

## Report of the Head of Planning & Enforcement Services

**Address** SOUTHBOURNE DAY CENTRE 161 ELLIOTT AVENUE RUISLIP

**Development:** Reserved matters (details of appearance and landscaping) in compliance with condition 2 of outline planning permission ref: 66033/APP/2009/ 1060 dated 29/10/2010: Erection of a two storey building to provide 23 one and two-bedroom apartments, together with associated parking, involving the demolition of existing day centre building.

**LBH Ref Nos:** 66033/APP/2011/918

**Drawing Nos:** 10424/01 Rev. P1  
10424/03 Rev. P18  
10424/31 Rev. P14  
10424/34 Rev. P12  
10424/35 Rev. P10  
10424/36 Rev. P6  
10424/41 Rev. P9  
10424/42 Rev. P9  
10424/50 Rev. P4  
10424/51 Rev. P5  
10424/52 Rev. P4  
10424/53 Rev. P4  
20080009/A/P/02 (Tree Survey)  
7297/02 (Tree Protection Plan)  
Planning Statement (March 2010)  
Arboricultural Report Ref: IJK/729/ik  
Renewables Statement  
CSA/1534/100 Rev. D  
Schedule of Areas  
Landscape Maintenance Plan (Ref: CSA/1534/001)

<b>Date Plans Received:</b>	12/04/2011	<b>Date(s) of Amendment(s):</b>	12/04/2011
<b>Date Application Valid:</b>	12/04/2011		03/05/2011
			01/06/2011

### 1. SUMMARY

Reserved matters approval is sought for details of appearance and landscaping, pursuant to outline planning permission for a residential development comprising 23 one and two bedroom apartments in one, 2 storey block at the former Southbourne Day Centre site.

Whilst the number of units in the current proposal remains the same as envisaged at outline stage, it is proposed to convert 8 of the one bedroom flats to 2 bedroom flats, by creating 8 additional habitable rooms in the roof space, involving 4 dormer windows in each of the front and rear roof slopes. It is not considered that the uplift of the scheme to increase the mix of two bedroom flats would result in unacceptable consequences in terms of the visual amenity of the area, living conditions for future occupiers of the development and overlooking issues to neighbouring properties.

The footprint, siting, bulk and massing of the proposed building remains similar to that approved at outline stage and the design and appearance is considered to be consistent

with the existing character of the locality, and street scene. It is considered that the landscaping scheme is satisfactory. In addition, it is considered that the proposed development will provide acceptable living conditions for future occupiers and protect the residential amenity of surrounding residents.

The details of appearance and landscaping are therefore recommended for approval.

## 2. **RECOMMENDATION**

**APPROVAL subject to the following:**

### 1 M1 **Details/Samples to be Submitted**

No development shall take place until details and/or samples of all materials, colours and finishes to be used on all external surfaces have been submitted to and approved in writing by the Local Planning Authority.

#### REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### 2 RPD2 **Obscured Glazing and Non-Opening Windows (a)**

The first floor bathroom window facing 163-175 Elliott Avenue shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

#### REASON

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

### 3 N11 **Control of plant/machinery noise**

No air source heat pump shall be used on the premises until a scheme for the control of noise emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is occupied/use commences and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

#### REASON

To safeguard the amenity of the surrounding area in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.20 of the London Plan (February 2008).

## **INFORMATIVES**

### 1 I52 **Compulsory Informative (1)**

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

### 2 I53 **Compulsory Informative (2)**

The decision to GRANT reserved matters approval 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.

AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
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
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.
HDAS	Residential Layouts

### 3

When seeking to discharge condition 11 of the outline permission ref:66033/APP/2009/1060, the applicant/developer should provide elevations showing the location of air source heat pumps, the type and the size of air source heat pump system to be used. In addition the applicant/developer will need to improve the energy statement to include:

- A Recalculated baseline energy demand using 2010 building regulations and incorporating non-regulated energy.
- Recalculated baseline to take account of the uplift in 2 bedroom units
- A more complete assessment of the air source heat pump including size, location and the amount of savings it will produce. This will also need to include an uplift in electricity demand to power the heat pump.
- A clear presentation of the energy demands related to energy efficiency improvements and the air source heat pump. The strategy as it stands does not properly consider the requirements of Policy 4A.4

There would also be a need for a review of the Code for Sustainable Homes assessment (as required by condition 29 of the outline planning permission).

### 4

When seeking to discharge condition 19 (traffic arrangements) of the outline permission ref: 66033/APP/2009/1060, the applicant/developer is advised to design proposed crossovers to the parking spaces directly off Elliott Avenue so that they are splayed rather than kerbed, in order to ensure that pedestrian safety would not be prejudiced.

## 3. CONSIDERATIONS

### 3.1 Site and Locality

The site has an area of 0.27 hectares and is located on the eastern side of Elliott Avenue, which is accessed from Mansfield Avenue and Chelston Road/Southbourne Gardens.

The site is on the southern part of a series of residential estate roads and approximately 400 metres distance from Chelston Road/Southbourne Gardens, which leads onto the Victoria Road roundabout and local shopping area. The site lies close to Bessingby Playing fields/open space and within 250 metres of Lady Bankes Junior and Infants school.

The access road leading to the site from Southbourne Gardens and Chelston Road is flanked by a sheltered housing scheme for the elderly.

A block of flats (Peter Lyall Court), lies to the immediate north east of the site and the Cedars Medical Centre is located on the opposite side of Elliott Avenue, which is to the south west of the site.

The site is currently occupied by a single storey day centre. The day centre was built in the 1990's and has a number of young trees around the boundaries, planted as part of the approved development. The Centre is currently disused having been vacated by the previous service user (when it was used as an employment services training centre for people with learning disabilities).

### **3.2 Proposed Scheme**

Reserved matters approval is sought for details of appearance and landscaping, pursuant to outline planning permission for a residential development comprising 23 one and two bedroom apartments in one, 2 storey block at the former Southbourne Day Centre site.

The current scheme differs from the outline scheme in a number of fundamental areas. It is proposed as part of the reserved matters submission to uplift the accommodation, changing the unit mix from 16 x one bedroom and 7 x two bedroom apartments to 11 x one bedroom and 12 x two bedroom apartments. This will be achieved by creating 8 additional habitable rooms in the roof space, involving 4 dormer windows in each of the front and rear roof slopes.

The indicative outline scheme had a central entrance location. However, the current scheme now comprises two attached blocks, each with its own dedicated entrance. The footprint of the proposed building remains broadly the same as that approved at outline stage and the total number of units remains the same.

The block is surrounded to the front and rear by soft landscaping. Tree planting is proposed along the site frontage and boundaries. Two bin stores are proposed at each end of the new block, although details of these structures have not been provided. One detached secure cycle storage structure is proposed to the north and rear of the proposed block, whilst further integral cycle storage is located at the southern end of the new block.

The outline scheme proposed 34 parking spaces, but this has been reduced to 32 on the reserved matters scheme.

The application is supported by 4 reports that assess or provide information on the proposal. A summary and some key conclusions from these reports are provided below:

A sustainable assessment energy report

This report has been provided to take into account carbon emissions for the development. The report seeks to demonstrate how the proposed development meets renewable energy requirements. The assessment makes use of Standard Assessment Procedure (SAP) energy and carbon calculations in accordance with the methodology of Part L of the 2006 Building Regulations.

Landscape Maintenance Plan, Arboricultural report and Impact Assessment on Trees are covered in the Landscape Officers comments.

### **3.3 Relevant Planning History**

66033/APP/2009/1060 Southbourne Day Centre 161 Elliott Avenue Ruislip

Erection of a two storey building to provide 23 one and two-bedroom apartments, together with associated parking, involving the demolition of existing day centre building (Outline application).

**Decision:** 29-10-2010 Approved

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

Outline planning permission was granted on 29 October 2010 for the erection of a two storey block of 23 flats comprising 16 x one bedroom and 7 x two bedroom apartments, together with associated amenity space and parking. Access, layout and scale were approved at outline stage. The design was on the basis of a two-storey building with a central corridor giving access to the individual residential units, supplemented by two side access positions at each end of the building. Both lifts and stairs were provided for vertical circulation. 34 parking spaces, including 3 wheelchair accessible spaces and access zones for disabled residents were also indicated. The main car parking area is located to the south of the residential block, with vehicular access off Elliott Avenue. 8 of these spaces, including two for people with disabilities are provided directly off Elliott Avenue at the front of the building, accessed via dropped kerbs.

## **4. Planning Policies and Standards**

### **UDP / LDF Designation and London Plan**

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

Part 1 Policies:

Part 2 Policies:

- |      |   |
|------|---|
| AM14 | New development and car parking standards.  |
| AM15 | Provision of reserved parking spaces for disabled persons   |
| 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 |
| 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.
HDAS	Residential Layouts

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **24th May 2011**

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

This application has been advertised under Article 8 of the Town and Country Planning General Development Procedure Order 1995 as a Major Development. 136 surrounding occupiers were consulted. 4 letters of objection have been received. The following issues have been raised:

1. My back garden directly faces the newly planned build, this would disrupt the landscape that I see when I look out in to my garden and along with the noise and people pollution, this would hugely disrupt a peaceful and calm road.
2. the proposal would also encourage more traffic in to the area, which will then cause more noise pollution. I do not wish to have flats obstruct my view and to have more traffic and noise in such a quiet road.
3. I am concerned that if it goes ahead there will be an increase in traffic and parking in an area already very congested. Opposite the proposed development is a busy doctors' surgery and The Maria Studio. I am concerned about the road safety issues if this plan goes ahead.
4. As you will be aware, the roads within the estate are narrow. The parking needs of current residents in the estate far exceeds the provision already in place.
5. Rather than add to the congestion I would like to put forward the need for some type of community centre in the existing building. This type of provision could meet the needs of the local community and add quality to the lives of individuals rather than quantity. There are already over 300 units/houses in the estate.
6. If the planning permission is granted I wish to know what provision and/or restrictions are in place to ensure that the potential developer will ensure the safety of residents and of users of the Maria Studio/Nursery, Doctors Surgery and the access way to the park.
7. I feel the area is too small for flats of this size and feel the area will suffer with parking and noise, I as an owner of my house also feel that it would de-value my property.
8. I continue to strongly object to any form of increase in accommodation levels on this site.

Ward Councillor: I am writing to object to the proposed expansion of the existing plans and increasing the density on this site. This will cause severe parking problems especially when the adjacent Doctors surgery is in use.

METROPOLITAN POLICE: No objections.

### Internal Consultees

EDUCATION & CHILDRENS SERVICES

The original request was £46,331 for nursery, primary, secondary and post-16 school places.

The new request is for £45,984 for primary, secondary and post-16 school places (i.e. lower because there is no nursery request at the moment. This is because some surplus nursery capacity has appeared in Cavendish and births in that ward are steady compared to most other wards).

#### S106 OFFICER

There is a slight reduction in the education contribution and a slight increase in the health contribution. The minimal overall difference to the planning obligations at outline stage is such that that it is not considered that the application could be refused for this reason.

#### TREE AND LANDSCAPE OFFICER:

Ian Keen's Tree Survey and drawing No. 7297/02 indicates the retention of tree Nos. 1-5 along the frontage. This tree survey supersedes the original tree survey, as shown on drawing No. 20080009/A/P/02. These trees are only assessed as C grade trees, whose health and condition will not be improved by the proposed development. Trees 11-15 (B grade) are also to be retained. Trees 6-10 (C graded) are specified to be lifted and re-planted. It is questionable whether the effort to save C grade trees is worthwhile.

CSa's drawing No. CSA/1534/100 Revision D provides a comprehensive planting plan which retains none of the existing trees but includes the planting of 18 new trees which will be more suitable in terms of their scale and ornamental value for a residential development. In the short term, the loss of established trees will be detrimental to the local landscape. However, in view of the site constraints, the planting of new young trees is likely to be more satisfactory in the longer term than retaining, or replanting, existing trees (of variable quality). The scheme includes extensive areas of ornamental hedge and shrub planting appropriate to the development. The plan is supported by schedules and a specification.

The current application shows the re-located bin store area near the site entrance, together with appropriate screen planting to the front and side of the store. This detail responds to an earlier recommendation of the local planning authority.

This CSa soft landscape drawing now incorporates amended soft landscape changes which respond to the various amendments to the site layout.

The successful establishment and maintenance of the landscape and shared external spaces will depend on the quality of management and maintenance of the site. To this end CSa have also submitted a Landscape Maintenance Plan. The schedules include clauses to ensure that any failed planting will be monitored and replaced.

Recommendation: No objection.

#### URBAN DESIGN OFFICER

COMMENTS: The application has been subject to discussion with the Conservation and Urban Design Team. Whilst the design of the street elevation still appears a little weak, it is a considerable improvement on the original scheme and on balance no objections are raised to this scheme.

#### HIGHWAY ENGINEER

No objection subject to a condition being applied for the car parking and cycle parking to be completed before occupation and retained thereafter.

#### ACCESS OFFICER

Having reviewed all related plans and documents, I have no concerns or observations to make on the above details and application, and would therefore be pleased to support the discharge of Condition 2.

## SUSTAINABILITY OFFICER

The applicant still has not submitted enough information even if there was an intention to discharge condition 11. Similarly, condition 29 (Sustainable Homes) is still not ready to be discharged.

The original strategy was to use solar thermal panels to reduce the energy demand by only 11%. This has subsequently been amended to allow for the use of an air source heat pump. However, a full energy assessment as required by condition 11 has not been adequately presented. Furthermore there still seems to be a significant disconnect between those working on the project. For example, the new elevations do not show the use of the air source heat pump, and the CSH assessment has scored no credits against low and zero carbon technologies, which is contrary to the use of air source heat pumps.

The appearance of the building should fully consider the proposed renewable energy technology. Therefore the applicant needs to organise the design and technical consultants so everyone is aware of the proposed renewable technology. This would then require:

- New elevations showing the location of air source heat pumps.
- The type and size of air source heat pump system to be used.
- A review of the Code for Sustainable Homes assessment.

With regards to condition 11, the applicant will need to improve the energy statement to include:

- A Recalculated baseline energy demand using 2010 building regulations and incorporating non-regulated energy.
- Recalculated baseline to take account of the uplift in 2 bedroom units
- A more complete assessment of the air source heat pump including size, location and the amount of savings it will produce. This will also need to include an uplift in electricity demand to power the heat pump.
- A clear presentation of the energy demands related to energy efficiency improvements and the air source heat pump. The strategy as it stands does not properly consider the requirements of Policy 4A.4

(Officer note: The applicant is not seeking to discharge Condition 11 of 66033/APP/2009/1060 (Renewable Energy) or condition 29 (Sustainable Homes) at this stage. An informative, advising the applicant on the level of information required to discharge these conditions has been attached).

## **7. MAIN PLANNING ISSUES**

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

The principle of residential development for 23 flats and loss of the community facility has been established by virtue of the outline planning permission granted on 29/10/2010. No objections are therefore raised to the loss of the community use and redevelopment of the site for residential purposes.

In terms of the uplift of the scheme to convert 8 of the one bedroom flats (envisaged at outline stage) to 2 bedroom flats, Saved Policy H4 states that wherever practicable, new residential developments should have a mix of housing units of different sizes, including units of one or two bedrooms. Policy H5 states that the Council will encourage the provision of dwellings suitable for large families. The provision of 1 and 2 bedroom flats has been established by virtue of the outline permission and no objections are raised to the principle of converting 8 of the one bedroom flats (envisaged at outline stage) to 2 bedroom flats, subject to other Saved Policies in the Plan.



## **7.02 Density of the proposed development**

London Plan Policy 3A.3 seeks to maximise the potential of sites, compatible with local context and design principles in Policy 4B.1 (Design principles for a compact city) and with public transport capacity. Boroughs are encouraged to adopt the residential density ranges set out in Table 3A.2 (Density matrix (habitable rooms and dwellings per hectare) and which are compatible with sustainable residential quality.

The site has a Public Transport Accessibility Level (PTAL) of 1 on a scale of 1 to 6 where 1 represents the lowest level of public accessibility. Table 3A.2 recommends that developments within suburban residential setting with a PTAL score of 1 and with 2.7 - 3 hr/unit, should be within the ranges of 150-200 hr/ha and 50-75 units/ha.

The proposed density for the site at 56 habitable rooms (including the uplift of 8 additional rooms in the roof space) would be 207hr/ha, which is marginally above the London Plan guidelines. It is noted that the scheme approved at outline stage envisaged a density of 196 hr/ha, which was just within the London Plan guidelines.

In terms of the number of units, the proposed density would be 85 units/ha, which exceeds London Plan guidance. However, this is the same as approved at outline stage.

Given that the proposed density of the current scheme slightly exceeds the London Plan guidelines for habitable rooms, it will be important to ensure that good environmental conditions can be provided for surrounding and future occupiers. The bulk and scale of the development is considered acceptable and in keeping with the principle established at outline stage. The increase in the number of two bedroom units and decrease in the number of one bedroom units has been achieved within the original approved building envelope, while the footprint of the proposed building remains as approved and the total number of units remains the same.

It is not considered that the uplift of the scheme to increase the mix of two bedroom flats would result in unacceptable consequences in terms of the visual amenity of the area, living conditions for future occupiers of the development and overlooking issues to neighbouring properties. These issues are dealt with elsewhere in the report. The proposed density can therefore be supported for these reasons.

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

There are no archaeological or historic issues associated with this site.

## **7.04 Airport safeguarding**

there are no airport safeguarding issues related to this development.

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

There are no green belt issues associated with this site.

## **7.06 Environmental Impact**

Not applicable to this development.

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

Saved Policies BE13 and BE19 seek to ensure that new development complements or improves the character and amenity of the area, whilst Policy BE38 seeks the retention of topographical and landscape features and provision of new planting and landscaping in development proposals. The scale, bulk and siting of buildings are key determinants in ensuring that the amenity and character of established residential areas are not compromised by new development. London Plan Policy 4B.1 sets out a series of overarching design principles for development in London and policy 4B.2 seeks to promote world-class, high quality design and design-led change in key locations. In

addition to Chapter 4B, London Plan policies relating to density (3A.3) and sustainable design and construction (4A.3) are also relevant.

The application site is situated in a predominantly suburban, residential area, characterised by small scale, mainly semi-detached dwelling houses.

The current scheme differs from the outline scheme as it is proposed as part of this reserved matters submission to uplift the accommodation, changing the unit mix from 16 x one bedroom and 7 x two bedroom apartments to 11 x one bedroom and 12 x two bedroom apartments. This will be achieved by creating 8 additional habitable rooms in the roof space, involving 4 dormer windows in each of the front and rear roof slopes.

Whilst the indicative approved outline scheme had a central entrance location, the current proposed scheme breaks down the scale of the development into two attached blocks, each with its own dedicated entrance. The design is considered to effectively reduce the perceived scale and massing of the built form, by breaking up the structure in several different compartments, to create a more varied, more legible and more accessible layout and to reduce the visual impact. The elevations show a central gable feature, which creates a focal point and increases the legibility. The more modest twin gable elements at each end create a design theme along the main elevation. The varied roof line and the segmented approach around this central gable element effectively reduces the perceived scale, bulk and massing, and results in a more interesting and more balanced scheme, in tune with the existing built context. The proposed dormers are subservient to the main roof form and are considered acceptable in design terms.

The Conservation and Urban Design officer considers that whilst the design of the street elevation still appears a little weak, it is a considerable improvement on the original outline scheme. The front facade, as well as the roof treatment, respond to the local distinctiveness of the area, evoking the character of individuality and a stronger sense of place. The footprint remains similar to that approved and the total number of units remains the same. The increase in the number of two bedroom units and decrease in the number of one bedroom units has been achieved within the original approved envelope. The bulk and scale of the development is therefore considered acceptable and in keeping with the principle established at outline stage.

Subject to a condition requiring details of external materials, it is considered that the appearance of the development would respect the character of the local area, in compliance with Policies BE13 and BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Council's Supplementary Planning Document HDAS: Residential Layouts.

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

Overdominance/Outlook

Policy BE21 of the Unitary Development Plan Saved Policies September 2007 states that planning permission will not be granted for new development, which by reason of its siting, bulk and proximity, would result in a significant loss of residential amenity of established residential areas. The supporting text to Policies BE20 and BE21 of the UDP Saved Policies September 2007 states 'that while some proposals of substantial width, height and depth, may not cause loss of amenity by reason of daylight or sunlight, these may nonetheless still be over-dominant in relation to the adjoining property and/or its private amenity space. This in turn can result in a depressing outlook detracting from residential amenity'.

The Council's Supplementary Planning Document HDAS: Residential Layouts states that where a two or more storey building abuts a property or its garden, adequate distance should be maintained to overcome possible over domination. The distance provided will be dependent on the bulk and size of the building but generally 15m would be the minimum acceptable separation distance.

In terms of the footprint and external layout of the scheme, this broadly conforms with the siting approved at outline stage. In this case, the separation distance between the flank walls of the proposed block and No.47 Elliott Avenue, located to the north of the site would be approximately 9 metres at their closest point and the development would fall completely outside the 45 degree angle of vision. In terms of the relationship with Peter Lyell Court to the east, the bulk of the block maintains an average separation distance of 22 metres. With regard to properties to the south, an average distance of 15 metres is maintained to the southern boundary, while an average of 28 metres is maintained between the southern elevation of the proposed block and the rear of properties backing onto the site (169 -177 Elliott Avenue). This represents an improvement over the current situation in terms of outlook from these properties, given that the existing building (to be demolished) is located only 5 metres away from the southern boundary. The height and massing of the external envelope (apart from the inclusion of dormers to the front and rear elevations), broadly conforms with the illustrative elevations submitted at outline stage. It is not therefore considered that the proposal would result in an over dominant form of development which would detract from the amenities of neighbouring occupiers, in compliance with Policy BE21 of the UDP Saved Policies September 2007.

#### Sunlight/Daylight/overshadowing

Policy BE20 of the Unitary Development Plan Saved Policies September 2007 states that the Local Planning Authority will seek to ensure that buildings are laid out so that adequate daylight, sunlight and amenities of existing houses are safeguarded.

It is not considered that there would be a material loss of daylight or sunlight to neighbouring properties, as the proposed building would be sited a sufficient distance away from adjoining development. The proposal is considered to be consistent with Policy BE20 of the UDP Saved Policies September 2007 and relevant design guidance in this regard.

#### Privacy

Policy BE24 of the UDP Saved Policies September 2007 seeks to ensure that the design of new buildings protects the privacy of the occupiers and their neighbours. The supporting text to this policy states that 'the protection of privacy, particularly of habitable rooms (including kitchens) and external private amenity space is an important feature of residential amenity'.

The Council's HDAS also provides further guidance in respect of privacy, stating in particular that the distance between habitable room windows should not be less than 21m. The Council's HDAS at paragraph 4.12 states that 'new residential development should be designed so as to ensure adequate privacy for its occupants and that of the adjoining residential property from windows above ground floor, an angle of 45 degrees each side of the normal is assumed in determining facing, overlooking distances'. This requirement has been adhered to so as to respect the residential amenity of existing residents.

With respect to the current scheme, none of the proposed windows would result in direct

overlooking into the adjoining private amenity areas, or result in a loss of privacy to adjoining occupiers, in compliance with Policy BE24 of the UDP Saved Policies (September 2007).

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

All units comply with the Council's HDAS guidelines for minimum internal floor areas and it is not considered that these units would result in a poor internal living environment in terms of space for future occupiers, subject to compliance with relevant lifetime homes standards criteria. This is subject to a condition on the outline approval.

Policy BE23 of the Unitary Development Plan Saved Policies September 2007 requires the provision of external amenity space which is sufficient to protect the amenity of the development and surrounding buildings and which is usable in terms of its shape and siting, for future occupiers. For one bedroom flats a minimum 20m<sup>2</sup> per unit should be provided and for two bedroom flats a minimum of 25m<sup>2</sup> per unit should be provided. In accordance with this standard, a total of 535m<sup>2</sup> of amenity space is required.

The application identifies a communal amenity area at the rear of the site comprising 559m<sup>2</sup>, and private patio areas for the ground floor rear facing flats of 80m<sup>2</sup>. Low level railings around each of the ground floor level patio areas allows the demarcation between private and communal amenity areas. The total amenity space provision at 639m<sup>2</sup> therefore exceeds the guidelines in the HDAS and complies with Saved Policy BE23 of the UDP.

In terms of the outlook of future occupiers, it is considered that the layout would be conducive to good living conditions for occupiers of these flats, in compliance with Saved Policies BE20, BE21 and OE1 of the UDP, HDAS Residential Layouts and the provisions of the London Plan.

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

At outline stage, the Council's Highways Engineer raised no objection to the development in terms of the impact of the traffic generated on the highway network or the proposed access arrangements from Elliott Avenue, subject to the provision of sight lines at the site entrance. This was secured by a condition.

With regard to parking, 34 parking spaces were proposed at outline stage. However, the Highway Engineer was concerned at the width of the groups of three spaces fronting Elliot Road and recommended that these be reduced to groups of two, in order to reduce the width of the crossovers. 32 (including 3 disabled) car parking spaces have therefore been provided for the proposed development, which at a ratio of 1.40 spaces per unit, complies with Council's Parking Standards.

The highway Engineer recommends that the proposed crossovers to the parking spaces directly off Elliott Avenue be splayed rather than kerbed, in order to ensure that pedestrian safety would not be prejudiced. An informative has been attached to that effect.

24 secure covered cycle parking spaces have been provided in two locations, although elevational details of the detached structure have not been provided. Nevertheless, these details are secured by conditions on the outline approval.

Subject to the implementation of relevant outline conditions, it is considered that adequate vehicular access to the site can be provided, adequate parking has been provided and highway and pedestrian safety would not be prejudiced, in compliance with Saved Policies AM7, AM9, AM14 and AM15 of the UDP.

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

Issues relating to urban design have been addressed in section 7.07 of this report.

### **7.12 Disabled access**

HDAS was adopted on the 20th December 2005 and requires all new residential units to be built to lifetime home standards and 10% of units designed to wheelchair accessible standards. Further guidance is also provided on floor space standards for new residential development to ensure sound environmental conditions are provided on site. As a guide, the recommended minimum standard for 1 bedroom flats is 50sq.m and 63sq.m for 2 bedroom flats. Where balconies are provided, the floor space of the balconies can be deducted from these standards, up to a maximum of 5sq. metres. Additional floorspace would be required for wheelchair units.

The floor plans indicate that the development achieves HDAS recommended floor space standards and that Lifetime Home Standards could be met for these flats in terms of size. Lifts have been provided to the first floor in each of the blocks and conditions have been imposed at outline stage, requiring that all of the units be built in accordance with Lifetime Homes standards. In addition, two of the ground floor flats (Units 6 and 13) are fully wheelchair compliant.

The Access Officer considers that the proposal is acceptable and raises no objections. Overall,

the proposal is considered to be in accordance with London Plan Policies 3A.5 and 4B.5 and the Hillingdon Design and Accessibility Statement (HDAS): Accessible Hillingdon.

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

This is a reserved matters application dealing with appearance and landscaping. As such affordable housing is not being considered at this stage.

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

It was indicated at outline stage to remove 15 trees to facilitate the development and retain 6 trees. The current comprehensive planting plan submitted with this application retains none of the existing trees but includes the planting of 18 new trees which the Tree Officer considers to be more suitable, in terms of their scale and ornamental value for a residential development. In the short term, the loss of established trees will be detrimental to the local landscape. However, in view of the site constraints, the planting of new young trees is likely to be more satisfactory in the longer term than retaining, or replanting, existing trees (of variable quality). The scheme includes extensive areas of ornamental hedge and shrub planting appropriate to the development. The plan is supported schedules and a specification.

While the layout drawing illustrates that there is space and potential for the provision of landscape enhancement within much of the site, the car park at the southern end on the originally submitted plans was dominated by hard surfacing with densely packed parking. The site layout plan has been revised to provide a 1.2 metre landscape strip along the southern boundary, to provide an opportunity for tree and shrub planting, to reduce the impact of parked cars, particularly when viewed from properties to the south of the site.

The tree officer considered that the location of the bin store in the south-west corner of the site, presented a poor impression as a feature hard on the front boundary. Soft landscaping in the form of tree and hedge planting would be more appropriate in this location. Amended plans have been received setting back the bin store and providing the soft landscaping, in line with officers' request. Details of management and maintenance (including the landscape objectives, maintenance operations and frequencies) have been

provided and are considered acceptable.

Overall, it is considered that the landscaping scheme is satisfactory and complies with the requirements of Saved Policy BE38 of the UDP.

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

Two refuse collection points are provided at both ends of the new building, which are conveniently located close to the entrances to the site, to allow easy access for refuse collection.

The requirement is 1100 litre refuse and recycling bins on a ratio of 1:10 + 1 per waste stream as a minimum. The submitted plans indicate that this level of provision can be achieved, although the design details of the bin stores have not been provided. However, the requirement for the scheme to provide for appropriate covered and secure refuse and recycling bin storage facilities has already been secured by a condition on the outline approval.

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

Policy 4A.4 of the London Plan requires submission of an assessment of the energy demand and carbon dioxide emissions from proposed major developments, which should demonstrate the expected energy and carbon dioxide emission savings from the energy efficiency and renewable energy measures incorporated in the development.

Policy 4A.7 of the London Plan advises that boroughs should ensure that developments will achieve a reduction in carbon dioxide emissions of 20% from on site renewable energy generation (which can include sources of decentralised renewable energy) unless it can be demonstrated that such provision is not feasible.

At outline stage, the applicant submitted a renewable energy assessment. This set out that solar collection for hot water heating was the preferred technology to deliver the renewables target for the scheme. A condition (Condition 11 of 66033/APP/2009/1060 requiring the provision of 20% of the site's heat and/or energy needs from renewable technology was attached to the outline consent, to ensure the current scheme achieves the required level of energy efficiency and carbon reduction.

Further information and elevational information has been submitted. The energy strategy has subsequently been amended to allow for the use of an air source heat pump, but a full energy assessment as required by condition 11 has not been adequately presented. Given that inadequate details for on-site renewable energy generation to be incorporated into the scheme has been submitted, the proposal would fail to meet the requirements set out in the London Plan contrary to Policy 4A.7 of the London Plan (February 2008). However, the applicant is not seeking to discharge this renewables condition at this stage.

Although there still seems to be a significant disconnect between those working on the project, as new elevations do not show the use of the air source heat pump, it is not considered that its use would significantly alter the external appearance of the building, should this type of renewable technology be adopted. It is therefore considered that the existing outline conditions could address this issue, as the scheme would not require a radical re-design, in order to accommodate the suggested renewable technologies.

Nevertheless, in seeking to discharge condition 11 of the outline permission, the applicant would need to provide elevations showing the location of air source heat pumps, the type and size of air source heat pump system to be used. In addition the applicant will need to

improve the energy statement to include:

- A Recalculated baseline energy demand using 2010 building regulations and incorporating non-regulated energy.
- Recalculated baseline to take account of the uplift in 2 bedroom units
- A more complete assessment of the air source heat pump including size, location and the amount of savings it will produce. This will also need to include an uplift in electricity demand to power the heat pump.

A clear presentation of the energy demands related to energy efficiency improvements and the air source heat pump. The strategy as it stands does not properly consider the requirements of Policy 4A.4

There would also be a need for a review of the Code for Sustainable Homes assessment (as required by condition 29 of the outline planning permission). It is recommended that the applicant be advised of these requirements by way of an informative.

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

There are no specific flooding or drainage issues associated with this application. However, a condition has been imposed on the outline permission, requiring sustainable Urban Drainage (SUDS) measures for areas of hard surfacing.

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

With respect to the noise impact the development may have upon surrounding residents, traffic to the proposed development would utilise the existing access and it is not considered that the additional vehicle movements associated with the proposed development would result in the occupiers of surrounding properties suffering any significant additional noise and disturbance or visual intrusion, in compliance with Saved Policy OE1 of the UDP.

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

The primary concerns relating to the principle of the development, parking and the impact on residential amenity (loss of privacy, and outlook), have been dealt with in great detail in other sections of the report. Similarly, the effect of the scheme on the character of the area and intensification of use have also been addressed. Traffic related issues were dealt with at outline stage. Property values are not a planning consideration.

#### **7.20 Planning Obligations**

Policy R17 of the Council's Unitary Development Plan states that: 'The Local Planning Authority will, where appropriate, seek to supplement the provision of 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'.

The applicant has signed a S106 Agreement securing a full range of planning obligations required to offset the impact of the development, including contributions towards the provision of education, healthcare, community and libraries. A contribution was also secured in respect of project management and monitoring.

There is a slight reduction of £347 in the education contribution and a slight increase in the health contribution as a result of the increase in the number of 2 bedroom flats. . It is considered that the impact of the obligations arising from this reserved matters scheme would be de minimus, compared to those agreed planning obligations at outline stage.

In the event of an approval, there would therefore be no requirement to seek a supplemental deed to the main S106 agreement which was signed on the 27 October 2010, nor is it considered that the application be refused on the grounds of planning

obligations.

#### **7.21 Expediency of enforcement action**

There are no enforcement issues associated with this site.

#### **7.22 Other Issues**

There are no other issues associated with this development.

### **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.

### **10. CONCLUSION**

The proposed design would result in an appropriate form of development, in keeping with the character and appearance of the surrounding area. It is not considered that the uplift of the scheme to increase the number of two bedroom flats would result in unacceptable consequences in terms of the visual amenity of the area, living conditions for future occupiers of the development and overlooking issues to neighbouring properties. It is considered that the landscaping scheme which includes extensive areas of new tree, ornamental hedge and shrub planting, is satisfactory and appropriate to the development. Details of landscape management and maintenance details have been provided and are considered acceptable. In addition, the scheme produces good environmental conditions for future occupants. It is therefore recommended that the details of appearance and landscaping be approved.

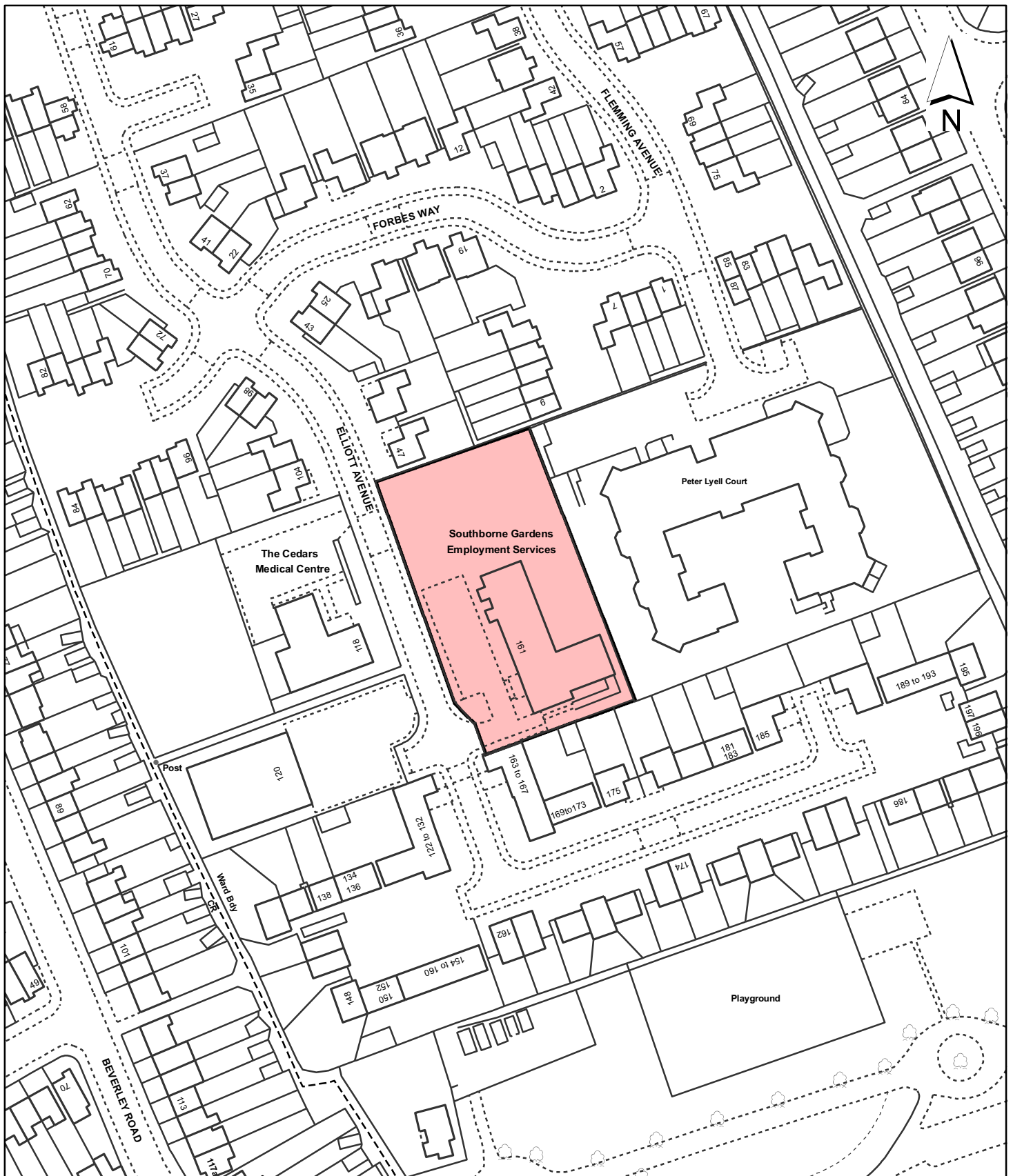


## **11. Reference Documents**


Planning Policy Statement 1: (Delivering Sustainable Development)  
Planning Policy Statement 3: (Housing)  
Planning Policy Guidance Note 13: (Transport)  
The London Plan  
Hillingdon Unitary Development Plan Saved Policies September 2007.  
HDAS: Residential Layouts  
Supplementary Planning Guidance: Educational Facilities  
Supplementary Planning Guidance: Community Facilities

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**Notes**

 Site boundary

For identification purposes only.

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Site Address	
<b>Southbourne Day Centre, 161 Elliott Avenue, Ruislip</b>	
Planning Application Ref:	Scale
<b>66033/APP/2011/918</b>	<b>1:1,250</b>
Planning Committee	Date
<b>North</b>	<b>June 2011</b>

**LONDON BOROUGH  
OF HILLINGDON**

**Planning,  
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