

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, Transportation and Regeneration**

Address 14 TRUESDALES ICKENHAM

Development: Removal of soft landscaping in front of house, replaced with brindle block paving and a planting bed for 1 additional car park space within original boundaries (Restrospective)

LBH Ref Nos: **73684/APP/2019/41**

Drawing Nos: Planning Statement
01
Block Plan (1:500)
Location Plan (1:1250)

Date Plans Received: 06/01/2019 **Date(s) of Amendment(s):**

Date Application Valid: 06/01/2019

1. CONSIDERATIONS

1.1 Site and Locality

The site is situated on the South East side of Truesdales. No 14 Truesdales comprises a 2-storey house with accommodation at roof level. The property forms part of a recently completed development which is compact and has an intimate scale streetscape. In common with current development trends, car parking and private amenity space are limited.

1.2 Proposed Scheme

The proposal involves removal of soft landscaping in front of house, which has been implemented not in compliance with Conditions 30-33 attached to permission 38402/APP/2007/1072. It involves removal of soft landscaping in front of the house, replaced with brindle block paving and a planting bed for 1 additional car park space.

1.3 Relevant Planning History

73684/APP/2018/1079 14 Truesdales Ickenham

Removal of soft landscaping in front of house, replaced with brindle block paving for 1 additional car park space within original boundaries.

Decision Date: 18-09-2018 Refused

Comment on Planning History

Permission was granted under ref: 38402/APP/2007/1072 (09-07-07) for redevelopment of site to provide a mixed use scheme comprising 415 units (Use Class C3) and (Use Class C2) with playing fields and open space. This property forms one of the consented units.

73684/APP/2018/1079: Removal of soft landscaping in front of house, replaced with brindle block paving for 1 additional car park space within original boundaries. Refused for the following reason:

The proposal involves the loss of existing landscaping which make an important

contribution to the character and appearance of the area. The loss of the landscaping is considered to be detrimental to the visual amenity of the street scene and the wider area contrary to Policies BE19 and BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

An appeal was submitted but was invalid.

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

Neighbours were notified on 17/01/2019 and a site notice has been displayed.also on 17/01/2019

By the end of the consultation period one objection was received raising the following issues:

- (1) The estate has limited soft landscaping but this is an important part of the character of the area
- (2) Loss increases risk to pedestrians
- (3) The application is retrospective but this is not apparent from the application
- (4) Objector questions Council's commitment to enforcement

Officers comments: Works to remove the soft landscape have been undertaken with a very limited area currently retained. The proposal involves reinstatement of a larger area of soft landscape than currently existing on the site and in that sense it is not wholly retrospective, although this issue is recognised in the description. The application emerged due to a visit by the Enforcement Officer regarding the unauthorised works. The other matters raised are considered below.

Trees and Landscape Officer:

This site was the subject of a previous application, ref. 73684/APP/2018/1079, which was refused. The reason for refusal was: 1. The proposal involves the loss of existing landscaping which make an important contribution to the character and appearance of the area. The loss of the landscaping is considered to be detrimental to the visual amenity of the street scene and the wider area contrary to Policies BE19 and BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

COMMENT: The current application is little better than the previous with a small area of additional planting artlessly added to the existing plants at one end of the front 'garden'. This recently completed development provides a single garage to the side / rear of this property with a driveway which can accommodate a further two parked cars. One of the design principles for this compact development was to avoid cluttering up the house frontages and shared car/pedestrian thoroughfares with parked cars. The approved site layout included front gardens which are intended to soften the appearance of the built environment and provide an attractive setting for this residential area. Furthermore the planting is intended to provide wider environmental benefits to address issues such as

SUDS and air quality.

RECOMMENDATION: The provision of an additional car park space at the expense of the approved landscape layout is unacceptable and contrary to saved policies BE23 and BE38. The previous reason for refusal remains valid. The soft landscaping should either be reinstated in accordance with the approved plans or re-designed to provide an attractive frontage to this property which prevents car parking in front of the house.

Highways Officer:

Not consulted but in response to the previous scheme commented that there are no specific concerns or comments to be made with regard to the provision of a single (parallel to the roadway) 'on-plot' parking space at this address. As most of the residential catchment has been designed with a shared surface roadway there are no requirements for kerb alterations or similar to facilitate vehicle access. The proposal is therefore considered acceptable.

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:

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

Policy BE1 of the Local Plan: Part One (November 2012) requires that new developments achieve a high quality of design in all new buildings, alterations, extensions and the public realm which enhances the local distinctiveness of the area, contributes to community cohesion and a sense of place.

Policy BE38 of the Local Plan: Part Two (November 2012) requires that development proposals are expected to retain and utilise topographical and landscaping features of merit and provide new landscaping wherever it is possible.

The 'as built' scheme does not conform to the approved plans under ref: 38402/APP/2007/1072 (09-07-07) and has resulted in the loss of soft landscaping to the detriment of the character and appearance of the site and the local setting.

This residential estate is a compact development featuring shared surfacing for pedestrian and vehicle movement. The amount of green infrastructure is limited to very small front gardens which make an important contribution to the character and appearance of the area. The provision of an additional car park space at the expense of the approved landscape layout is unacceptable and contrary to saved policies BE23 and BE38 of the

Local Plan: Part Two (November 2012).

In dismissing the appeal for a very similar development at the adjoining property (No.12), Planning Inspectorate Ref: APP/R5510/W/18/3216469, the Inspector commented as follows:

"3. The appeal property is located on a modern residential development, and Truesdales has a 'shared surface' for pedestrians and vehicles. The dwellings are generally built close to the road/footway, with modest front gardens which vary in depth. However, although generally small, these landscaped front gardens have an important function in providing some visual relief from the expanse of hard-surfacing to the wider development.

4. The area of the parking space the subject of this appeal has been cleared of planting and replaced with bark, although the appellant indicates a long-term aim to pave the space. The appeal property has a garage and driveway to the side of the property.

5. The appellant has identified a number of properties that have paved front gardens for additional vehicle parking, or have replaced the planting with stones. These were evident at the appeal site visit, although no evidence has been supplied to confirm that planning permission was required or has been granted for these changes. However, it was apparent that the loss of soft landscaping at the appeal site and in the wider street scene detracts from the character and appearance of the area, by creating a street scene dominated by hard-surfacing. The loss of planting at the appeal site would contribute to a gradual erosion of the appearance of the housing development. The retention of a narrow section of planting on the other side of the pathway to the house would not be sufficient to offset the loss of the larger planted space.

6. However, I am mindful of the stated need for the additional parking space, to give more room to manoeuvre a wheelchair in and out of vehicles, and I have had due regard to my responsibilities under the Public Sector Equality Duty contained in the Equalities Act 2010.

7. Although the Council has not queried the use of the space, I think it unlikely that a vehicle could park in it without overhanging the existing driveway, and the usable width would also be affected by an external meter box. The opening of car doors and additional manoeuvring would inevitably have to take place on the adjacent shared surface, which is not its intended purpose. Whilst I have given the appellant's need for the space significant weight in this appeal, this must be balanced against the visual and other impacts of the appeal development.

8. Moreover, although it is evident that parking enforcement takes place in the area, as the property has a garage and two off-street parking spaces, I am not convinced that the occasional inconvenience for visitors to the property would justify the creation of a further space.

9. I therefore conclude that the need for the parking space would not outweigh the resultant visual harm of the appeal development to the character and appearance of the street scene, in conflict with the aims of UDP1 Policy BE19, which seeks to ensure that new development within residential areas complements or improves the amenity and character of the area, and UDP Policy BE38, which includes an expectation for development proposals to retain and utilise landscape features of merit and to provide new planting and landscaping wherever it is appropriate. It is also in conflict with guidance on front garden parking set out in section 11 of the 'Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document, Residential Extensions' 2008."

The previous reason for refusal is thus considered to remain valid.

Since the end of August 2015 applications which are for development which was not authorised need to be assessed as to whether the unauthorised development was intentional. If so, then this is a material planning consideration. In this case officers have no indication that this was an intentional breach of planning control. However, as works have already been undertaken contrary to the condition outlined above and if the recommendation is accepted, the Council will need to consider formal enforcement action.

It is recommended that the application be refused.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposal involves the loss of existing landscaping which make an important contribution to the character and appearance of the area. The loss of the landscaping is considered to be detrimental to the visual amenity of the street scene and the wider area contrary to Policies 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 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.

In order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably. The applicant would have been aware of the previous reason for refusal.

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:

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

Contact Officer: Cris Lancaster

Telephone No: 01895 250230