

DELEGATED 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, Building Control, Sport & Green Spaces**

Address 2 WORCESTER ROAD COWLEY UXBRIDGE

Development: Two storey, 3-bed detached dwelling with habitable roofspace, parking and amenity space.

LBH Ref Nos: **35129/APP/2017/2264**

Drawing Nos: MB/3107/3 A
 MB/3107/2 A
 Location Plan
 MB/3107/1

Date Plans received : 27/06/2017 **Date(s) of Amendment(s):** 21/06/2017

Date Application Valid: 27/06/2017

1. SUMMARY

The application seeks planning permission for the construction of a new 3-bedroom detached house with a habitable roof space as a replacement of an existing attached garage to a semi-detached property at No 2 Worcester Road. A three-bed dwelling with associated parking and amenity space is proposed.

It is considered that the proposal fails to address the Council's policies and would result in a cramped form of development by reason of being squeezed within a narrow space which would result in an awkward disruption of a regular pattern of development within Worcester Road with its distinctive buildings to the right, entering the street from Cowley Road, with an important spacing characteristic to the area and would be visually at odds with the predominant character, appearance and scale of buildings within the surrounding street scene.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed dwelling, by reason of its siting, massing, design and close proximity to neighbouring properties would appear as a cramped, visually prominent and unneighbourly form of development that fails to maintain adequate undeveloped gaps between the adjoining buildings and would provide a poor quality of urban design. The proposal therefore fails to complement the established character and visual amenity of neighbouring properties in the immediate locality and represents an incongruous and intrusive form of development in the Worcester Road street scene, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15, BE19, BE21 and BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5 and 7.4 of the London Plan (2016) and the adopted Supplementary Planning Document (SPD) HDAS: Residential Layouts.

INFORMATIVES

1 I59 Councils Local Plan : Part 1 - Strategic Policies

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 (2016). 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.

2 I52 Compulsory Informative (1)

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

3 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) 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.

NPPF1	NPPF - Delivering sustainable development
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design
AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
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.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.5	(2016) Quality and design of housing developments
LPP 7.4	(2016) Local character

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In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive

way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service. This is a re-submission of a previously refused scheme, where the Inspectors Report identified issues to be addressed, which were reflected in the reasons for refusal, allowing the opportunity to address those issues within this submission.

3. CONSIDERATIONS

3.1 Site and Locality

The application relates to part of the site of two storey semi-detached property located on the Southern side of Worcester Road. The new plot would be created following the demolition of the existing garage attached to the Western elevation of semi-detached property No 2 Worcester Road. The property has already been extended to the roof involving a large rear dormer which has resulted in a dis-balance within a row of semi-detached properties of almost unchanged appearance. The principal elevation of the existing property faces North. An electric sub station adjoins the property to the West with development in Elliotts Close just beyond that.

The surrounding area is residential in character, comprising two storey mainly semi-detached properties of a similar appearance. The proposed property would occupy a fairly prominent position, with the side elevation visible from the most important points of view. The application site lies within a 'Developed Area' as identified within the Hillingdon Local Plan (November 2012).

3.2 Proposed Scheme

The application seeks planning permission for the construction of a new 3-bedroom detached house as a replacement of an existing attached garage to semi-detached dwelling with associated parking and amenity space on the land forming part of No 2 Worcester Road.

3.3 Relevant Planning History

35129/84/1320 2 Worcester Road Cowley Uxbridge
Householder development - residential extension(P)

Decision: 03-10-1984 Approved

35129/APP/2016/3927 2 Worcester Road Cowley Uxbridge
Conversion of roof space to habitable use to include a rear dormer and 3 front rooflights
(Application for a Certificate of Lawful Development for a Proposed Development)

Decision: 31-01-2017 Approved

Comment on Planning History

35129/APP/2016/3927 for the Conversion of roof space to habitable use to include a rear dormer and 3 front roof-lights (Application for a Certificate of Lawful Development for a Proposed Development) approved on 31 January 2017.

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date:- Not applicable

4.2 Site Notice Expiry Date:- Not applicable

5. Comments on Public Consult

Access Officer comments:

This proposal for a three-bedroom dwelling house raises accessibility concerns. London Plan Policy 3.8(c) requires all new housing to be designed and constructed as accessible and adaptable in accordance with M4(2) as set out in Approved Document M to the Building Regulations (2015 edition).

Revised plans should be requested prior to any grant of planning permission.

CONCLUSION: Unacceptable

The following planning condition should be attached to any approval:

The dwelling hereby approved shall be constructed to meet the standards for a Category 2 M4 (2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

REASON:

To ensure an appropriate standard of housing stock in accordance with London Plan policy 3.8(c), is achieved and maintained.

EPU comments:

No objection to the planning application.

Please note the highlighted comments below as informative

(1) INF 20 Control of environmental nuisance from construction work Nuisance from demolition and construction work is subject to control under the Control of Pollution Act 1974, the Clean Air Act 1993 and the Environmental Protection Act 1990. You should ensure that the following are complied with:

(i) Demolition and construction works should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0800 and 1300 on Saturday. No works should be carried out on Sundays, Public or Bank Holidays;

(ii) All noise generated during such works should be controlled in compliance with British Standard 5228, and use "best practicable means" as defined in section 72 of the Control of Pollution Act 1974;

(iii) Measures should be taken to eliminate the release of dust, odours and other emissions caused by the works that may create a public health nuisance. Guidance on control measures is given in "The control of dust and emissions from construction and demolition: best practice guidelines", Greater London Authority, November 2006; and

(iv) No bonfires that create dark smoke or cause nuisance to local residents should be allowed at any time. You are advised to consult the Council's Environmental Protection Unit to seek prior approval under Section 61 of the Control of Pollution Act 1974 if you anticipate any difficulty in carrying out the works other than within the normal working hours set out above, and by means that would minimise disturbance to adjoining premises. For further information and advice, contact the Environmental Protection Unit, 3S/02 Civic Centre, High Street, Uxbridge, Middlesex UB8 1UW (tel. 01895 250155).

6. UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.H1 (2012) Housing Growth

Part 2 Policies:

NPPF1 NPPF - Delivering sustainable development

NPPF6 NPPF - Delivering a wide choice of high quality homes

NPPF7	NPPF - Requiring good design
AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
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.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.5	(2016) Quality and design of housing developments
LPP 7.4	(2016) Local character

In addition:

7. MAIN PLANNING ISSUES

7.1 Impact on the amenities of the occupiers of neighbouring residential properties

The Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to safeguard the amenities of neighbouring residents in a number of ways. The effect of the siting, bulk and proximity of a new building on the outlook and residential amenity of these adjoining occupiers are considered under Policy BE20, whilst potential impacts on daylight/sunlight (Policy BE21) and privacy (Policy BE24) are also assessed. Policy BE22 confirms that buildings of two-or more storeys in height should be set back a minimum of 1m from the side boundary of the property for the full height of the building.

Paragraph 4.9 of the SPD, the Hillingdon Design & Accessibility Statement: Residential Layouts (July 2006) further advises that all residential developments and amenity spaces should receive adequate daylight and sunlight and that new development should be designed to minimise the negative impact of overbearing and overshadowing. Generally, 15 m will be the minimum acceptable distance between buildings. Furthermore a minimum of 21 m overlooking distance should be maintained.

Paragraph 4.11 of HDAS Residential Layouts states that the 45° principle will be applied to new development to ensure the amenity of adjoining occupiers and future occupiers are protected. Paragraph 4.9 states that a minimum acceptable distance to minimise the negative impact of overbearing and overshadowing is 15 m. Paragraph 4.12 requires a minimum of 21 m distance between facing habitable room windows to prevent overlooking and loss of privacy. Policy BE21 states that planning permission will not be granted for new buildings which by reason of their siting, bulk and proximity would result in significant loss of residential amenity.

The proposed dwelling would achieve the required separation distance of 21 m between

the rear facing windows of the dwelling since there are no dwellings to the rear but the parking places and playground of the Primary School; and the occupants of No 4 Elliott Close to the West would not suffer an unacceptable loss of outlook, light or privacy in accordance with the advice contained within HDAS Residential Layouts due to the reasonable separation distance and position of the proposed development, and the orientation of the properties.

With regards to the existing semi-detached host property to the East, the proposed two storey dwelling with a habitable roof-space would come too close to the shared boundary with this adjoining property, and given the orientation would result in over-dominance, overshadowing, loss of outlook and visual intrusion; notwithstanding the fact that the building would not extend beyond a 45-degree angle.

The proposal is far enough away from the neighbour beyond that at 4 Worcester Road not to have unacceptable impacts upon it.

Therefore, it is considered that the proposed development would constitute an un-neighbourly form of development and would not comply with Policies BE20, BE21, BE22 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.2 Impact on Street Scene

Any planning proposal needs to accord with the design policies set out within Hillingdon Local Plan: Part One - Strategic Policies (November 2012), and the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and relevant design guidance contained within HDAS Residential Layouts.

Policy 3.5 of the London Plan (2016) states that the design of all new housing developments should enhance the quality of local places, taking into account physical context and local character and Policy 7.4 states that buildings, should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass and allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area is informed by the surrounding historic environment.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seek to ensure that new development complements and improves the character and amenity of the area. As mentioned above, Policy BE22 confirms that buildings of two-or more storeys in height should be set back a minimum of 1m from the side boundary of the property for the full height of the building.

In terms of the layout and siting of the building proposed, the predominant character within this part of Worcester Road is characterised by its openness, especially entering the road from Cowley Road with buildings of distinctive architectural qualities on this Southern side of the road situated within rather generous plots with appropriate landscaping.

The proposed development would be squeezed in a plot of insufficient size exposing the large un-animated flank wall to the view from the Cowley Road. In addition, the street has a regular pattern of development with semi-detached dwelling of a similar appearance; as such the replacement of an existing garage with a two storey building would be entirely out of context.

The proposed two storey dwelling would be set back by 1 m from the front wall of No 2 Worcester Road, would be approximately 4.9 m wide and 9.77 m deep with a gabled roof; one front rooflight would be inserted to the front roof-plane and a box dormer provided to the rear. The proposed development would be sited at a distance of 1 m from the existing semi-detached, projecting by 2.62 m beyond its rear elevation. Given the height and proximity of proposed dwelling, the proposal would be an overbearing and visually intrusive structure in connection with what would be its neighbour to the East.

Whilst the front and rear projection of the proposal would be similar to that of the existing, the proposal's close proximity and position within the street would exacerbate its prominence in the street scene. Moreover, the length of the side elevation fronting Cowley Road and the substantial amount of blank wall on that elevation would visually reinforce the hard urban feel, contrary to development to the West built on generous building lines, and, as a result, these have ample green areas between the street and the boundary wall of the properties. In this context these areas together with the landscaped open spaces between the blocks of dwellings and the roadside verges convey a sense of space.

Taking into account all of the above, the proposal would be an unduly dominant element that would result in a cramped form of development. As such it would harmfully detract from the spacious pattern of open areas within the immediate vicinity of the site.

The proposed building would constitute a cramped form of development by reason of the siting on this open prominent position which would result in the closing of an important gap characteristic to the area and would be visually at odds with the predominant character, appearance and scale of buildings within the surrounding street scene. As such the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15, BE19 and BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5 and 7.4 of the London Plan (2016) and the council's adopted Supplementary Planning Document HDAS: Residential Layouts.

7.3 Traffic Impact/Pedestrian Safety

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety. Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that all development is in accordance with the Council's adopted Car Parking Standards.

The submitted plans show the provision of two parking spaces to the host dwelling and two to the proposed, utilising the existing crossover and parking space.

Vehicles entering or leaving the new drive might obstruct people using the adjacent footway. However, visibility for a driver would be reasonable in both directions, and given the relative infrequency and short duration of such manoeuvres and the low speeds involved it is not considered that the safety of pedestrians would be materially compromised.

In conclusion the proposal would not result in significant harm to highway and pedestrian safety and therefore it is considered that the proposed parking layout is acceptable in accordance with policies AM7 and AM14 of the Hillingdon Local Plan - Saved UDP Policies (November 2012).

7.4 Carparking & Layout

See above.

7.5 Urban Design, Access and Security Considerations

On 25 March 2015, the Government introduced new technical housing standards in England, which comprise new additional 'optional' Building Regulations on water and access, and a nationally described space standard (referred to as "the new national technical standards"). These new standards came into effect on 1 October 2015. The Mayor of London has adopted the new national technical standards through a minor alteration to The London Plan.

The Housing Standards (Minor Alterations to the London Plan) March 2016 sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. A three bedroom (4 person) dwelling is required to provide an internal floor area of 90 sq.m. At an internal floor area of 96.4 square metres, the proposed dwelling is considered to meet these standards.

The Council's SPD on Residential Layouts states that a minimum of 60m² usable external amenity space should be provided for three-bedroom houses and 100m² for four-bedroom houses. The submitted plans indicate that sufficient amenity space would be provided for the existing four-bedroom property. However, only 57m² would be provided for the new dwelling. Whilst this falls marginally short of minimum guidelines, the space to be provided would be fully usable in terms of its shape and layout and the shortfall is not considered to be so significant in this instance that refusal could be justified on these grounds. Furthermore, it is acknowledged that this shortfall could very likely be addressed through minor amendments to the proposed layout.

7.6 Other Issues

CIL

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £35 per sq metre.

Presently calculated the amounts would be as follows;

LBH CIL £11,775.19

London Mayoral CIL £4,610.58

Total CIL £16,385.77

8. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

The London Plan (2016)

Mayor of London's adopted Supplementary Planning Guidance - Housing (November 2012)

Hillingdon Design and Accessibility Statement: Residential Layouts

Hillingdon Design and Accessibility Statement: Accessible Hillingdon

National Planning Policy Framework

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