

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 137 LONG LANE HILLINGDON

Development: Installation of vehicular crossover to front.

LBH Ref Nos: **46529/APP/2020/3909**

Drawing Nos: Block Plan Amended
 Location Plan Amended
 Proposed Site Plan Amended
 Proposed Site Plan Amended
 Supporting Information - Plans

Date Plans Received: 26/11/2020

Date(s) of Amendment(s):

Date Application Valid: 15/01/2021

1. CONSIDERATIONS

1.1 Site and Locality

This site is occupied by a two-storey detached house located on the west side of Long Lane at the junction with Court Drive. The property currently has a vehicular crossover adjacent to 2 Court Drive serving the existing driveway and garage. The site lies within the area covered by TPO 157 and there are several protected trees at this address including T16 a mature oak situated in the front garden (south-east corner). The site lies within a Critical Drainage Area.

1.2 Proposed Scheme

The application seeks planning permission for the installation of vehicular crossover to front.

1.3 Relevant Planning History Comment on Planning History

There is no recent relevant planning history.

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

3 neighbouring properties were consulted by letter dated 18.1.21.

1 letter of comment has been received from the occupant of Number 2 Court Drive asking for the work to the boundary fence to be carried out without encroachment.

Landscape Officer -

The site lies within the area covered by TPO 157 and there are several protected trees at this address including T16 a mature oak situated in the front garden (south-east corner). -

According to the completed planning questionnaire (Q.9) there are no trees on the site? COMMENT No trees will be affected by the proposed vehicular cross-over (the subject of this application), however, the construction of the driveway is unacceptable without further supporting information. The proposed driveway may well be within the RPA (root protection area) of the protected oak. A tree report will be required to check whether, and how, the driveway can be constructed without affecting the protected tree. RECOMMENDATION Clarification is required about the protected oak (T16) and the construction of the driveway - without which it would be unsafe (and pointless) constructing the vehicle crossover.

Highways Officer -

The vehicle crossover must be more than 5 meters away of the existing road junction. The proposal is not in accordance with the Council Guidelines and therefore would not be compliant with the Local Plan policy DMT 1: Managing Transport Impacts - road safety. Highway DC are raising objections to the planning application.

4. Local Plan Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMHB 11 Design of New Development

DMT 3 Road Safeguarding

DMT 6 Vehicle Parking

5. MAIN PLANNING ISSUES

The main planning issues are whether the provision of a cross over at this location would be detriment to highway and/or pedestrian safety, and the impact of the development on the character and appearance of the proposal on the host building and the wider area and the impact on residential amenity and sustainability.

The purpose of the proposed dropped kerb is to provide access to a vehicular hardstanding. This is shown in the red line.

Policy DMHD 1: Alterations and Extensions to Residential Dwellings states -

A) Planning applications relating to alterations and extensions of dwellings will be required to ensure that:

- i) there is no adverse cumulative impact of the proposal on the character, appearance or quality of the existing street or wider area;
- ii) a satisfactory relationship with adjacent dwellings is achieved;
- iii) new extensions appear subordinate to the main dwelling in their floor area, width, depth and height;
- iv) new extensions respect the design of the original house and be of matching materials;
- v) there is no unacceptable loss of outlook to neighbouring occupiers;
- vi) adequate garden space is retained;
- vii) adequate off-street parking is retained, as set out in Table 1: Parking Standards in Appendix C;
- viii) trees, hedges and other landscaping features are retained; and

ix) all extensions in Conservation Areas and Areas of Special Local Character, and to Listed and Locally Listed Buildings, are designed in keeping with the original house, in terms of layout, scale, proportions, roof form, window pattern, detailed design and materials.

Paragraph A1.27 of the Local Plan states that planning permission will not be required if a new or replacement driveway of any size uses permeable (or porous) surfacing which allows water to drain through, such as gravel, permeable concrete block paving or porous asphalt, or if the rainwater is directed to a lawn or border to drain naturally.

Paragraph A1.28 states if the surface to be covered is more than five square metres, planning permission will be refused for laying traditional, impermeable driveways that do not provide for the water to run to a permeable area

The site lies in a Critical Drainage Area (CDA) identified in the Surface Water Management Plan (SWMP) for Hillingdon. A CDA is the catchment area from which surface water drains and contributes to drainage problems.

Therefore a development should minimise the water from a site entering the sewers.

- Water run off from any roof or hard paving associated with the development should be directed to a soakaway, or tank or made permeable. This includes any work to front gardens not part of the planning application, must be permeable or be collected and directed to a permeable area, or it would need an additional permission.

The proposal does not specify that the front drive materials are permeable. In the absence of this information the development is contrary to Policy DME1 10 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020).

The site lies within the area covered by TPO 157 and there are several protected trees at this address including T16 a mature oak situated in the front garden (south-east corner).

Policy DMHB 14: Trees and Landscaping requires:

A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.

B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.

C) Where space for ground level planting is limited, such as high rise buildings, the inclusion of living walls and roofs will be expected where feasible.

D) Planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees.

Where the tree survey

identifies trees of merit, tree root protection areas and an arboricultural method statement will be required to show how the trees will be protected. Where trees are to be removed, proposals for replanting of new trees on-site must be provided or include contributions to offsite provision.

The Council's Landscape Officer has advised that the construction of the driveway is unacceptable without further supporting information. The proposed driveway may well be within the RPA (root protection area) of the protected oak. In the absence of a Tree Survey and Arboricultural Implication Assessment to BS5837: 2005 standards, the

application has failed to demonstrate that the development will safeguard existing trees on the site and further fails to demonstrate protection for long-term retention of the trees. The proposal is therefore contrary to DMHB14 and DMHB11 of the Hillingdon Local plan - Part Two (2020).

contrary to policies DMHD 1, DMT 2 and DMT 6 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020). The Design and Access Statement refers to local precedents. However, each application must be treated on its own merits.

Policy DMT 2: Highways Impacts states:

Development proposals must ensure that:

- i) safe and efficient vehicular access to the highway network is provided to the Council's standards;
- ii) they do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents;
- iii) safe, secure and convenient access and facilities for cyclists and pedestrian are satisfactorily accommodated in the design of highway and traffic management schemes;
- iv) impacts on local amenity and congestion are minimised by routing through traffic by the most direct means to the strategic road network, avoiding local distributor and access roads; and
- v) there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing and committed roads, including along roads or through junctions which are at capacity.

The Highways Officer has confirmed that the vehicle crossover must be more than 5 meters away of the existing road junction. The proposal is not in accordance with the Council Guidelines and therefore would not be compliant with the Local Plan policy DMT 1 and DMT2 of the Hillingdon Local Plan - Part Two (2020).

No issues of loss of residential amenity to adjoining properties arise.

It is recommended that planning permission be refused

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed vehicle crossover by reason of vehicles reversing in or out of the site into oncoming traffic, close to a junction, and the increase in the number of potential conflict points along the road would result in the disruption of the free flow of traffic and would be detrimental to highway and pedestrian safety contrary to Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

2 NON2 Non Standard reason for refusal

In the absence of a Tree Survey and Arboricultural Implication Assessment to BS5837: 2005 standards, the application has failed to demonstrate that the development will safeguard existing trees on the site and further fails to demonstrate protection for long-term retention of the trees. The proposal is therefore contrary to Policies DMHB 11 and DMHB 14 of the Hillingdon Local Plan: Part Two - Development Management Policies

(January 2020).

3 NON2 Non Standard reason for refusal

The proposal does not specify that the front drive materials are permeable. In the absence of this information the development is contrary to Policy DMEI 10 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020).

INFORMATIVES

- 1** On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2016). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.
- 2** 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 Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

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:

DMHB 11 Design of New Development

DMT 3 Road Safeguarding

DMT 6 Vehicle Parking

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