

## Report of the Head of Planning & Enforcement Services

**Address** GARAGE SITE REAR OF 85 AND 87 MANOR WAYE UXBRIDGE

**Development:** Erection of a pair of 2 two-storey, two-bedroom, semi-detached dwellings.

**LBH Ref Nos:** 67593/APP/2011/329

**Drawing Nos:** Design and Access Statement  
Report on the Impact on Trees  
Issue Sheet  
110\_B 001 REV B  
110\_B 002 REV A  
110\_B 003 REV D  
110\_B 004 REV B  
110\_B 005 REV B  
110\_B 006 REV B  
110\_B 007 REV B  
110\_B 008

**Date Plans Received:** 11/02/2011      **Date(s) of Amendment(s):** 11/02/2011

**Date Application Valid:** 11/02/2011

### 1. SUMMARY

Full planning permission is sought to erect a pair of semi detached dwellings with associated landscaping and parking. Analysis of separation distances to neighbouring properties has been undertaken and the proposals are not considered to result in any loss of amenity to adjoining occupiers due to loss of light or privacy. The proposed dwellings would meet all relevant Council standards in terms of car parking, unit size and amenity space provision and would, as such, afford future occupiers with adequate levels of amenity. The proposal would result in the displacement of car parking spaces. All these spaces would be reprovided nearby. No objection is therefore raised in this regard. As such approval is recommended subject to conditions.

### 2. RECOMMENDATION

**APPROVAL subject to the following:**

**1**      SP01      **Council Application Standard Paragraph**

(This authority is given by the issuing of this notice under Regulation 3 of the Town and Country Planning General Regulations 1992 and shall enure only for the benefit of the land).

**2**      T8      **Time Limit - full planning application 3 years**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

**3**      OM1      **Development in accordance with Approved Plans**

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

**REASON**

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**4 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).

**5 OM2 Levels**

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

**REASON**

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**6 M3 Boundary treatment - details**

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is occupied. Development shall be carried out in accordance with the approved details.

**REASON**

To safeguard the visual amenities of the area in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**7 TL1 Existing Trees - Survey**

Prior to any work commencing on site, an accurate survey plan at a scale of not less than 1:200 shall be submitted to and approved in writing by the Local Planning Authority. The plan must show:-

- (i) Existing and proposed site levels.
- (ii) Routes of any existing or proposed underground works and overhead lines including their manner of construction.

## REASON

To enable the Local Planning Authority to assess the amenity value of existing trees, hedges and shrubs and the impact of the proposed development on them and to ensure that the development conforms with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **8 TL2 Trees to be retained**

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority.

If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with

BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'. Remedial work should be carried out to BS 3998 (1989) 'Recommendations for Tree Work' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

## REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

### **9 TL3 Protection of trees during site clearance and development**

Prior to the commencement of any site clearance or construction work, detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

1. There shall be no changes in ground levels;
2. No materials or plant shall be stored;
3. No buildings or temporary buildings shall be erected or stationed.
4. No materials or waste shall be burnt; and.

5. No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

#### REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **10 TL5 Landscaping Scheme - (full apps where details are reserved)**

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

- Planting plans (at not less than a scale of 1:100),
- Written specification of planting and cultivation works to be undertaken,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme.

The scheme shall also include details of the following: -

- Proposed finishing levels or contours,
- Means of enclosure,
- Car parking layouts,
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials proposed,
- Minor artefacts and structures (such as play equipment, furniture, refuse storage, signs, or lighting),
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures),
- Retained historic landscape features and proposals for their restoration where relevant.

#### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **11 TL6 Landscaping Scheme - implementation**

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period. The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species

unless the Local Planning Authority first gives written consent to any variation.

#### REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **12 TL7 Maintenance of Landscaped Areas**

No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule.

#### REASON

To ensure that the approved landscaping is properly maintained in accordance with policy BE38 of the Hillingdon Unitary Development Plan (September 2007).

#### **13 DIS5 Design to Lifetime Homes Standards & Wheelchair Standards**

Prior to the commencement of the development hereby approved, details demonstrating full compliance with all Lifetime Homes criteria shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be permanently retained.

#### REASON

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (February 2008) Policies 3A.5, 3A.13, 3A.17 and 4B.5.

#### **14 OM20 Grampian Planning Obligations**

Before the development hereby permitted is commenced, a scheme shall be submitted to, and approved in writing by, the Local Planning Authority detailing how improvements to education facilities in the vicinity of the site arising from the needs of the proposed development will be provided. The approved means and timescale of providing the proposed improvements shall then be implemented in accordance with the agreed scheme.

#### REASON

To ensure the development provides an appropriate contribution to the improvement of education facilities within the surrounding area, arising from the proposed development, in accordance with Policy R17 of the adopted Hillingdon Unitary Development Plan and the Council's Planning Obligations Supplementary Planning Guidance.

#### **15 OM5 Provision of Bin Stores**

No development shall take place until details of covered and secure facilities to be provided for the screened storage of refuse bins within the site have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained.

#### REASON

To ensure a satisfactory appearance and in the interests of the amenities of the occupiers and adjoining residents, in accordance with Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **16 OM14 Secured by Design**

The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Details of security measures shall be submitted and approved in writing by the Local Planning Authority before development commences. Any security measures to be implemented in compliance with this condition shall reach the standard necessary to achieve the 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO).

#### REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with policies 4B.1 and 4B.6 of the London Plan.

#### **17 H7 Parking Arrangements (Residential)**

The parking areas (including the marking out of parking spaces) shown on the approved plans, shall be constructed, designated and allocated for the sole use of the occupants prior to the occupation of the development and thereafter be permanently retained and used for no other purpose.

#### REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

#### **18 NONSC Soils**

All soils used for soft 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 for approval by the Local Planning Authority. 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).

#### **19 RPD5 Restrictions on Erection of Extensions and Outbuildings**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension to any dwellinghouse(s) nor any garage(s), shed(s) or other outbuilding(s) shall be erected without the grant of further specific permission from

the Local Planning Authority.

**REASON**

So that the Local Planning Authority can ensure that any such development would not result in a significant loss of residential amenity in accordance with policy BE21 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**20 SUS4 Code for Sustainable Homes details**

No development shall take place until an initial design stage assessment by an accredited assessor for the Code for Sustainable Homes and an accompanying interim certificate stating that each dwelling has been designed to achieve level 3 of the Code has been submitted to, and approved in writing, by the local planning authority. No dwelling shall be occupied until it has been issued with a final Code certificate of compliance.

**REASON**

To ensure that the objectives of sustainable development identified in policies 4A.1 and 4A.3 of the London Plan (February 2008).

**21 RPD2 Obscured Glazing and Non-Opening Windows**

The windows facing nos. 85-87 Manor Waye and the recreation ground 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).

**22 NONSC Reprovision of garages**

Before development commences, a garage occupant relocation scheme shall be submitted to and approved in writing by the Local Planning Authority. The garage occupant relocation scheme shall make provision of not less than 3 off street parking spaces within 200m of the site. The replacement parking spaces are to be of an appropriate width and condition to be agreed in writing by the Borough Highway Engineer. Thereafter the development shall not be occupied until the garage occupant relocation scheme has been implemented and existing garage users have been relocated

**REASON**

to ensure the continued provision of off street parking spaces that are currently rented to local Hillingdon residents and to accord with policy AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**23 TL20 Amenity Areas (Residential Developments)**

None of the dwellings hereby permitted shall be occupied, until the outdoor amenity area serving the dwellings as shown on the approved plans (including balconies where these are shown to be provided) has been made available for the use of residents of the development. Thereafter, the amenity areas shall so be retained.

**REASON**

To ensure the continued availability of external amenity space for residents of the development, in the interests of their amenity and the character of the area in accordance with policy BE23 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 4B.1.

**24 SUS5 Sustainable Urban Drainage**

No development shall take place on site until details of the incorporation of sustainable urban drainage have been submitted to, and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed on site and thereafter permanently retained and maintained.

**REASON**

To ensure that surface water run off is handled as close to its source as possible in compliance with policy 4A.14 of the London Plan (February 2008) /if appropriate/ and to ensure the development does not increase the risk of flooding contrary to Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), policies 4A.12 and 4A.13 of the London Plan (February 2008) and PPS25.

**25 RPD1 No Additional Windows or Doors**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved.

**REASON**

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

**26 NONSC Stopping Up**

No development shall commence until all parts of the adopted Public Highway within the site boundary have been 'Stopped Up' in accordance with S247 of the Town and Country Act 1990 or any other relevant legislation. All and any costs related to this work shall be borne by the applicant.

**REASON**

To ensure Public Highways land within the site boundary is released to facilitate the development and to accord with policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**27 OM19 Construction Management Plan**

Prior to development commencing, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its approval. The plan shall detail:

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads

(including wheel washing facilities).

(v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).

(vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.

(vii) The storage of demolition/construction materials on site.

The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

#### REASON

To safeguard the amenity of surrounding areas in accordance with Policy OE1 of the Hillingdon Unitary Development Plan (Saved Policies 2007).

### INFORMATIVES

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

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

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

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

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE25	Modernisation and improvement of industrial and business areas
OE1	Protection of the character and amenities of surrounding properties and the local area
OE11	Development involving hazardous substances and contaminated

HDAS land - requirement for ameliorative measures  
'Residential Developments'

### **3 I5 Party Walls**

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

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

in some circumstances, carry out groundworks within 6 metres of an adjoining building.

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

### **4 I6 Property Rights/Rights of Light**

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

### **5 I12 Notification to Building Contractors**

The applicant/developer should ensure that the site constructor receives copies of all drawings approved and conditions/informatives attached to this planning permission. During building construction the name, address and telephone number of the contractor (including an emergency telephone number) should be clearly displayed on a hoarding visible from outside the site.

### **6 I18 Storage and Collection of Refuse**

The Council's Waste Service should be consulted about refuse storage and collection arrangements. Details of proposals should be included on submitted plans.

For further information and advice, contact - the Waste Service Manager, Central Depot - Block A, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB8 3EU (Tel. 01895 277505 / 506).

### **7 I19 Sewerage Connections, Water Pollution etc.**

You should contact Thames Water Utilities and the Council's Building Control Service regarding any proposed connection to a public sewer or any other possible impact that the development could have on local foul or surface water sewers, including building over a public sewer. Contact: - The Waste Water Business Manager, Thames Water Utilities plc, Kew Business Centre, Kew Bridge Road, Brentford, Middlesex, TW8 0EE.

Building Control Service - 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

### **8 I20 Land Drainage**

You are advised that, pursuant to the Land Drainage Act 1976, details of any works affecting the beds, banks and flow of the river, including details of any outfall structures discharging into the watercourse, should be submitted to the Environment Agency, Planning Liaison Officer, Thames Region, Howard House, 10/11 Albert Embankment,

London SE1 7TG.

**9**

There is a possibility there may be some contaminating substances present in the ground at depth. We have no information on the ground conditions. We would advise persons working on site to take basic precautions in relation to any contamination they may find. Please contact the Environmental Protection Unit on 01895 250155 if you require any advice.

**10**        I21                    **Street Numbering**

All proposed new street numbering must be notified to and approved by the Council. Building names and numbers must also be notified to the Council. For further information and advice, contact - The Street Naming and Numbering Officer, Planning & Community Services, 3 North Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250557).

**11**

The applicant is encouraged to discuss with Council officers in conjunction with the Metropolitan Police Crime Prevention Officer whether on site CCTV cameras can be linked to the Councils central CCTV system.

**12**        I15                    **Control of Environmental Nuisance from Construction Work**

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

D) No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

**13**

In relation to Condition 14, the applicant is advised that a financial contribution of £10,607 would satisfy the requirement of the condition.

### **3. CONSIDERATIONS**

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

The site is located on the south side of Manor Way. It consists of a small garage court (three garages and 9 parking spaces) abutting gardens of properties on the east and north boundaries with the southern boundary adjoining a recreation ground.

The character of the area is predominantly defined by a mixture of post war two storey semi detached and terraced houses with gardens and the more recent 1960's-1980's development of houses and maisonettes occupying the area of land west of Manor Way to Whitehall Road. Buildings are pre-dominantly either brickwork or painted render with pitched tiled roofs.

The site is not located in a designated area and is not subject to any Tree Preservation Orders (TPO's).

#### **3.2 Proposed Scheme**

It is proposed to erect a pair of two storey, two bedroom semi detached dwellings with curtilage car parking. Each dwelling would have one curtilage parking space.

Three existing garages on the site would be demolished, and it is the case that existing users would be allocated other garages close to the site.

#### **3.3 Relevant Planning History**

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

There is no planning history on this site. Relevant officers have investigated the history of this particular site and can confirm that there are no planning or legal agreements which require the parking area to be provided.

### **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.

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

AM15 Provision of reserved parking spaces for disabled persons

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

BE19 New development must improve or complement the character of the area.

BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE25	Modernisation and improvement of industrial and business areas
OE1	Protection of the character and amenities of surrounding properties and the local area
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
HDAS	'Residential Developments'

## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- **14th March 2011**

**5.2** Site Notice Expiry Date:- Not applicable

## **6. Consultations**

### **External Consultees**

A total of 23 neighbours were notified of this application. Two letters of objection were received. Objections have been raised on the following grounds:

- i) Parking congestion
- ii) Loss of light
- iii) Overlooking
- iv) Impact on health of local residents
- v) Size of the development would have an overbearing impact on existing properties
- vi) Site is too small to accommodate 2 dwellings
- vii) Damage to trees
- viii) Loss of parking spaces
- ix) Construction impacts will adversely impact on residents (including from construction traffic)

### **Internal Consultees**

HIGHWAYS ENGINEER

Further to our conversation of today, I understand that further proposal is made by the applicant following highway comments dated 25th March 2011:

- 1) Original site visit showed nine vehicles were parked within the private land outside the garages. However, I understand that vehicles parking within the area outside the garages are solely used by others (namely Council staff who have not been allocated with vehicle parking spaces in the Council's multi storey car park) rather than residents.
- 2) There are eight other garages at the rear of 11-59 Whitehall Road owned by the applicant. The applicant is proposing to reprovide displaced users of garages at the site available garages at the rear of 11-59 Whitehall Road.
- 3) Proposal is to demolish three garages and erect a pair of two storey two bedroom semi detached houses with one parking space for each dwelling which complies with Policy AM14 of the UDP Saved Policies (September 2007), Council's vehicle parking standard contained in the Annex 1.

4) Consequently there will be no objection subject to the following:

- a) The applicant should apply for stopping up order under s116 of highway act 1980 or s247 of the planning act 1990, to acquire necessary section of public highway shown in the above drawing which would enable development to be carried out.
- b) A Grampian type condition to provide three garages replacing loss of garages by current residents.

#### ACCESS OFFICER

The Access Officer raised the following concerns:

1. Level or gently sloping access should be confirmed.
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 1100 mm provided between the front edge of the toilet pan and a door or wall opposite. The location of the proposed entrance level WC will have, due to its siting below the staircase, a sloped ceiling that would likely prevent the cubicle from being used as a future shower facility.
3. To allow the first-floor, including the entrance level WC, to be used as a wet rooms in future, plans should indicate floor gulley drainage.

#### WASTE MANAGEMENT OFFICER

I would make the following comments on the above application regarding waste management.

The plan does show that a space has been allocated for the storage of waste 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: -

- i) Weekly residual (refuse) waste using sacks purchased by the occupier
- ii) Weekly dry recycling collection using specially marked sacks provided by the Council.
- iii) Fortnightly green garden waste collection using three specially marked reusable bags provided by the Council free of charge.

The waste and recycling should be presented near the curtilage of the property on allocated collection days.

#### ENVIRONMENTAL PROTECTION UNIT

There are no known historical contaminative uses identified at the site. The former garage use is a possible source of contamination, and there is also the possibility of contaminated made ground beneath the existing hard standing, as well as the hard standing itself if tarmac was used.

As new sensitive receptors are being introduced some contamination site investigation is required for the site. This can be carried out as part of a geotechnical investigation.

If a standard contaminated land condition is considered too onerous for this application, as a minimum the imports/landscaping condition is advised along with the contamination informative.

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 for approval to the Local Planning Authority.

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).

#### CONTAMINATION INFORMATIVE

There is a possibility there may be some contaminating substances present in the ground at depth. We have no information on the ground conditions. We would advise persons working on site to take basic precautions in relation to any contamination they may find. Precautions should be taken to minimise the mixing of any material that is dug up with clean shallow soils that are to remain on site. Please contact the Environmental Protection Unit on 01895 250155 if you require any advice.

#### REASON

You are advised this development is on a former block of garages based on Ordnance Survey data. We have no information on ground conditions. There is a possibility of some contaminating materials being present below the hard standing. The advice is provided on the grounds of Health and Safety of the workers on site and to ensure the appropriate remediation and restoration of the site once works are complete to minimise risk to the future occupants of the site. The suitability of building materials and building techniques may also need to be considered under the Building Regulations.

The construction site informative has been provided below for your use.

#### Construction Site Informative:

Pursuant to the Control of Pollution Act 1974, the Clean Air Act 1993, the Environmental Protection Act 1990 and any other relevant legislation, you are advised as follows:

(i) Demolition and construction works which are audible at the site boundary should only be carried out between the hours of;

- 0800 and 1800 on Monday to Friday
- 0800 and 1300 on Saturday.

No such work must be carried out on Sundays and Bank Holidays. All noise generated during such works must be controlled in compliance with British Standard 5228;

(ii) Measures must be taken to eliminate the release of dust caused by the works that may create a statutory nuisance (a useful reference is the Best Practice Guidance - The control of dust and emissions from construction and demolition, Greater London Authority, November 2006);

(iii) No bonfires on the site shall be allowed to take place at any time.

#### EDUCATION

Based on the creation of 2x4 room private houses in Uxbridge North a contribution of £10,607 is sought.

#### TREES & LANDSCAPING

The garage site is located between the houses and the recreation ground. There are several trees on and close to the site, which contribute to the visual amenity of the area. The line of four Lime and Sycamore trees in the park, close to the southern boundary of the site, has a high amenity value, as it forms part of the belt of trees lining the recreation ground, which is a large-scale landscape feature of merit in terms of Saved Policy BE38. The two Sycamores on the site reinforce the feature, but have relatively low amenity values and, as such, do not constrain the development of the site. The other (off-site) trees also have relatively low values.

The application includes a tree survey report and proposed tree protection measures. The scheme has been designed so that the trees in the park (and the other off-site trees) will not be affected. The layout also reserves space for landscaping, including tree planting adjacent to the boundary

with the neighbouring residential properties. In this context, there is no objection to the loss of the two Sycamore trees on the site to facilitate the proposed development.

Subject to conditions TL1 (levels and services ONLY), TL2, TL3 (modified to refer to the measures detailed on the approved tree protection plan and methods in the approved 'Tree Report' dated 11 December 2009), TL5, TL6 and TL7, the application is acceptable in terms of Saved Policy BE38 of the UDP.

## **7. MAIN PLANNING ISSUES**

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

The site is located within the Developed Area as shown on the Unitary Development Plan Proposals Map. Furthermore, the site does not fall in a conservation area or Area of Special Local Character. As such, there is no objection in principle to the demolition of the existing garages and redevelopment of the site for residential purposes.

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

The site has a Public Transport Accessibility Level (PTAL) of 3. The London Plan (2008) range for sites with a PTAL of 2-3 in a suburban area is 150-250 habitable rooms per hectare and 59-950 units per hectare. As such, based on a total site area of 470m<sup>2</sup> the site would have a density of 42.6 units per hectare and 170 habitable rooms per hectare. This complies with London Plan standards.

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

The site does not fall within an Archaeological Priority Area and there are no Conservation Areas, listed buildings or Areas of Special Local Character within the vicinity.

### **7.04 Airport safeguarding**

There are no airport safeguarding issues arising from the proposed scheme.

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

The site does not lie within or in proximity to the Green Belt.

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

The surrounding area is largely characterised by a mix of terrace and semi detached two-storey properties. Only limited views of the development would be available from Manor Way due to the site's location at the end of a cul de sac. It is not considered that it would have a significant impact on the visual amenities of the street scene in this location. The proposed two storey dwellings are of a height and scale similar to surrounding properties. As such it is not considered that the development would have an unacceptable impact on visual amenity or the character and appearance of the streetscene.

It is considered that the proposed development would be in keeping with the character and appearance of the surrounding area and that its visual impact is acceptable, in accordance with policies BE13 and BE19 of the UDP saved policies September 2007.

### **7.08 Impact on neighbours**

The site adjoins residential properties to the north and is in proximity to dwellings to the west on Manor Way.

The distance to the dwellings to the north is approximately 19.5m. The distance to the properties opposite will be approximately 16m. These distances exceed the minimum 15m separation distance suggested as being appropriate in the HDAS Residential Layouts.

Windows are positioned looking either to the public highway or rear gardens of near by properties. The rear bedroom windows are 7m from the rear boundary, they are at a right

angle to the rear of 79, 81 and 83 Manor Waye such that there would not be an unacceptable degree of overlooking to the rear windows of these houses. Although there would be increased overlooking of the rear gardens of these properties it should be noted that these gardens are already overlooked from the common / neighbouring property. On balance the level of overlooking is considered to be acceptable.

As such the scheme is not considered to result in any significant loss of amenity to neighbouring properties in accordance with policies BE20, BE21 and BE24 of the Hillingdon UDP saved policies (September 2008).

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

##### Unit Size

The Council's HDAS SPD states that a two bedroom house should have a minimum floor area of 63sq metres. The proposal is two houses each with a floor area of 75sq metres which accords with the Council's minimum standard and is as such considered acceptable.

The proposed habitable rooms would all have an adequate outlook and natural lighting, in accordance with policy BE20 of the saved UDP and 4A.3 of the London Plan (February 2008).

##### Amenity Space

The minimum requirement for private amenity space, as set out in the HDAS SPD, for a 2 bedroom house is 60sq metres of private amenity space. The proposed amenity space proposed is 96sq metres and 123sq metres respectively for the two houses, which is in excess of the minimum standards.

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

Policies AM2, AM7, AM14 and AM15 are concerned with traffic generation, road capacity, on site parking and access to public transport.

The site is not connected to the surrounding dwellings by any planning conditions or legal agreements.

The parking forecourt currently contains three garages which are leased to local residents as well as 9 parking spaces (12 total). During day time site inspections, the site was found to be utilised for car parking. Officers noted however that the large majority of people parking on the site were not local residents. This was established by noting that the cars belonged to Council staff (cars featured Council staff parking stickers).

Officers also carried out evening parking surveys over a period of 2 weeks. It is worth noting that there were no cars parked on the garage forecourt which is subject of this application (i.e. it was only being used during the day) after 7pm.

Three other garage forecourts are located close to the site, these are described below:

- i) 12 spaces (including 3 garages)
- ii) 11 spaces (including 4 garages)
- iii) 11 spaces (including 4 garages)

These had a total of 11 garages. It should be noted that several of garages on the other 3 alternative sites are not in use. The applicant has confirmed that there are a number (more than 3) which are not let.

Furthermore Manor Waye had an average of 14 free on-street spaces for residents. It should be noted that many of the properties on Manor Waye also have large front gardens where cars are parked.

The alternative sites are within 200m of the application site. There are 3 garages on the application site which are let. It is proposed to rehouse these tenants in alternative and vacant garages on the near by sites. A condition is recommended to secure this re-provision.

The proposal makes provision for two off street cutilage car parking spaces, one for each house. This, given the medium PTAL rating for the site and its relative proximity to the Uxbridge Town Centre, is considered acceptable.

It is therefore considered that the change of use of the site from parking to residential dwellings would not have a significant impact on traffic and pedestrian flow in the immediate area. The proposal therefore accords with Policies AM2, AM7 and AM14 of the Hillingdon UDP Saved Policies (September 2007).

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

This has been largely discussed in part 7.07 of the report. The size, siting scale and mass of the building is considered to be acceptable in this location and the design, including the roof, materials and fenestration, would be in keeping with the character and appearance of the area. As such, the scheme is considered to be acceptable on design grounds.

#### **7.12 Disabled access**

The Council's Access Officer raised some minor concerns that the scheme did not meet all lifetime homes standards. These will be secured by way of a condition should planning permission be forthcoming.

Subject to a condition, the proposed development has been designed to meet Lifetime Homes standards in accordance with Policy 3A.5 of the London Plan and guidance within the Hillingdon Design and Accessibility Statement Residential Layouts and Accessible Hillingdon Supplementary Planning Documents. The integration of these features within the final design can be secured by an appropriate condition in the event of planning permission being granted. The development is not of a scale which would warrant the provision of wheelchair adaptable units.

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

The scheme is for less than 10 units and therefore there is no affordable housing requirement for the development.

#### **7.14 Trees, landscaping and Ecology**

The application site contains several trees, all of which have relatively low amenity values. These are to be removed with new planting being proposed.

The Council's Trees and Landscape Officer has raised no objections to the proposal, including the removal of trees on the site, subject to conditions, which would achieve appropriate outcomes in terms of policy BE38.

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

The plans indicate that two refuse storage areas would be provided adjacent to the proposed houses, one for each. The Council's Waste Strategy Department has suggested that as shown the bin provision would appear to be adequate for this development. A condition is attached to ensure that the bin stores will be covered and secure.

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

The applicant's Design and Access Statement indicates that the scheme has been designed to achieve a minimum of Level 3 of the Code for Sustainable Homes. Given the modest scale of the scheme, the achievement of Code Level 3 is considered to demonstrate that sufficient consideration has been given to sustainability issues.

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

The site does not lie within a flood zone and as such there are no flooding issues on this site.

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

It is not considered that the provision of residential unit on this site will lead to significant noise or air quality issues sufficient to justify refusal.

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

issues relating to the loss of parking, light and impacts on privacy have been discussed in the body of the report and are considered acceptable. Conditions are recommended to mitigate impacts during the construction phase.

There is no evidence to suggest the development or future occupiers would cause harm to the health of existing residents in the area.

Subject to conditions to secure landscaping no objection is raised in terms of tree impacts.

The size of the site is adequate to accommodate the 2 dwellings and for internal floor areas and external amenity space to comply with relevant requirements.

#### **7.20 Planning obligations**

The Council's planning obligations officer has advised that a contribution is required to mitigate impacts likely to arise from the scheme on local schools. A condition is recommended to secure this.

#### **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**

## **10. CONCLUSION**

In conclusion it is not considered that the proposed development would be out of keeping with the character or appearance of the surrounding area.

The design is such that it would provide an adequate living environment for future occupiers. The location of windows and separation distances to existing dwellings is adequate to prevent overlooking issues. The impact on the amenity of adjoining properties is considered to be acceptable.

Car parking and bicycle parking provision comply with the Council's Car Parking standards. Subject to conditions to secure the re-provision of replacement garages for existing tenants on the site, no objection is raised to the change of use of the site.

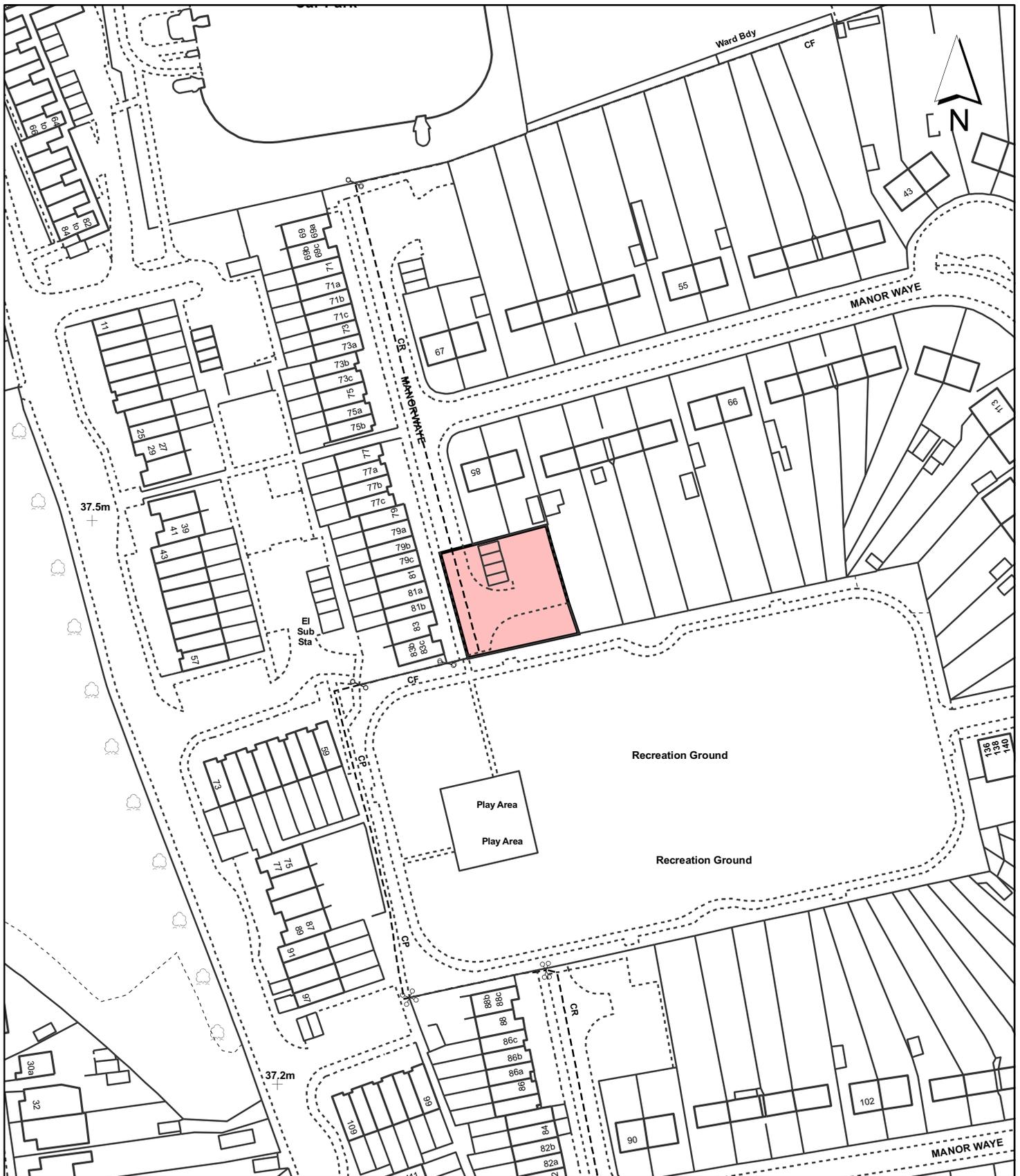
As such, it is considered that the proposed development complies with the relevant UDP and London Plan policies and approval is recommended subject to conditions.

## **11. Reference Documents**

Hillingdon Unitary Development Plan Saved Policies September 2007  
London Plan (Consolidated with Alterations since 2004)  
Planning Policy Statement 1 (Delivering Sustainable Development)  
Planning Policy Statement 3: Housing  
Hillingdon Design and Accessibility Statement: Residential Layouts  
Hillingdon Design and Accessibility Statement: Accessible Hillingdon  
Supplementary Planning Document - Planning Obligations

**Contact Officer:** Matt Kolaszewski

**Telephone No:** 01895 250230



**Notes**

 Site boundary

For identification purposes only.

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Site Address

**Garage Site rear of  
85 and 87 Manor Way  
Uxbridge**

Planning Application Ref:

**67593/APP/2011/329**

Planning Committee

**Central and South**

Scale

**1:1,250**

Date

**July 2011**

**LONDON BOROUGH  
OF HILLINGDON**  
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