Report of the Head of Planning & Enforcement Services

40 THE DRIVE NORTHWOOD **Address**

Development: 2 five-bedroom detached dwellings with basement and habitable roofspace,

associated parking and amenity space and installation of vehicular crossover

to front, involving demolition of existing detached dwelling.

13554/APP/2010/1491 **LBH Ref Nos:**

Drawing Nos: TD20

TD09

TD31

TD01

TD02

TD03

TD05

TD33

TD07

TD08

TD06

TD04

TD12

TD13

TD14

TD21

TD22

TD23

TD24

TD30

TD16

TD26 TD32

TD18

TD19

TD28

TD29

TD17

TD27

TD15

TD25

Design and Access Statement

Tree Report

TD10 Rev. A

TD11 Rev. A

TD34

TD36

TD35

Date Plans Received: 28/06/2010 Date(s) of Amendment(s):

29/07/2010 Date Application Valid:

1. SUMMARY

Planning permission is sought for the erection of two, 5 bedroom detached houses with associated parking and landscaping. The proposed houses would provide an acceptable standard of accommodation for future occupiers and sufficient off-street parking has been provided. However, by reason of their size, siting, bulk, design and appearance, the proposed houses would represent an incongruous and visually intrusive form of development which would detract from the character and appearance of the street scene and the area.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed dwellings, by reason of their siting, size, scale, bulk, design, and appearance, would represent an incongruous and visually intrusive form of development which would fail to relate satisfactorily with the character and appearance of the existing houses in the street. They would appear cramped on the site in relation to other houses in the street, to the detriment of the character and appearance of the street scene and surrounding area generally, contrary to policies BE13, BE19 and BE22 of the Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

2 NON2 Non Standard reason for refusal

The development is likely to give rise to a significant number of children of school age that would require additional educational provisions, due to the shortfall of places in schools serving the area. Given that a legal agreement or unilateral undertaking has not been offered to address this issue, the proposal is considered to be contrary to Policy R17 of the Adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and the Council's Planning Obligations, Supplementary Planning Document (July 2008).

INFORMATIVES

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 t	the provision o	f adequat	e 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.

H7 Conversion of residential properties into a number of units

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.

R17 Use of planning obligations to supplement the provision of

recreation, leisure and community facilities

HDAS Hillingdon Design & Accessibility Statement (HDAS): Accessible

Hillingdon (adopted in August 2006 and to form part of the emerging Local Development Framework documents).

Hillingdon Design & Accessibility Statement (HDAS): Residential Layouts (adopted in August 2006 and to form part of the emerging

Local Development Framework documents):

4.1 Density 4.6 Unit Size

4.9 Sunlight/Daylight

4.12 Privacy

4.15 Garden Space for Houses

4.23 Elevation Treatment

4.33 Car Parking 4.39 Cycle Parking

4.40 Waste Management

LPP 4A.3 London Plan Policy 4A.3 - Sustainable Design and Construction.

LPP 3A.5 London Plan Policy 3A.5 - Housing Choice

3

Given the scale, depth and proximity of the basement to the neighbouring property you are advised to seek specialist advice on the implication of the basement with regard to subsidence from a qualified structural engineer.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the north west side of The Drive and comprises a two storey detached house set within a spacious plot. To the north east lies 40C The Drive, a two storey detached house and to the south west lies a driveway leading to 40A and 40B The Drive, located to the rear of the application site. 42 The Drive, also a detached house, lies beyond the driveway. The street scene is residential in character and appearance comprising large detached houses of varying designs, some set within large plots, and the application site lies within the developed area as identified in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007). The application site is also covered by TPO 159.

3.2 Proposed Scheme

Planning permission is sought for the erection of two detached 5 bedroom houses. The proposed houses would be set in line with the front building line of 40C The Drive, some 20m from the road, and they would be identical in size, scale, bulk and appearance.

House no. 40, located to the south west would be set on the new side boundary with House 40D and would retain a 1m gap to the side boundary with the existing driveway. House no. 40D would retain a 0.6m gap to the side boundary with House no. 40, and would be set against the side boundary with 40C The Drive.

Each house would measure 8.7m wide, 9.6m deep, 6m high at eaves level and finished with a duel pitched gable end ridged roof 9.1m high at ridge level. A front extension/porch is proposed set flush with the outer flank walls of the proposed houses. They would measure 6.1m wide, 1.6m deep and finished with a mono-pitched roof 2.7m high at eaves level and 3.6m high at their highest point.

A dormer window is proposed on the inner roofslopes (facing each property)of the proposed houses. They would each measure 1.6m wide, 1.3m deep and finished with a flat roof 1.6m high. They would retain gaps of 5.4m and 2.9m to the front and rear roof edges, respectively, 0.6m to the eaves, and 1m to the roof ridge. Dormer windows are also proposed on the outer roofslopes. They would each be set at eaves level, flush with the flank wall of the proposed houses, and would each measure 2m wide, 3m deep and finished with a flat roof 1.5m high. These dormer windows would retain gaps of 4.8m and 3.1m to the front and rear roof edges, respectively, and 1.6m to the roof ridge. The glazing within these dormers would extend some 4m down the flank wall to create a glazed screen.

High level windows are proposed in the front and rear gable ends and a rear first floor balcony is also proposed.

Each house would provide a basement games room area, a living room, dining room, kitchen and study at ground floor level, 3 bedrooms, WC and a living area/study capable of providing an additional bedroom at first floor level and within the roof void a further two bedrooms

The front area would provide two off-street parking spaces and soft landscaping while the rear gardens would incorporate a swimming pool.

3.3 Relevant Planning History

Comment on Relevant Planning History

None

4. Planning Policies and Standards

PPS3 Housing sets out policy objectives for housing and specific outcomes that the planning system should deliver and includes a sufficient quantity of housing taking into account need and demand and seeking to improve choice. The statement encourages more efficient use of land but not at the expense of good design, or other principles of sustainability set out in PPS1.

UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

Part 2 Policies:

BE13	New development must harmonise with the existing street scene.
BE13	New development milet narmonise with the existing street scene
	THE WALL OF THE PROPERTY OF TH

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.

H7 Conversion of residential properties into a number of units

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.

R17 Use of planning obligations to supplement the provision of recreation, leisure and

community facilities

HDAS Hillingdon Design & Accessibility Statement (HDAS): Accessible Hillingdon

(adopted in August 2006 and to form part of the emerging Local Development

Framework documents).

Hillingdon Design & Accessibility Statement (HDAS): Residential Layouts (adopted in August 2006 and to form part of the emerging Local Development Framework documents):

4.1 Density

4.6 Unit Size

4.9 Sunlight/Daylight

4.12 Privacy

4.15 Garden Space for Houses

4.23 Elevation Treatment

4.33 Car Parking

4.39 Cycle Parking

4.40 Waste Management

LPP 4A.3 London Plan Policy 4A.3 - Sustainable Design and Construction.

LPP 3A.5 London Plan Policy 3A.5 - Housing Choice

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

16 adjoining owner/occupiers and the Northwood Residents' Association have been consulted. 9 letters of objection have been received making the following comments:

- (i) The proposed houses would be out of keeping with the character and appearance of the street scene;
- (ii) The proposed development appears excessive as the houses are close together. This is out of character with the street scene;
- (iii) The level of excavation would cause subsidence to nearby houses;
- (iv) The proposed swimming pool (at House no. 40D) would result in additional noise and disturbance to 38 The Drive.
- (v) The proposal represents an overdevelopment of the site:
- (vi) The windows would overlook 40C The Drive causing an unacceptable loss of privacy;
- (vii) The proposed houses appear to comprise 6 bedrooms; and
- (viii) The size, scale, height and design of the houses would represent an incongruous form of development.

Ward Councillor: Requests that this application is reported to the planning committee for determination.

Internal Consultees

Trees/Landscape: The Arboricultural Method Statement (AMS) should be updated on the plans (and within the relevant parts of the tree report) to reflect the architect's following paragraph:

During the installation of the new access/entrance (red hatch on the special construction plan) the arb consultant should be on site to supervise, a short document with photographic evidence will be sent to the acting tree officer to update them. We will also do the same for the installation of the geocell driveway, the areas covered should take no more than approximately 2 days to complete and the plans/report should make it clear that the cyan hatched area (special protection area) is a no dig area.

Subject to the above amendments, this scheme complies with Saved Policy BE38 of the UDP.

Waste Management: Space does not appear to have been allocated for waste and recycling storage. However, the waste and recycling collection system is currently based on sacks so this is not too great a problem. The existing system is as described below:

Weekly residual (refuse) waste, using sacks purchased by the occupier (allow 4 or 5 x 70 litre sacks per 5 bedroom dwelling);

Weekly dry recycling collection, using specially marked sacks provided by the Council (allow 3 or 4 x 70 litre sacks per 5 bedroom dwelling):

Fortnightly green garden waste collection, using the specially marked reusable bags provided by the Council (3 bags provided per household).

The residents would need to present the waste and recycling at the curtilage of the property on the allocated collection day.

Environmental Protection Unit (Contamination): It would appear that the site does not have or has had a contaminative use. It appears there is some landscaping work. I would advise adding a condition for the testing of imported soil in case extra topsoils are deposited at the site, it's difficult to tell if they have enough 'clean' garden soil on site. An importation of fill condition and a site

construction informative are recommended.

Access: 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. The scheme should be revised and compliance with all 16 Lifetime Home standards (as relevant) should be shown on plan. The following access observations are provided:

- 1. Level access is required into the proposed dwelling houses via the front door. It is noted, that stepped access is currently proposed.
- 2. The bathrooms/ensuite facilities, including the entrance level WC, should be designed in accordance with Lifetime Home standards. At least 700mm should be provided to one side of the WC, with 1100mm provided between the front edge of the toilet pan and a door or wall opposite.
- 3. To allow bathrooms, including the entrance level WC, to be used as wet rooms in future, plans should indicate floor gulley drainage.
- 4. The plans should indicate the location of a future 'through the ceiling' wheelchair lift that is capable of accessing all stories, including the proposed basement areas.

The Design & Access Statement should be revised to confirm adherence to all 16 Lifetime Home standards.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application proposes a residential development within a residential area. As such, the proposal is acceptable in principle, subject to the policies of the Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and Supplementary Planning Document HDAS: Residential Layouts and Accessible Hillingdon.

7.02 Density of the proposed development

The proposed scheme would have a density of 166 habitable rooms per hectare. This is at the lower end of the London Plan density range of 150-250 habitable rooms per hectare based on the site's Public Transport Accessibility Level (PTAL) score of 1. However, this is considered to be acceptable and would be compatible with the local context. Accordingly, no objection is raised to the proposed density in this instance.

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

Policy BE13 of the Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene, and BE19 states the Local Planning Authority will seek to ensure that new development within residential areas compliments or improves the amenity and character of the area. The adopted Supplementary Planning Document (SPD): New Residential Layouts: Section 3.4 states this type of development must seek to enhance the character of the area.

The street scene and surrounding area is characterised by two storey detached houses, many set within spacious plots, and with side gaps between properties. The proposed

houses would not retain 1m gaps between each other and to the side boundary with 40C The Drive. They would therefore appear as a cramped form of development in the street scene.

Furthermore, the proposed gable end design, fenestrations details and siting on the front and rear elevations, and large dormer window with exaggerated glazing on the outer flank walls, are uncharacteristic features to houses in the street. It is acknowledged that the street scene comprises a variety of house styles, however, the proposed houses, by reason of their siting, size, bulk, design, character and appearance would detract from the character and appearance of the street scene and surrounding area generally. Therefore, the proposal is contrary to policies BE13, BE19 and BE22 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and the adopted Supplementary Planning Document Hillingdon Design & Accessibility Statement(HDAS): Residential Layouts.

7.08 Impact on neighbours

Paragraph 4.9 of the HDAS: Residential Layouts advises that all residential developments and amenity spaces should receive adequate daylight and sunlight and that new development should be designed to minimise the negative impact of overbearing and overshadowing. It goes on to advise that 'where a two storey building abuts a property or its garden, adequate distance should be maintained to overcome possible domination'. Generally, 15m will be the minimum acceptable distance between buildings. Furthermore, and a minimum of 21m overlooking distance should be maintained.

42 The Drive would be located some 7m to the south west of the flank wall of House no. 40, and 40A The Drive would be some 30m to the north west of the rear elevations of the proposed houses. These distances are sufficient to ensure that the proposal would not harm the residential amenities of the occupiers of those houses through overdominance, visual intrusion overshadowing and overlooking.

The proposed houses would not project beyond the rear wall of 40C The Drive. That property does not have any habitable room window facing the application site and given the siting of the proposed side dormer window facing that house, it would not result in direct overlooking onto the private amenity space of 40C The Drive. 38 The Drive would be screened from the proposed houses by 40C The Drive. The proposed swimming pool at House no. 40D would be located at the bottom of the rear garden adjacent to the side boundary with 38 The Drive. However given its location in relation to that house, the proposed swimming pool will not result in a significant increase in noise and disturbance and as such would not harm the residential amenities of the occupiers of 38 The Drive.

As such, it is considered that the proposal would not harm significantly the residential amenities of nearby properties and the proposal would provide sufficient residential amenities for future occupiers, in accordance with policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

The new windows would provide an adequate outlook and natural light to the rooms they would serve, in accordance with London Plan Policy 4A.3 and BE20 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.09 Living conditions for future occupiers

The internal size of the proposed houses would be in excess of 300sq.m. This would meet the requirements of paragraph 4.6 of the Hillingdon Design & Accessibility Statement: Residential Layouts for 4 (or more) bedroom houses, in accordance with policy H7 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

With regard to amenity space, some 300sq.m of usable space would be provided for each property. This would meet the recommended standard of 100sq.m for 4 (or more) bedroom houses as advised at paragraph 4.15 of the Hillingdon Design & Accessibility Statement: Residential Layouts. Therefore, the proposal would comply with policy BE23 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The proposed houses would not lead to a significant increase in traffic generation given their proposed use and location within a residential area. As such, the proposal would comply with policy AM7 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

The area has a PTAL accessibility rating of 1, which means within a scale of 1 to 6, where 6 is the most accessible, the area has a low accessibility level. Therefore, the Council's maximum parking standard of 2 spaces is required for each proposed dwelling.

The submitted plans show 2 off-street parking spaces at the front for the proposed houses. Access to House no. 40 would be via the existing side driveway and a new crossover and driveway are proposed for House no. 40D.

The parking provision would accord with the above standard and the access arrangements are acceptable. As such, the proposal is unlikely to result in an increase in on street demand for parking, in accordance with policies AM7(ii) and AM14 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and the Council's Parking Standards (Annex 1, adopted Hillingdon Unitary Development Plan, Saved Policies, September 2007).

The proposal fails to provide covered and secured cycle parking to cater for 2 cycle parking spaces, in accordance with the standards. However, this can be secured by way of a suitable planning condition should planning permission be granted. Finally, the proposal includes a crossover however, no details have been submitted. These details could also be secured by an appropriate condition should planning permissions be granted. As such, the proposal would comply with policy AM9 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.11 Urban design, access and security

These issues are addressed in Section 7.07.

7.12 Disabled access

London Plan Policy 3A.5 requires all new housing to be built to 'Lifetime Homes' standards. The Council's HDAS 'Accessible Hillingdon' also requires all new housing to be built to 'Lifetime Homes' standards.

The proposed house appears to comply with some of standards, in particular, halls and corridors are over 900mm wide, the living room area is of a sufficient size for wheelchair turning and there is a large hall and living space at entrance level. However, the door widths are less than 900mm wide, there is no 900mm clear width adjacent to the main stairs to accommodate a stir lift if required in the future, and the ground floor WC is not suitable for wheelchair users. However, both of the proposed units are substantial in size and through simple changes (which could be conditioned) these issues could be addressed.

Therefore, although the proposal would not fully satisfy 'Lifetime Homes' standards and Policy 3A.5 of the London Plan (2008), it is considered that through the use of conditions the scheme would meet both the London Plan and Council's HDAS 'Accessible Hillingdon'

standards.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

The Trees/Landscape Officer has raised no objections to the scheme subject to amendments to the Arboricultural Method Statement (AMS). This could be secured by way of an appropriate condition, should planning permisison be granted. As such, the scheme would comply with the Policy BE38 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.15 Sustainable waste management

No details of refuse storage facilities has been provided, however, there is sufficient space within the site for these facilities to be provided in an unobtrusive location and had the application not been recommended for refusal a suitable condition could be attached requiring the provision of these details.

7.16 Renewable energy / Sustainability

No details of renewable energy use or other sustainable measures have been provided, however, a condition requiring the development to meet level 3 of the code for sustainable homes could be attached, had the application not been recommended for refusal.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

The planning issues raised in the third party comments have been addressed in the report. The adjoining neighbour has highlighted subsidence issues related to trees (no trees are to be felled as part of the proposal). They are concerned at the implications of a large basement within 2m of their house. The suitability of foundations would be considered through the Building Regulations. Subsidence and party wall issues are civil matters. Nonetheless your officers have liased with Building Control colleagues and an informative is recommended to give guidance to the applicant, in particular that advice should be sought from a structural engineer.

7.20 Planning Obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

The proposed houses would result in a next increase of 6 rooms and as such would fall within the threshold for seeking a contribution towards additional school facilities in the Northwood ward. Given that a legal agreement or unilateral undertaking has not been offered to address this issue, the proposal is considered to be contrary to Policy R17 of the Adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and the Council's Planning Obligations, Supplementary Planning Document (July 2008).

8. Observations of the Borough Solicitor

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

The proposed houses would have a detrimental impact on the character and appearance of the street scene. The proposal would be contrary to the aforementioned policies and therefore, this application is recommended for refusal.

11. Reference Documents

PPS3

London Plan 2008

Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007)

Hillingdon Design & Accessibility Statement: Residential Layouts Hillingdon Design & Accessibility Statement: Accessible Hillingdon

Contact Officer: Sonia Bowen Telephone No: 01895 250230



For identification purposes only.

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.

© Crown Copyright. All rights reserved London Borough of Hillingdon 100019283 2010

40 The Drive Northwood

13554/APP/2010/1491

Scale

1:1,250

Planning Committee

Planning Application Ref:

North

Date

December 2010

Planning, Environment & Community Services

Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111

