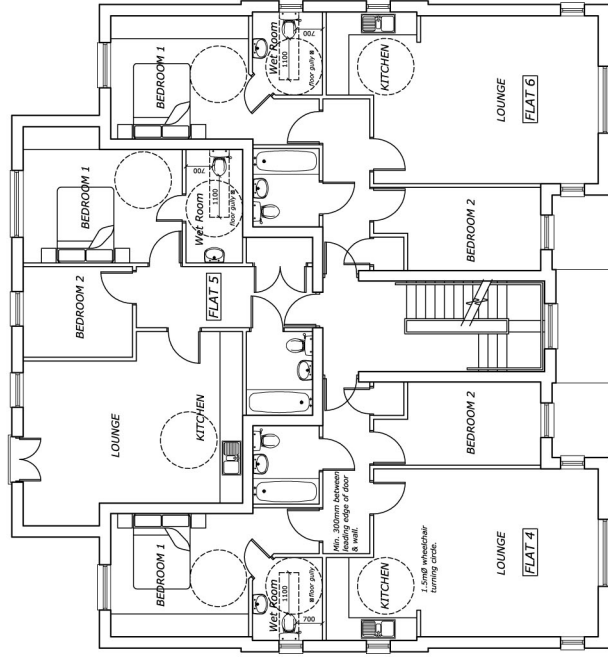




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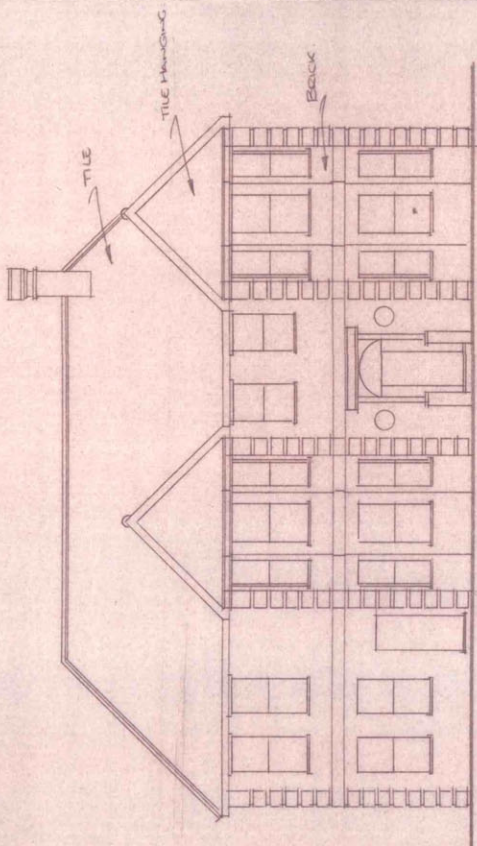


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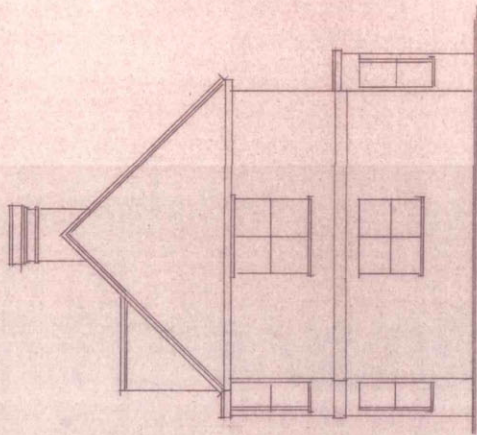
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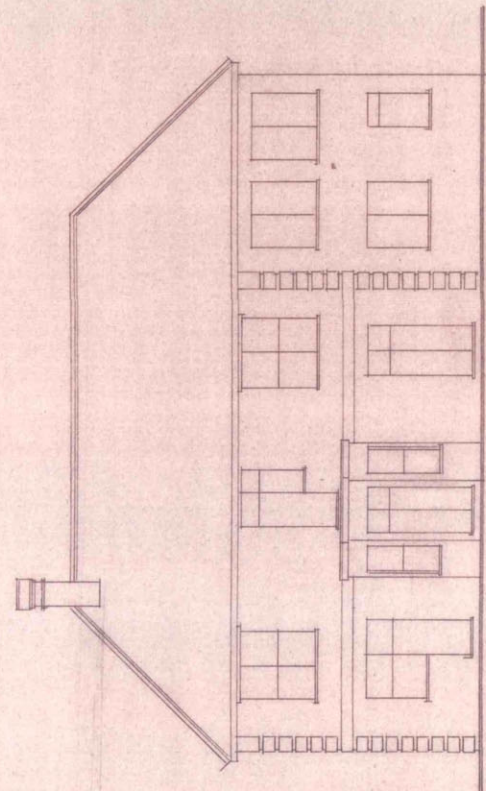
W J Macleod
 ARCHITECT
 7th High Street, Northwood, Middlesex HA8 9EL
 phone 01883 840000



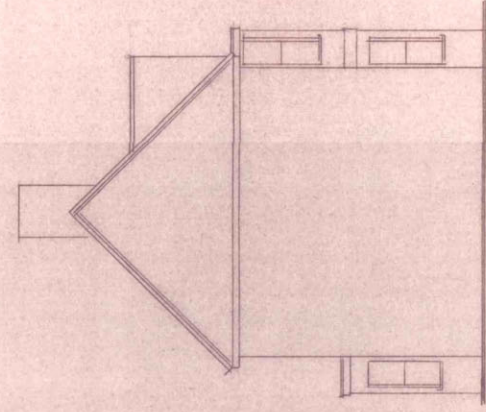
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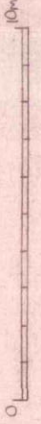
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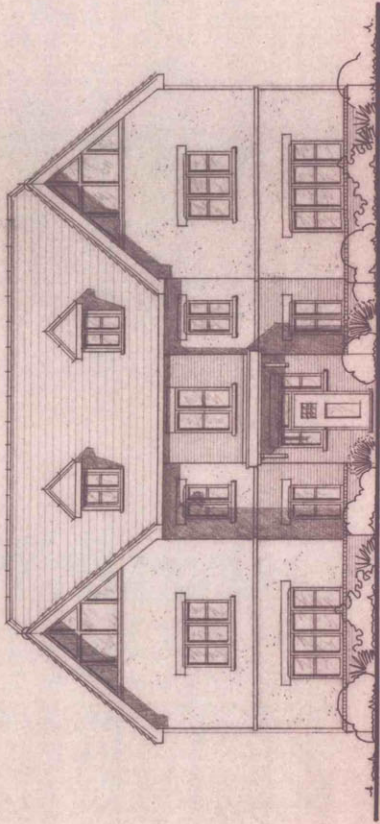


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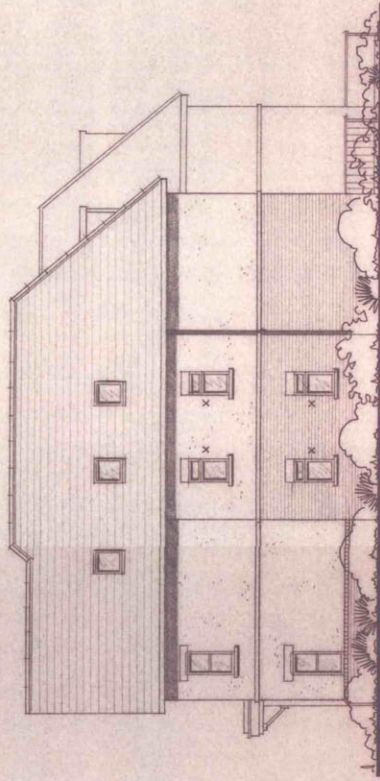
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W J Macleod
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187/189 South Street - Brisbane QLD 4000

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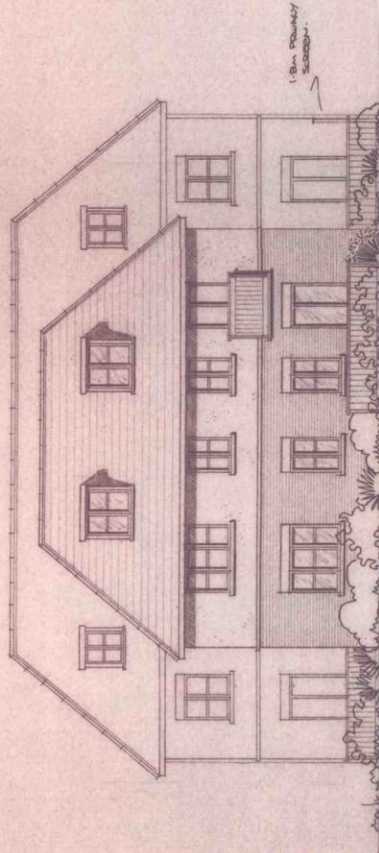


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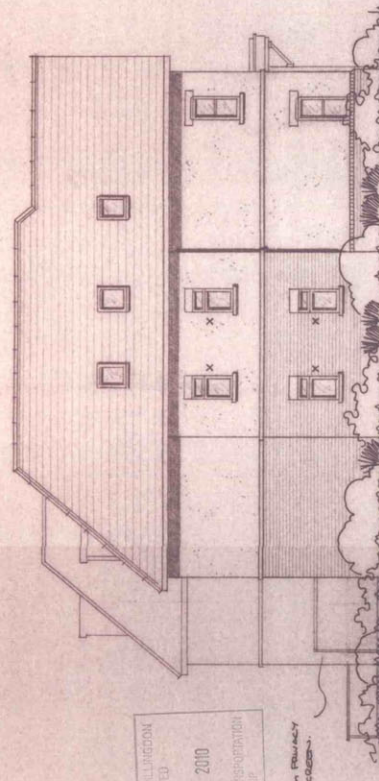


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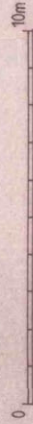
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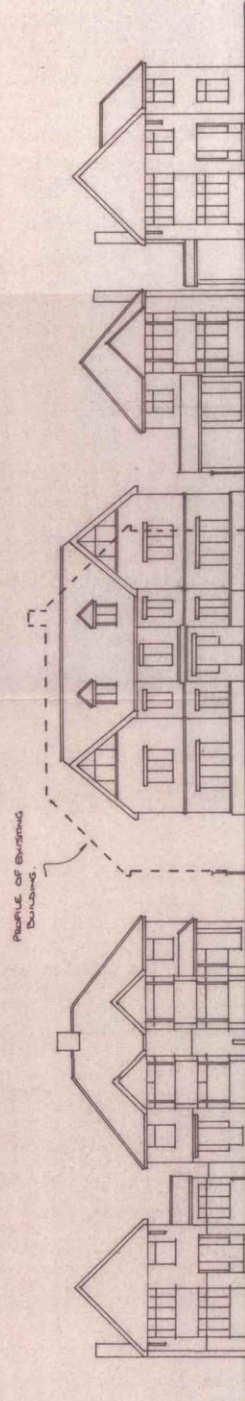


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10 The Street, Eastcote, Eastcote, Leicestershire, LE12 7JH

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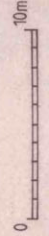


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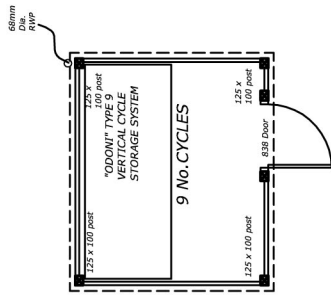
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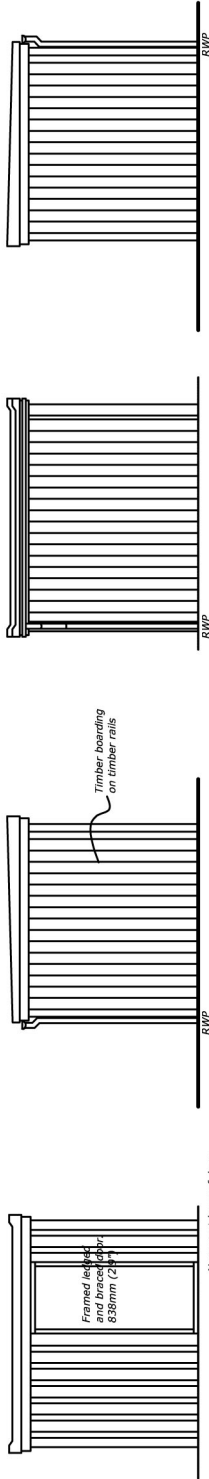
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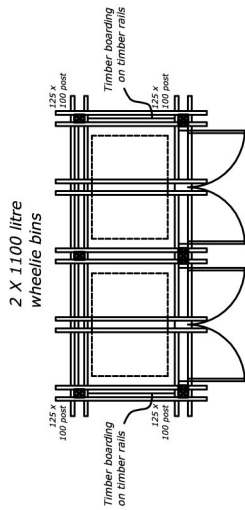
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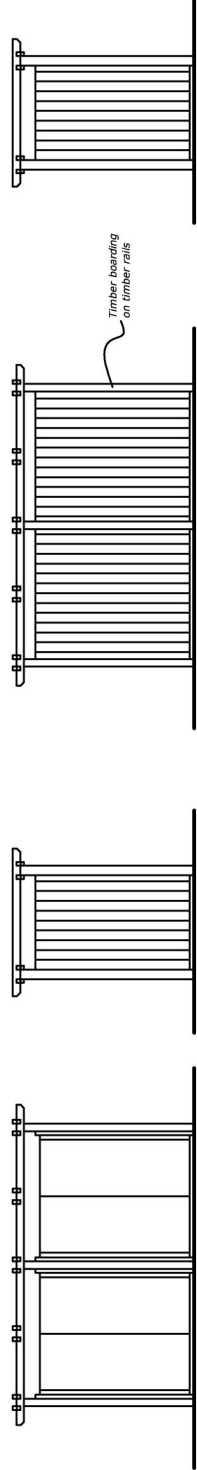
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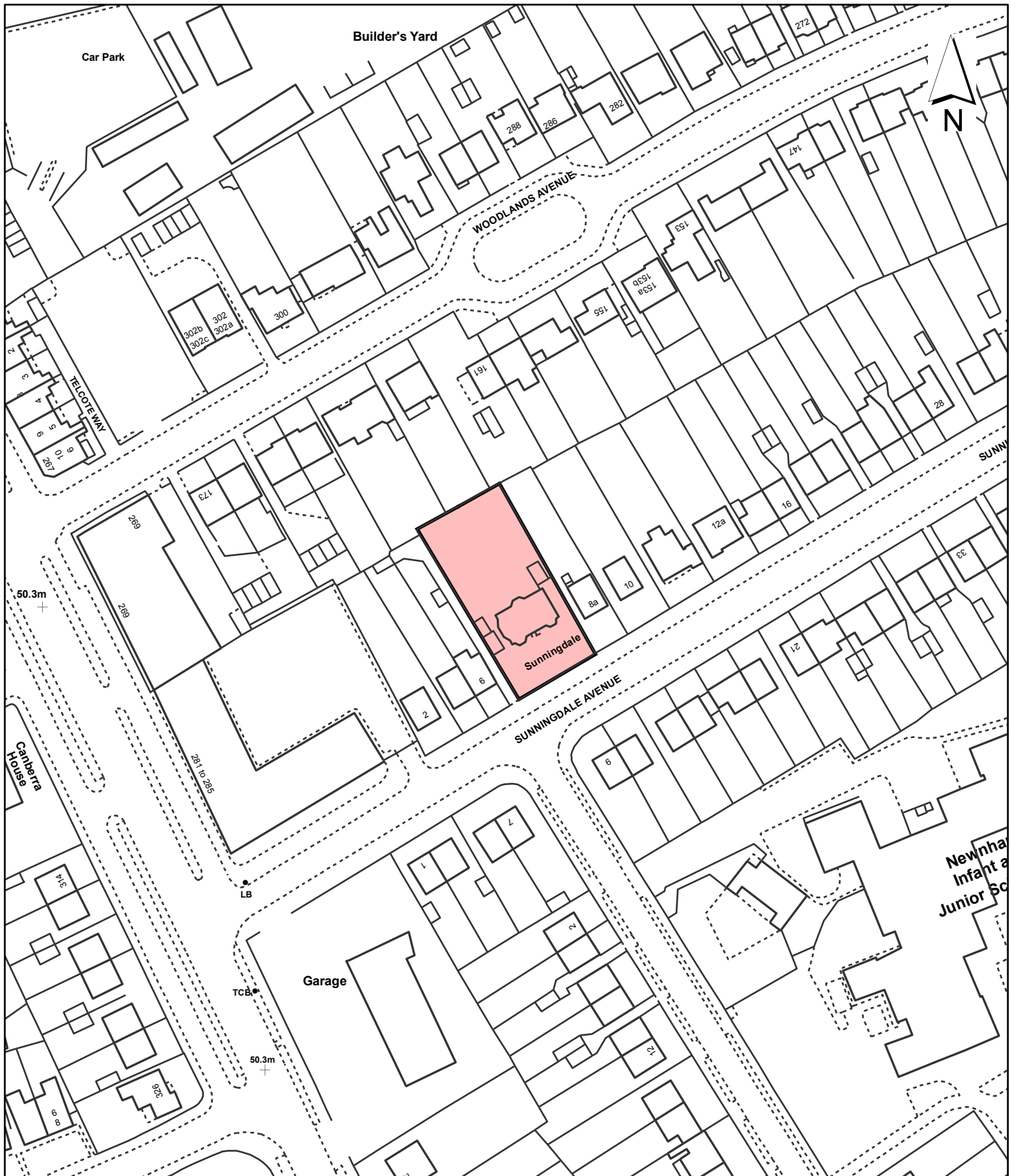
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LAND AT 8 SUNNINGDALE AVENUE, EASTCOTE.

W J Macleod
 ARCHITECT
 720 High Street, Northwood, Middlesex HA6 1EL
 phone: 01823 84000

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Notes

 Site boundary

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19038/APP/2010/770	1:1,250
Planning Committee	Date
North	July 2010

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**Planning &
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Civic Centre, Uxbridge, Middx. UB8 1UW
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