

DELEGATED HOUSEHOLDER DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL

Select Option

- | | |
|--|--------------------------|
| 1. No valid planning application objection in the form of a petition of 20 or more signatures, has been received | ☐ |
| 2. Application complies with all relevant planning policies and is acceptable on planning grounds | ☐ |
| 3. There is no Committee resolution for the enforcement action | ☐ |
| 4. There is no effect on listed buildings or their settings | ☐ |
| 5. The site is not in the Green Belt (but see 11 below) | ☐ |

REFUSAL RECOMMENDED: GENERAL

- | | |
|--|--------------------------|
| 6. Application is contrary to relevant planning policies/standards | ☐ |
| 7. No petition of 20 or more signatures has been received | ☐ |
| 8. Application has not been supported independently by a person/s | ☐ |
| 9. The site is not in Green Belt (but see 11 below) | ☐ |

RESIDENTIAL DEVELOPMENT

- | | |
|--|--------------------------|
| 10. Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha | ☐ |
| 11. Householder application in the Green Belt | ☐ |

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

- | | |
|--|--------------------------|
| 12. Change of use of retail units on site less than 1 ha or with less than 1000 sq m other than a change involving a loss of A1 uses | ☐ |
| 13. Refusal of change of use from retail class A1 to any other use | ☐ |
| 14. Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use. | ☐ |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 15. Certificate of Lawfulness (for proposed use or Development) | ☐ |
| 16. Certificate of Lawfulness (for existing use or Development) | ☐ |
| 17. Certificate of Appropriate Alternative Development | ☐ |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 18. ADVERTISEMENT CONSENT (excluding Hoardings) | ☐ |
| 19. PRIOR APPROVAL APPLICATION | ☐ |
| 20. OUT-OF-BOROUGH OBSERVATIONS | ☐ |
| 21. CIRCULAR 18/84 APPLICATION | ☐ |
| 22. CORPSEWOOD COVENANT APPLICATION | ☐ |
| 23. APPROVAL OF DETAILS | ☐ |
| 24. ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where Heads of Terms have already received Committee approval | ☐ |
| 25. WORKS TO TREES | ☐ |
| 26. OTHER (please specify) | ☐ |

The delegation powers schedule has been checked. Director of Residents Services can determine this application.

Case Officer

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

Item No. Report of the Head of Planning and Enforcement**Address** 269 VICTORIA ROAD RUISLIP**Development:** Installation of vehicular crossover to front**LBH Ref Nos:** **38872/APP/2017/80****Drawing Nos:** Proposed Site Layout
Location Plan (1:1250)**Date Plans Received:** 06/01/2017**Date(s) of Amendment(s):****Date Application Valid:** 18/01/2017**1. CONSIDERATIONS****1.1 Site and Locality**

The application relates to a two storey, end of terrace dwelling located to the East of Victoria Road. The brick, render and tile dwelling is set back from the road by over 4.8 m by an area of hardstanding which provides space to park at least two cars within the curtilage of the site. To the rear of the dwelling is a garden area which acts as the private amenity space for the occupiers of the dwelling.

The application property is attached to No. 267 Victoria Road to the North and shares a side boundary with No. 271 Victoria Road to the South. The application property currently benefits from an existing vehicular crossover. Victoria Road is a Classified Road.

many of the properties have splayed vehicular crossovers with the widest section to the kerb edge of the road, crossing verges and then there is a pavement. The existing crossovers for 268 has the crossover for 271 immediately adjoining it. Within the verge outside the application site is a young deciduous street tree. The verge is suffering from over running of vehicles. A little way to the North of the site are the extremities of the road markings for a pedestrian crossing. There are no parking restrictions immediately outside the property so there is space to park one vehicle at the kerbside.

The street scene is residential in character and appearance and the application site lies within the Developed Area as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

1.2 Proposed Scheme

The application is seeking planning permission for the extension to the existing vehicular crossover to the front of the property. The vehicular crossover would be extended by 1.5 metres creating a width of 5.7 metres at Victoria Road and 5 metres at the driveway entrance.

1.3 Relevant Planning History

38872/A/86/1256 269 Victoria Road Ruislip

Householder development - residential extension(P)

Decision Date: 07-08-1986 Approved

38872/APP/2015/1380 269 Victoria Road Ruislip

Extension to vehicular crossover to front

Decision Date: 16-07-2015 Refused

38872/APP/2016/216 269 Victoria Road Ruislip

Extension to vehicular crossover to front

Decision Date: 08-06-2016 Refused

Comment on Planning History

The property has previously had two similar planning applications refused:

38872/APP/2015/1380 dated 16/07/2015. The application was refused due to the excessive width of the proposed crossover when combined with the crossover at the adjoining property at No.271 Victoria Road. It was considered that the extension to the crossover would allow multiple vehicles to park in front of the property and would be detrimental to the safety of pedestrians.

Following this refusal a second application was submitted with a reduced width of the crossover:

38872/APP/2016/216 dated 08/06/2016. The application was refused for the same reasons as the previous application. This application is for the same proposal as 38872/APP/2016/216 and included a covering letter with more information.

The application has a covering letter which suggests the previous reasons for refusal are more the personal opinion of officers.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- Not applicable

3. Comments on Public Consultations

Nine neighbouring dwellings and the Residents Association were notified of the proposal on 20/01/2017. A site notice was also displayed which expired on 22/02/2017.

No responses were received.

Highways Officer (second comment following trees response):

The proposals would exceed the size of the crossover suggested in the guidance.

Trees/Landscape Officer:

There is a young but established highway tree within the grass verge which contributes to the character and appearance of the area, as well as providing wider environmental benefits. The widening of the driveway will encroach on the root protection area as defined by the NJUG guidance and be detrimental to the health and stability of the tree.

The application should be refused as it will be detrimental to the health and long term protection of a valuable street tree.

Officer comments: it is noted that the on the previous two applications the trees/landscape officer was not consulted. The tree is, however, at least another year older now.

4. UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

BE13 New development must harmonise with the existing street scene.

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

BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

5. MAIN PLANNING ISSUES

The main issues for consideration in this planning application are the impact of the proposal on the character and appearance of the street scene and the impact upon highway safety.

As part of the submission of this application, the applicants have submitted a covering letter which makes the reference to a crossover at both Nos.317A and 319 Victoria Road which the applicants are stating when combined has an excess width of 13 metres. It should be noted that the crossover approved was done so in 1998 and since then Policies and guidance regarding crossovers have changed. Furthermore it is important to stress, that each application decision is based on its own merits and what may have been approved at one property, may not necessarily be approved for another. Traffic volumes will also have grown considerably in the last twenty years.

A second covering letter was submitted as part of the application stating that following seeking independent legal advice that reasons for refusal are a personal opinion rather than legalities. They also stated the previous officer stated that there was a note on the system from Highways officer that if they were to use the grass verge for access they must put something up to let pedestrians know. Firstly, previous decisions were made based on the Council's accepted standing advice in regards to vehicular crossovers. Secondly, it is not clear about the situation regarding the suggested note by the highways officer as nothing suggesting this can be found on either of the previous applications.

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), states that 'the local planning authority will consider whether the traffic generated by proposed developments is acceptable in terms of the capacity and functions of existing and committed principal roads only, and will wholly discount any potential which local distributor and access roads may have for carrying traffic through'.

The Council produces standing advice with regard to acceptable dimensions for crossovers which, for domestic use is 2.5 metres at the back and 4.6 metres at the front. The proposed crossover enlarged, in conjunction with the adjoining crossover at No.271 Victoria Road, would create an excessive width, which is considered to be unacceptable. As such, it is considered that the proposed crossover would have a detrimental impact upon the safety of pedestrians and as such fails to comply with Policy AM7 of the Hillingdon Local Plan: Part Two- Saved UDP Policies (November 2012).

Policy AM14 of the Hillingdon Local Plan: Part Two- Saved UDP Policies (November 2012), states new development will only be permitted where it is in accordance with the council's adopted car parking standards, which states that two parking spaces should be allocated per dwelling.

The area to the front of the property within the curtilage of the dwelling is covered in hardstanding and provides space to park at least two vehicles. The proposed extension to the crossover would allow for at least three vehicles to be easily parked on the front drive which exceeds the councils adopted car parking standards. Furthermore the site is served by a rear access that could allow the applicant's room for a rear garage/parking spaces. Subsequently the proposal fails to comply with Policy AM14 of the Hillingdon Local Plan: Part Two- Saved UDP Policies (November 2012).

There are a number of vehicular crossovers within the nearby vicinity of the application site and the proposal would not be at odds with the character and appearance of the street scene.

Policy BE38 of the Hillingdon Local Plan: Part Two- Saved UDP Policies (November 2012), states that development proposal will be expected to retain and utilise topographical and landscape features of merit. There is a young but established highway tree within the grass verge. This tree is considered to contribute to the character and appearance of the area and provide wider environmental benefits. The proposed crossover extension would encroach on the root protection area and would subsequently be detrimental to the health and stability of the tree. The proposal does not include any information regarding the protection of this tree. As such, it is considered that the proposal fails to comply with Policy BE38 of the Hillingdon Local Plan: Part Two- Saved UDP Policies (November 2012).

As such the application is recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposal, in combination with the existing crossover and that on the adjoining property (271 Victoria Road), would result in the provision of a crossover of excessive width which would make inadequate provision for pedestrian refuge and would result in additional vehicles reversing on to Victoria Road which would result in the disruption of the free flow of traffic and would be detrimental to highway and pedestrian safety contrary to Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

2 NON2 Non Standard reason for refusal

The proposal, by reason of the position and width of the crossover in relation to the existing street tree, would result in damage to and subsequent loss of the street tree to the detriment of the visual amenity and character of the area. The proposal is thus, contrary to Policies BE13, BE19 and BE38 of the Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

INFORMATIVES

1 On this decision notice policies from the Councils Local Plan: Part 1 - Strategic

Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

Standard Informatives

- 1 The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
- 2 The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The spatial development strategy for London consolidated with alterations since 2011 (2016) and national guidance.

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

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