

## Report of the Head of Planning & Enforcement Services

**Address** LAND ADJACENT TO AND FORMING PART OF 30 HARVEY ROAD  
NORTHOLT

**Development:** Erection of 2 x two-bedroom, two storey and 1 x one-bedroom, single storey dwellings with semi-linked lobby and associated parking and amenity space.

**LBH Ref Nos:** 67335/APP/2010/2355

**Drawing Nos:** 10:/590  
10:590/1 Rev. A  
10:590-4  
10:590/2 Rev. A  
10:590/3 Rev. B  
Design and Access Statement  
Photograph x 4

**Date Plans Received:** 08/10/2010                      **Date(s) of Amendment(s):**  
**Date Application Valid:** 15/10/2010

### 1. SUMMARY

This proposal is to develop the side and rear garden of a ground floor maisonnette to provide a pair of semi-detached two-bedroom houses and a linked one-bedroom bungalow on this prominent corner plot. It is considered that although the proposal would satisfy the recommended density guidelines contained within the London Plan, it would appear unduly cramped in relation to the spacious character of this part of Harvey Road and would appear incongruous within the street scene. Furthermore, the proposal fails to provide sufficient internal floor space for the bungalow, adequate amenity space for the occupiers of the residential properties and involves the provision of off-street car parking from the side access road which has restricted access due to it being bollarded. Finally, no provision has been made at this stage to ensure that the scheme would make adequate provision to secure an appropriate contribution towards education facilities.

### 2. RECOMMENDATION

**REFUSAL for the following reasons:**

#### 1 NONSC Non Standard Condition

The proposal, by reason of its siting, scale and design, would appear unduly cramped and out of keeping with the spacious character and surrounding pattern of residential development on this prominent corner plot. The proposal would therefore be detrimental to the visual amenity of the street scene and character and appearance of the surrounding area, contrary to Planning Policy Statement 3 (as amended), the Mayor's Interim Housing Supplementary Planning Guidance (April 2010), 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.

#### 2 NONSC Non Standard Condition

The proposed bungalow fails to provide a sufficient amount of internal floor area and adequate usable private amenity space to afford an adequate standard of residential amenity for future occupiers. The amenity space to the bungalow would also be

overlooked by a first floor window of another unit at a distance of only 4m. The proposal is therefore contrary to Policies BE19, BE23 and BE24 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

**3 NONSC Non Standard Condition**

The proposed houses fail to provide an adequate amount of private usable amenity space for their future occupiers, resulting in a sub-standard form of residential accommodation and the proposed off-street parking spaces, when occupied would be likely to restrict access to the rear amenity space serving the occupiers of No. 30A Harvey Road. The proposal would therefore not provide an adequate standard of residential amenity for future and existing occupiers, contrary to Policy BE23 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

**4 NONSC Non Standard Condition**

The proposal fails to demonstrate that vehicular access would be available on the side access road and adequate off-street car parking would be provided at the site. In the absence of adequate accessible off-street car parking being provided, the proposal is likely to result in additional on-street car parking, detrimental to highway and pedestrian safety, contrary to Policies AM7 and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

**5 NONSC Non Standard Condition**

The proposal fails to satisfy Lifetime Homes standards, contrary to Policy 3A.5 of the London Plan (February 2008) and the Council's Supplementary Planning Document HDAS: Accessible Hillingdon.

**6 NONSC Non Standard Condition**

The development is estimated to give rise to a 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.

PPS1	Delivering Sustainable Development
PPS3	Housing
LP	London Plan (February 2008)
SPD	Mayor's Interim Housing Supplementary Planning Guidance, April 2010
OL5	Development proposals adjacent to the Green Belt
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
H4	Mix of housing units
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
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.
HDAS	Residential Layouts Accessible Hillingdon

### **3. CONSIDERATIONS**

#### **3.1 Site and Locality**

The application site is located on the eastern edge of the Borough and forms a roughly rectangular corner plot on the east side of Harvey Road, to the south of an access road spur. Harvey Road is a residential cul-de-sac, surrounded by open land, with vehicular access taken from West End Road, between Nos. 39/39A and 41, almost opposite the application site. The site currently provides garden space for Nos. 30/30A Harvey Road. Residential properties to the south of the main access and the spur comprise open plan blocks of two-storey maisonettes, designed to give the impression of semi-detached houses whereas properties to the north of these roads are more traditional pairs of semi-detached houses. Adjoining the site to the east is the Lime Tree Golf Course which is within the London Borough of Ealing. Open land to the south and west of Harvey Road forms part of the Green Belt.

#### **3.2 Proposed Scheme**

This application is for an L-shaped part two-storey, part single storey block comprising a pair of two-bedroom semi-detached houses and a linked one-bedroom bungalow. The

block would have a main 10.12m wide, two-storey frontage onto Harvey Road, with a main two storey depth of 7.64m with front and rear elevations slightly set back from the adjoining block, and separated from it by 1.4m at ground floor and 3.5m at first floor levels. The block would return along the spur road for a further depth of 10.72m with a recessed shared lobby linking the houses with the bungalow. The bungalow would have an overall depth of 7.6m which would project beyond the flank elevation of the houses by some 1.1m. The block would have a two storey eaves height of 4.8m and ridge height of approximately 7.6m. Although the eaves height would be comparable to the adjoining block, the ridge height would be 0.7m lower. The eaves height of the single storey element would be 2.5m high, with a main ridge height of 4.7m.

Amenity space for one of the houses and the bungalow would be provided in the space at the rear of the block, with a footpath proposed between the adjoining and proposed blocks, running along the side/rear of this amenity space and accessing the spur road by the side of the bungalow. Amenity space for the corner house would be provided to the west of the footpath, with parking for 5 cars in front of this space, abutting the spur road. Cycle and bin storage is shown in the rear garden areas for each of the properties.

The application is supported by a Planning, Design and Access Statement. This describes the development and identifies relevant planning policies. The statement briefly considers the scheme under various headings and concludes that the proposal will provide much needed accommodation in a sustainable location. It will harmonise with its surroundings and satisfies both national and local policies.

### **3.3 Relevant Planning History**

#### **Comment on Relevant Planning History**

There is no relevant planning history on this site.

## **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:

- |      |   |
|------|---|
| PPS1 | Delivering Sustainable Development                                  |
| PPS3 | Housing   |
| LP   | London Plan (February 2008)   |
| SPD  | Mayor's Interim Housing Supplementary Planning Guidance, April 2010 |
| OL5  | Development proposals adjacent to the Green Belt                    |

BE13	New development must harmonise with the existing street scene.
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## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **1st December 2010**

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

70 neighbouring properties have been consulted and a site notice has been displayed. A petition with 64 signatories has been received, together with 2 individual objection responses.

The petition states:

'We, the residents of Harvey Road, Northolt, sign the attached petition in opposition of the planning permission applied for by 30 Harvey Road, UB5 6QT, for all of the reasons in the accompanying letter.'

The accompanying letter states:

'I enclose a petition from the residents of Harvey Road objecting to this planning application. The reasons for the objection to this planning application are as follows:-

\* There is a service road that runs alongside 30 Harvey Road which is an area that the residents fought long and hard to have fixed bollards erected in the last few years, due to continuing issues with the dumping of rubbish and cars, as well as it being used as a 'lovers lane' and an overspill car park for those parking or looking for the SKLP club whose field it backs onto. Since the bollards

were erected this is the only safe area within Harvey Road for our children to play without the fear of danger.

I understand from the application that there is reference to an area that belongs to the Council, behind these fixed bollards where the application refers to as 'parking' for the newly erected properties. The application also refers to there having been garages in this proposed area in the past but I have to highlight that if this was the case this would have been many years ago. This area is a 'no through' road and we are assuming that if the planning application was passed that it would involve the removal of fixed bollards and therefore the removal of the safe area in which our children play.

\* There would also be continuing issues with noise nuisance/traffic in the area with the proposed extensive building work carried out in relation to this application. You will be aware of the many noise nuisance and parking issues already experienced and reported by the residents of Harvey Road in relation to the ongoing functions being held at the SKLP club and this would add to the residents frustrations.

\* Also, with the proposed development of the new properties, there will be an increase in the number of people and therefore vehicles associated with that. As you are aware there is only one route in and out of Harvey Road and this is already overcrowded with vehicles and parking is virtually impossible as it is. As there are many children living in Harvey Road an additional volume of vehicles coming in and out would in our opinion make the area far more dangerous for pedestrians, especially young children.

\* We would like to highlight that the proposed planning application would also be 'out of keeping' with the existing properties in Harvey Road.

\* There is also a concern with regard to the privacy aspect of the surrounding neighbours in that the proposed development of flats would overlook their gardens.

\* We would also highlight to you that the resident who owns the property alongside the proposed planning application has sadly passed away in the last month and the property is currently empty and going through Probate, so will not be in a position to comment on the planning application. This would significantly de-value this property, and knowing that this property will be put up for sale once this has gone through Probate it would be unfair of you to proceed without having sought the opinion of the eventual owner once this has gone through Probate.

The purpose of this letter and accompanying petition that has signed by the residents is to object to the planning application for all of the aforementioned reasons.'

The individual responses raise the following concerns:

- (i) The proposed building is much larger than those around and concerned about 3 dwellings on such a small site;
- (ii) Access to the garden of 30A will be restricted;
- (iii) The hardstanding is used by the occupant and visitors to 30A;
- (iv) Reduction of garden space is detrimental to local residents;
- (v) London Borough of Ealing is the freeholder, maintains the adjacent building and provides services. How will buildings fit into this situation?
- (vi) Increased traffic is not advisable on such a small road;
- (vii) Cars, not bicycles would be the normal form of transport and no provision has been made for car parking;
- (viii) There would be no benefits to Harvey Road from this scheme.

South Ruislip Residents' Association: No response received.

London Fire Brigade: Consideration has been given to the provision of fire hydrants and we have concluded that we do not require any additional hydrants to be installed. As a result we have no further observations to make.

Ealing Council: Raise no objection to the proposal.

### **Internal Consultees**

Urban Design/Conservation Officer:

**PROPOSAL:** 3 new attached dwellings, 2 x 2 bed two storey and 1 x 1 bed single storey with semi linked lobby and associated parking and amenity space

**BACKGROUND:** The site forms part of the corner property of a modern semi-detached pair. The houses have been converted to maisonettes, with separate access from the side at first floor. The street is suburban and spacious in character with simply designed post war and later semi-detached properties, set back from the street. The homogenous layout of the buildings, continuous building line and the grass frontages form an attractive part of the street-scene and appearance of the area.

**COMMENTS:** The scheme proposes to sub-divide the garden area to No.30, for three units, including on-site parking and amenity space. The new build is divided into a two storey block to the front and a single storey bungalow to the side with a linking lobby. This would involve the demolition of an existing single storey concrete structure. Given the corner location, the site would be highly prominent in the street scene.

There are no objections in principle for the development of this site for residential use. It is felt, however, that the proposed block would have a much larger footprint in comparison to the semi-detached houses and would appear considerably deeper when viewed from the corner. The positioning of the three units in relation to their associated amenity space is poor, and given the limited plot size, the proposal would result in a cramped form of development. This would not relate to the established layout of the adjacent houses and would be detrimental to the homogeneity of the area.

From a design point of view, the scheme does not reflect the scale and general appearance of the maisonettes immediately adjacent to the site, and appears 'out of place'. In this respect, the scheme would have a negative impact on the townscape of its surroundings.

Whilst acceptable in principle, the scheme would result in a cramped form of development that would be considered detrimental to the homogeneity, visual quality and overall appearance of the area. It is, therefore, unacceptable.

**RECOMMENDATION:** It is recommended that the site should be developed for a pair of maisonettes, replicating the proportions of No.30 with rear gardens. It is also suggested that, the detailing of the block could be improved by reflecting the architectural features of the existing residential properties on the street.

**CONCLUSION:** Unacceptable.

Highway Officer:

The new vehicular crossover and parking spaces are proposed from the service road off Harvey Road. At present, vehicular access (except emergency vehicles) on this road is restricted by a

traffic order and bollards on the road.

The applicant has not submitted any information to satisfactorily resolve this issue.

The proposed parking spaces are therefore not useable and hence the development would add to on-street parking demand.

Consequently, the development is considered to be contrary to Policies AM7 & AM14 of the UDP.

Tree Officer:

**BACKGROUND:**

The site occupies a spacious corner plot adjacent to a pair of semi-detached houses within a residential street characterised by open front gardens and wide grass verges. Drawing No. 10:590/1 Rev A indicates the approximate locations of a highway tree in the front and a number of unspecified fruit trees to the side and rear of house number 30. No detailed tree survey has been submitted.

There are no Tree Preservation Orders on, or close to, the site, nor does it fall within a designated Conservation Area.

**PROPOSAL:**

The proposal is to build two new semi-detached houses along the frontage and a third property, a bungalow, to the rear. Car parking will be provided at the end of the side street / cul-de-sac, beyond the bungalow.

The Design & Access Statement fails to comment of the existing landscape character or proposed landscape objectives.

**LANDSCAPE CONSIDERATIONS:**

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

\* While the existing trees have some amenity and ecological value, they do not merit retention or pose a constraint on development, provided that replacement tree planting is included in the new landscape layout.

\* DCLG / EA guidance requires new driveways to be designed and installed in accordance with SUDS principles.

**RECOMMENDATIONS:**

No objection subject to the above considerations and conditions TL5 and TL6.

Access Officer: In assessing this application, reference has been made to London Plan Policy 3A.5 (Housing Choice) and the Council's Supplementary Planning Document 'Accessible Hillingdon' adopted January 2010.

No details have been submitted or reflected on plan in respect of the above policy requirement. The scheme should be revised and compliance with all 16 Lifetime Home standards (as relevant) should be shown on plan.

Conclusion: Unacceptable

It may be feasible to incorporate the standards without a fundamental re-design, however, the standards should ordinarily be incorporated at design inception.

Highway Engineer: The new vehicular crossover and parking spaces are proposed from the Service Road off Harvey Road. At present, vehicular access (except emergency vehicles) on this



road is restricted by a traffic order and bollards on the road. The applicant has not submitted any information to satisfactorily resolve this issue. The proposed parking spaces are therefore not useable and hence the development would add to on-street parking demand. Consequently, the development is considered to be contrary to Policies AM7 and AM14 of the UDP.

Environmental Protection Officer: I do not wish to recommend any conditions in respect of this application. I understand comments on land contamination have been sent under separate cover.

Should planning permission be granted, please ensure the following Construction Site informative is added in respect of the construction phases.

Environmental Protection Officer (Land Contamination):

The application intends to introduce additional sensitive receptors to the area. We have no contamination information regarding the application site, or for the adjacent local authority. No former contaminative use has been identified at the site.

If the standard contaminated land condition is considered too onerous, as a minimum the following landscaping and imports condition is recommended. As there will be private gardens as well as an amenity space, it is important that the relevant information is submitted to satisfy the condition.

Condition to minimise risk of contamination from garden and landscaped area

All soils used for gardens and/or landscaping purposes shall be clean and free of contamination. Site derived soils and imported soils shall be tested for chemical contamination, and the results of this testing shall be submitted to the Local Planning Authority for approval.

Note: The Environmental Protection Unit (EPU) must be consulted for their advice when using this condition.

REASON: To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

Education Services: A S106 contribution of £17,488 would be required (£1,590 - Nursery, £8,090 - Primary, £5,661 - Secondary and £2,147 - Post 16).

Waste Services: The plan does show that a space has been allocated for the storage of waste and recycling, which is good practice. However, Hillingdon is not a wheeled bin borough. Bins or other containment would have to be provided by the developer.

The current waste and recycling collection systems are:

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

The residents would be required to present the waste and recycling at the curtilage of the property on the allocated collection days.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

The proposal involves the development of garden land within an established residential

area. Additional guidance on the development of gardens and the interpretation of related policies has recently been published and would be an important material consideration in determining the principal of development on this site.

Key changes in the policy context, includes 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".

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 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."

On the 9th June 2010, Government implemented the commitment made in the Coalition Agreement to decentralise the planning system by giving Local Authorities the opportunity to prevent overdevelopment of neighbourhoods and 'garden grabbing' in the amended Planning Policy Statement 3: Housing (PPS3). The key changes are as follows:

\* Private residential gardens are now excluded from the definition of previously developed land in Annex B.

\* The national indicative minimum density of 30 dwellings per hectare is deleted from paragraph 47.

Together, these changes emphasis that it is for local authorities and communities to take the decisions that are best for them, and decide for themselves the best locations and types of development in their areas. The amended policy document sets out the Secretary

of State's policy on previously developed land and housing density. Local Planning Authorities and the Planning Inspectorate are expected to have regard to this new policy position in preparing development plans and where relevant, to take it into account as a material consideration when determining planning applications.

The key point in relation to the proposed scheme is that residential gardens are no longer included within the definition of 'previously developed land' ie. 'brownfield land'. There is hence no automatic presumption that residential gardens are nominally suitable for development or redevelopment, subject to compliance with normal development control criteria.

As regards the principal of developing this site, whilst there is no objection in principle to the intensification of use on existing residential sites, it is considered that in this instance, the loss of and in-depth development of the side and rear garden on this prominent corner plot would be detrimental to the spacious character of the area. This is discussed in more detail at Section 7.07 below.

#### **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 fringe location and has a Public Transport Accessibility Level (PTAL) of 1b. Taking these parameters into account, the matrix recommends a density of 50-75 u/ha and 150-200 hr/ha, assuming units have an indicative size of 2.7 to 3.0 hr/unit. This proposal equates to a density of 60 u/ha and 160 hr/ha. The proposal therefore satisfies the density standards as recommended by the London Plan.

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

There are no historical assets in the vicinity of the application site.

#### **7.04 Airport safeguarding**

The proposal does not raise any airport safeguarding issues.

#### **7.05 Impact on the green belt**

Policy OL5 of the saved UDP seeks to ensure that development adjacent to or conspicuous from the green belt would not injure its visual amenities.

Although this proposal would result in built development being brought closer to the Green Belt boundary at the rear of properties on Harvey Road, the proposal would maintain a 20m gap to this boundary. At such a distance, the proposal would not be harmful to the Green Belt's open character, particularly as the nearest building would be the bungalow.

#### **7.06 Environmental Impact**

Not applicable to this application

#### **7.07 Impact on the character & appearance of the area**

The southern end of Harvey Road has a relatively spacious character, with the two storey maisonette blocks set back from the road by approximately 7.5m, with their front garden areas being open and grassed with no boundary structures. The sense of openness is enhanced by the surrounding Green Belt which can be glimpsed between the first floor gaps between and at the side of the blocks, including the open side garden area of the application site.

The proposed houses would not project beyond the front and rear building lines on this prominent corner plot on Harvey Road and would maintain the existing open front garden area. However, the size of plot for three units is restricted. The houses would maintain a first floor undeveloped gap of 3.5m from the adjoining block, which is less than the 5.5m uniform gap maintained between other blocks on this part of Harvey Road and at their nearest point, the properties would only maintain a set back of 0.75m from the side access road. Given the spacious character of the road, the proposal would appear unduly cramped. Furthermore, the rear siting of the proposed bungalow would be out of keeping with the surrounding pattern of residential development with only frontage development along Harvey Road.

Furthermore, the houses would be of a narrower depth incorporating a roof with a lower ridge height and shallower angle of pitch. The design also incorporates incongruous features such as soldier courses.

The Council's Urban Design/Conservation Officer advises that overall, the scheme does not reflect the scale and general appearance of the maisonettes immediately adjacent to the site, and would fail to harmonise with the street scene. As such, the proposal is contrary to Planning Policy Statement 3 (as amended), the Mayor's Interim Housing Supplementary Planning Guidance (April 2010), 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 (July 2006).

#### **7.08 Impact on neighbours**

The proposed houses would be sited to the north of the adjoining maisonette block and would not project beyond its front and rear building lines. Furthermore, the flank elevation of the adjoining block facing the application site does not contain any habitable room windows. Although the proposed bungalow would project approximately 10m from the main rear elevation of the adjoining residential building, it would maintain a minimum set back of 5m from the new side boundary dividing the rear gardens and a minimum of approximately 9m from the side elevation of the adjoining building. This relationship would ensure that only a small corner of the bungalow would encroach upon a 45° line of sight taken from the nearest habitable room windows at Nos. 30/30A Harvey Road, but at over 13m away, the single storey building would have no adverse impact. Any potential for the loss of privacy from the windows in the rear elevation of the bungalow could be mitigated with the provision of appropriate boundary fencing.

As regards the impact of the proposal upon properties to the north, the proposal would be separated by the 12m wide access road so that the properties would not be adversely affected by means of dominance or loss of sunlight. The proposal does contain a first floor main bedroom window to the corner property, but most of the rear patio area at No. 32 would be more than 21m from this window so that it would be sufficiently remote to maintain its privacy, in accordance with design guidance. As such, the proposal complies with Policies BE20, BE21 and BE24 of the saved UDP.

#### **7.09 Living conditions for future occupiers**

In order for new residential units to afford a suitable standard of amenity for future occupiers, the Council's SPD recommends minimum internal floor areas for different types of residential units. For one-bedroom and two bedroom houses and bungalows, guidance recommends a minimum floor area of 50m<sup>2</sup> and 63m<sup>2</sup> respectively. Although the houses with floor areas of 63m<sup>2</sup> and 66m<sup>2</sup> would satisfy minimum standards, the bungalow with a floor area of 48m<sup>2</sup> is undersized.

The SPD also stipulates that one-bedroom houses should have a minimum area of private

amenity space of 40m<sup>2</sup> which increases to 60m<sup>2</sup> for two and three-bedroom houses. The proposed houses would have amenity areas of 19m<sup>2</sup> and 42m<sup>2</sup> and the bungalow 29m<sup>2</sup>, all well below minimum standards. Furthermore, the amenity space for the bungalow would not be particularly private, being directly overlooked by a first floor bedroom window within Unit 1 at a distance of 4m, whereas the SPD requires a 21m distance to be maintained to safeguard privacy. Furthermore, due to its small size and siting, much of the amenity area for Unit 1 would be overshadowed for most of the day and the amenity area for Unit 2 would be somewhat remote from the house, involving a short walk along the spur road and footpath which is not ideal. The existing property, No.30 would retain a usable amenity area in excess of 120m<sup>2</sup> whereas the amenity area for No.30A, whilst not directly affected by the proposal, being sited to the rear of No.30's amenity space, would have parking spaces at the front of the space that could obstruct access to it when the spaces are occupied.

It is therefore considered that the accommodation proposed would fail to provide suitable standards of residential accommodation, contrary to Policies BE19 and BE23 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the SPD HDAS: Residential Layouts.

#### **7.10 Traffic impact, car/cycle parking, pedestrian safety**

The proposal would provide 5 off-street car parking spaces, located to the east of the proposed bungalow, which would be accessed from the side access road. The proposal would satisfy the Council's adopted maximum car parking standards. However, a number of the spaces are undersized. Furthermore, access to the spaces would utilise the spur road, which has a traffic order restricting vehicular access (except for emergency vehicles) and there are bollards at the junction with Harvey Road. The application provides no information as to how it is intended to overcome these matters and vehicular access will be provided. The Local Planning Authority cannot therefore be sure that the off-street parking spaces would be available to the occupiers and without off-street provision being made, the proposal would be likely to give rise to additional on-street car parking, detrimental to highway and pedestrian safety. On this basis, the Highway Engineer objects to the proposal as it is contrary to Policies AM7 and AM14 of the adopted Unitary Development Plan Saved Policies (September 2007).

#### **7.11 Urban design, access and security**

Had the application been recommended for approval the issue of security could be addressed by condition.

#### **7.12 Disabled access**

Policy 3A.5 of the London Plan (February 2008) requires all new housing to be built in accordance with Lifetime homes standards.

The proposal fails to satisfy Lifetime homes standards and amendment to the scheme would be required to ensure compliance. It is considered that given the internal size of the units and in particular the proposed bungalow, it may prove difficult to comply with lifetime homes standards without a major redesign of the proposal. It is not therefore a matter which could be covered by condition. On this basis, the Council's Access Officer objects to the proposal as the scheme is contrary to Policy 3A.5 of the London Plan (February 2008) and the Council's Supplementary Planning Document HDAS: Accessible Hillingdon.

#### **7.13 Provision of affordable & special needs housing**

Not applicable to this application

#### **7.14 Trees, Landscaping and Ecology**

The Council's Tree Officer advises that although there are a number of trees on site, none are of any particular merit and do not constrain the proposed development. Conditions

could be attached if the scheme were to be recommended for approval to ensure that replacement tree planting and landscaping were implemented in order to ensure compliance with Policy BE38 of the saved UDP.

#### **7.15 Sustainable waste management**

The Council's Waste Services advise that the scheme does show bin storage provided within the rear gardens of the proposed properties, which is good practice. However, the current waste and recycling scheme operating in the area involves sacks being placed at the curtilage of residential properties on allocated collection days. As such, no objections are raised to the proposal.

#### **7.16 Renewable energy / Sustainability**

Policy 4A.7 of the London Plan (February 2008) requires developments to achieve a 20% reduction of carbon dioxide emissions from on site renewable energy generation. Although no details have been submitted as to how this could be achieved, it is considered that a condition requiring the development to meet Code 3 of the Code for Sustainable Homes could have been attached, had the application been recommended favourably.

#### **7.17 Flooding or Drainage Issues**

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

#### **7.18 Noise or Air Quality Issues**

Residential development within this residential area would not raise any specific concerns regarding noise and air quality.

#### **7.19 Comments on Public Consultations**

As regards the comments raised by the petitioners, the relevant planning considerations as regards the first point concerning the bollarded access has been dealt with in the main report. As regards the second point, construction noise would be dealt with by Environmental Health legislation. In terms of the third point, the increase in traffic using the only access to Harvey Road associated with the 3 proposed properties would not be significant. Potential parking problems are dealt with in the main report, as is the fourth and fifth points raised which concern incongruous development and privacy respectively. Point 7 regarding the adjoining property going through probate is noted, but is not a valid planning reason to delay the determination of this application.

As regards the individual responses to the application, points (i), (ii), (iv), (v) and (vi) are dealt with in the main report. Points (iii) and (viii) are noted and point (vii) is incorrect and parking is considered in the report.

#### **7.20 Planning Obligations**

Policy R17 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) is concerned with securing planning obligations where appropriate to offset the additional demands made by new development upon recreational open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities in conjunction with other development proposals. This is supported by more specific supplementary planning guidance.

It is considered that the scale of development proposed would generate a potential need for additional school facilities and Education Services advise that this scheme would need to make a total contribution to mitigate the impact of the development of £17,488 (£1,590 - Nursery, £8,090 - Primary, £5,661 - Secondary and £2,147 - Post 16). As the application is being recommended for refusal, no detailed negotiations have been entered into with the prospective developer in respect of this contribution. As no legal agreement

to address this issue has been offered at this stage, 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**

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**

Although the proposal would satisfy the recommended density guidelines contained within the London Plan, the proposal would appear unduly cramped in relation to the spacious character of this part of Harvey Road and appear incongruous within the street scene on this prominent corner plot. Furthermore, the proposal fails to provide sufficient internal floor space for the bungalow, adequate useable amenity space for the occupiers of the residential properties, involves the provision of off-street car parking which when occupied, would restrict access to the existing rear amenity space serving No. 30A Harvey Road and as these spaces would take their access from the side spur road, which has restricted access, it is not clear if this off-street car parking would be readily available and therefore there is a likelihood that the proposal would give rise to additional on-street car

parking, detrimental to highway and pedestrian safety.

Finally, no provision has been made at this stage to ensure that the scheme would make adequate provision to secure an appropriate contribution towards education facilities. The scheme is therefore recommended for refusal.

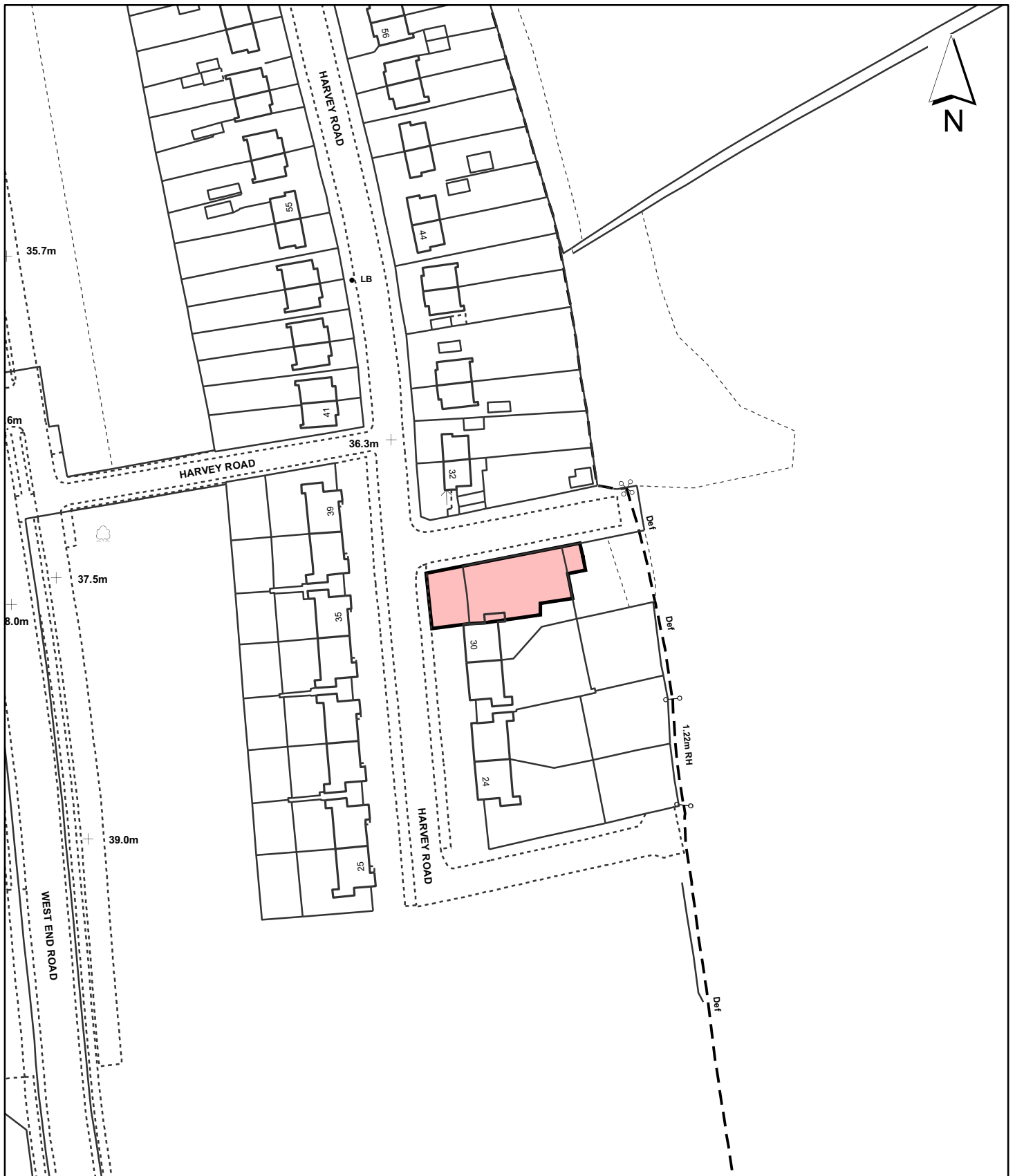
## **11. Reference Documents**



PPS1: Delivering Sustainable Development  
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  
HDAS: Residential Layouts  
HDAS: Accessible Hillingdon (January 2010)  
Planning Obligations Supplementary Planning Document, July 2007  
Consultation responses

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<p><b>Notes</b></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 2010</p>	<p>Site Address</p> <p><b>Land adjacent to and forming part of 30 Harvey Road Northwood</b></p>		<p><b>LONDON BOROUGH OF HILLINGDON</b></p> <p><b>Planning, Environment &amp; Community Services</b></p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p><b>67335/APP/2010/2355</b></p>	<p>Scale</p> <p><b>1:1,250</b></p>	
	<p>Planning Committee</p> <p><b>North</b></p>	<p>Date</p> <p><b>December 2010</b></p>	