

## Report of the Head of Planning, Transportation and Regeneration

**Address** 188 BURY STREET RUISLIP

**Development:** Demolition of existing bungalow and erection of 4 x 4 bed dwelling houses with associated parking spaces and external works

**LBH Ref Nos:** 8697/APP/2020/3622

**Drawing Nos:**

- 03
- 04 Rev. B
- 05
- 02
- Design and Access Statement
- 001
- CIL Form
- Drainage Strategy
- Arboricultural Impact Assessment and Method Statement and Tree Protection Plan

**Date Plans Received:** 02/11/2020

**Date(s) of Amendment(s):**

**Date Application Valid:** 30/11/2020

### 1. SUMMARY

The current application seeks planning permission for the demolition of the existing bungalow and the erection of 4 x 4 bed two storey dwelling houses with roof space accommodation and associated parking spaces, amenity spaces and external works.

The dwellings would be detached and have a 2 metre separation gap between each dwelling. The first two dwellings would follow the established building line of 186 Bury Street. The remaining two dwellings would be set forward of this building line by approximately 4 m.

The proposed development is considered to accord with the criteria in Policy DMH 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020). The redevelopment of the site is therefore considered to be acceptable and would provide the type of family dwellings that are most needed in the borough. The proposed design is considered appropriate within the site's context and the proposal would not have an adverse impact on the openness of the Green Belt, the amenity of neighbouring properties or the local highways network.

### 2. RECOMMENDATION

**APPROVAL subject to the following:**

**1 RES3 Time Limit**

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

**2 RES4 Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 547/P 03, 547/P 04 Rev B and 547/P 05 and shall thereafter be retained/maintained for as long as the development remains in existence.

**REASON**

To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 - Strategic Policies (2012), the Hillingdon Local Plan Part 2 - Development Management Policies Part 2 (2020) and the London Plan (2016).

**3 RES7 Materials (Submission)**

No development shall take place until details of all materials and external surfaces, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

**REASON**

To ensure that the development presents a satisfactory appearance in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 - Development Management Policies (2020).

**4 RES9 Landscaping (car parking & refuse/cycle storage)**

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of Soft Landscaping (which must also include all land which is not part of a residential curtilage, including the green belt land).
  - 1.a Planting plans (at not less than a scale of 1:100),
  - 1.b Written specification of planting and cultivation works to be undertaken,
  - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
2. Details of Hard Landscaping
  - 2.a Refuse Storage
  - 2.b Cycle Storage
  - 2.c Means of enclosure/boundary treatments
  - 2.d Car Parking Layouts (including demonstration that all parking spaces are served by electrical charging points, each dwelling should incorporate 1 'passive' and 1 'active' space)
  - 2.e Hard Surfacing Materials
  - 2.f External Lighting
  - 2.g Other structures (such as play equipment and furniture)
4. Details of Landscape Maintenance
  - 4.a Landscape Maintenance Schedule for a minimum period of 5 years (which must also include all land which is not part of a residential curtilage, including the green belt land).
  - 4.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

## 5. Schedule for Implementation

### 6. Other

- 6.a Existing and proposed functional services above and below ground
- 6.b Proposed finishing levels or contours

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies DMHB 11, DMHB 12, DMHB 14, DMEI 1 and DMT 2 of the Hillingdon Local Plan Part 2 (2020) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (2015).

## **5 RES10 Tree to be retained**

Trees, hedges and shrubs shown to be retained on the Arboricultural Impact Assessment, Method Statement & Tree Protection Plan prepared by Trevor Heaps, dated October 2020 (ref TH 2550), 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 (or after) 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 3998:2010 'Tree work - Recommendations' 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 DMHB 14 of the Hillingdon Local Plan Part 2 (2020) and to comply with Section 197 of the Town and Country Planning Act 1990

## **6 RES13 Obscure Glazing**

The first floor windows in the south east flank elevations and north west flank elevations of the new dwellings shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and be 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 policies DMHB 11 and DMHD 1-2 of the Hillingdon Local Plan Part 2 (2020).

**7 RES14 Outbuildings, extensions and roof alterations**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification); no garage(s), shed(s) or other outbuilding(s), nor extension or roof alteration to any dwellinghouse(s) shall be erected without the grant of further specific permission from the Local Planning Authority.

**REASON**

To protect the character and appearance of the area and amenity of residential occupiers in accordance with policies DMHB 11 and DMHD 2 of the Hillingdon Local Plan Part 2 (2020)

**8 RES15 Sustainable Water Management (changed from SUDS)**

No superstructure works shall be commenced until a scheme for the provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Policy 5.15 of the London Plan and will:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:

- iv. provide details of water collection facilities to capture excess rainwater;
- v. provide details of how rain and grey water will be recycled and reused in the development.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

**REASON**

To ensure the development does not increase the risk of flooding in accordance with Policy DMEI 10 of the Hillingdon Local Plan Part 2 (2020) and London Plan (2016) Policy 5.12.

**9 NONSC Non Standard Condition**

No superstructure works shall take place until a full and detailed Construction Logistics Plan (CLP) has been submitted to and approved in writing by the Local Planning Authority. The CLP will be a requirement given the constraints and sensitivities of the local residential road network in order to minimise/avoid potential detriment to the public realm.

**REASON**

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with Policies DMHB 11, DMHB 12, DMHB 14, and DMT 2 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

**10 RES24 Secured by Design**

The dwelling(s) shall achieve '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). No dwelling shall be occupied until accreditation has been achieved.

**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 excising 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 ensure the development provides a safe and secure environment in accordance with policy DMHB 15 of the Local Plan Part 2 (2020) and London Plan (2015) Policies 7.1 and 7.3.

**11 NONSC Non Standard Condition**

Prior to superstructure works, details of step free access via the principal private entrance shall be submitted to, and approved in writing, by the Local Planning Authority. Such provision shall remain in place for the life of the building.

**REASON:** To ensure that an appropriate standard of housing stock, in accordance with the 2016 London Plan policy 3.8(c) and policy D7 of the 2019 (Intend to Publish) London Plan, is achieved and maintained.

**12 NONSC Non Standard Condition**

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

**13 NONSC Non Standard Condition**

Notwithstanding the approved plans, prior to first occupation of the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be erected prior to first occupation of the development in accordance with the approved details and shall be permanently maintained as such thereafter.

**REASON**

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies DMHB 11, DMHB 12, DMHB 14, DMEI 1, DMEI 6 and DMT 2 of the Hillingdon Local Plan Part 2 (2020) and Policies 5.11 and 5.17 of the London Plan (2016).

**14 MRD4 Single Dwellings Occupation**

The development hereby approved shall not be sub-divided to form additional dwelling units or used in multiple occupation without a further express permission from the Local Planning Authority.

**REASON**

To ensure that the premises remain as a single dwelling until such time as the Local Planning Authority may be satisfied that conversion would be in accordance with Policy H7

of the Hillingdon Unitary Development Plan Saved Policies (September 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 Local Plan Part 1 (2012) and Part 2 (2020) 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.

DMEI 6	Development in Green Edge Locations
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMH 6	Garden and Backland Development
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 7.4	(2016) Local character
LPP 7.5	(2016) Public realm
LPP 7.6	(2016) Architecture

### **3 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 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.

### **4 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 which are audible at the site boundary shall only be carried out between the hours of 08.00 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 or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.

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

You are advised to consult the Council's Environmental Protection Unit ([www.hillingdon.gov.uk/noise](http://www.hillingdon.gov.uk/noise) Tel. 01895 250155) 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.

## **5 I2 Encroachment**

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application may have to be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the applicant's control for which the appropriate Notice under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 has not been served.

## **6 I3 Building Regulations - Demolition and Building Works**

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Residents Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 558170).

## **7 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.

## **8 I47 Damage to Verge - For Council Roads:**

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge of footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

**9 I70 LBH worked applicant in a positive & proactive (Granting)**

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 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, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

**10 I73 Community Infrastructure Levy (CIL) (Granting Consent)**

Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. Before commencement of works the development parties must notify the London Borough of Hillingdon of the commencement date for the construction works (by submitting a Commencement Notice) and assume liability to pay CIL (by submitting an Assumption of Liability Notice) to the Council at [planning@hillingdon.gov.uk](mailto:planning@hillingdon.gov.uk). The Council will then issue a Demand Notice setting out the date and the amount of CIL that is payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed.

The above forms can be found on the planning portal at: [www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

Pre-Commencement Conditions: These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of the pre-commencement conditions have been discharged/complied with.

### **3. CONSIDERATIONS**

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

The application site comprises a substantial single storey detached bungalow located on the north east side of Bury Street. The subject site is rectangular shaped plot with an area of approximately 2,900 sqm. The north western part of the site with an area of approximately 876 sqm is designated as Green Belt land. There are two existing vehicular crossovers on Bury Street, one giving access to the existing bungalow and the other at the north west end of the site giving access through and across the designated Green Belt around to a single storey outbuilding at the rear of the site. The site lies within a Critical

Drainage Area.

The neighbouring property at Hillingdon Athletic Club lies to the north and No. 186 Bury Street lies to the south. To the rear lies the public open space known as Ruislip Common. The area is characterised by a variety of property types and designs, with mainly detached properties in the immediate locality. Both adjacent properties are two storey dwellings.

### **3.2 Proposed Scheme**

The current application seeks planning permission for the demolition of existing bungalow and erection of 4 x 4 bed dwelling houses with all associated parking spaces and external works.

### **3.3 Relevant Planning History**

8697/PRC/2016/105        188 Bury Street Ruislip

Erection of a single building comprising 9 apartments involving the demolition of the existing house

**Decision:** 24-11-2016    OBJ

8697/PRC/2016/85        188 Bury Street Ruislip

Double storey rear and side extensions

**Decision:** 24-11-2016    OBJ

8697/PRC/2019/166        188 Bury Street Ruislip

Demolition of existing bungalow and construction of 3 x 2 storey, 5 bed detached dwellings

**Decision:** 04-11-2019    OBJ

8697/PRC/2020/64        188 Bury Street Ruislip

Demolition of existing bungalow and erection of 3 x 3 bed terrace houses and 1 x 4 bed detached house on adjacent land

**Decision:** 23-07-2020    OBJ

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

A number of pre application requests but no other relevant planning history.

## **4. Planning Policies and Standards**

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Development Plan

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

- The Local Plan: Part 1 - Strategic Policies (2012)
- The Local Plan: Part 2 - Development Management Policies (2020)
- The Local Plan: Part 2 - Site Allocations and Designations (2020)
- The West London Waste Plan (2015)
- The London Plan - Consolidated With Alterations (2016)

#### Material Considerations

The National Planning Policy Framework (NPPF) (2019) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

#### Emerging Planning Policies

Paragraph 48 of the National Planning Policy Framework (NPPF) 2019 states that 'Local Planning Authorities may give weight to relevant policies in emerging plans according to:

- (a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- (b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- (c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

#### Draft London Plan (Intend to Publish Version, December 2020)

The GLA consulted upon a draft new London Plan between December 2017 and March 2018 with the intention of replacing the previous versions of the existing London Plan. The Plan was subject to examination hearings from February to May 2019, and a Consolidated Draft Plan with amendments was published in July 2019. The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor on 8th October 2019.

The Mayor considered the Inspectors' recommendations and, on 9th December 2019, issued to the Secretary of State his intention to publish the London Plan along with a statement of reasons for the Inspectors' recommendations that the Mayor did not wish to accept. The Secretary of State responded on the 13th March 2020 and stated that he was exercising his powers under section 337 of the Greater London Authority Act 1999 to direct that modifications are required.

On 9th December 2020, the Mayor wrote to the Secretary of State to advise of his intention to formally approve a new draft London Plan, which included his best understanding of the modifications required. The Secretary of State responded on 10th December 2020 requesting that the draft London Plan was re-submitted with more specific amendments to address the 11 previous Directions and 2 additional Directions. On 21st December 2020, the Mayor formally approved a new London Plan, the 'Publication London Plan'. This has been submitted to the Secretary of State. The Secretary of State has 6 weeks to respond or can request a further extension of time. The Mayor can only publish the Plan after the Secretary of State has given approval.

More limited weight should be attached to parts of draft London Plan policies where the

Secretary of State has directed specific amendments. Greater weight may be attached to policies that are not subject to the specific amendments from the Secretary of State.

## **UDP / LDF 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:

DMEI 6	Development in Green Edge Locations
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMH 6	Garden and Backland Development
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 7.4	(2016) Local character
LPP 7.5	(2016) Public realm
LPP 7.6	(2016) Architecture

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

**5.1** Advertisement Expiry Date:- Not applicable

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

## **6. Consultations**

### **External Consultees**

7 neighbouring properties and the local residents association were consulted by letter dated 3/12/2020. The consultation period expires on 24/12/2020.

No local response.

### **Internal Consultees**

Please refer to the relevant sections within the body of this report

## 7. MAIN PLANNING ISSUES

### 7.01 The principle of the development

Paragraph 118 of the NPPF expects planning decisions to give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs. It promotes and supports the development of under-utilised land and buildings, especially if this would help to meet identified need.

Policy 3.3 of the London Plan (2016) expects Hillingdon to deliver a minimum of 559 new homes each year until 2025.

Policy H1 of the Local Plan: Part One (2012) requires the Council to exceed or meet its minimum strategic dwelling requirements, where this can be achieved, in compliance with other Local Plan policies.

The proposed development would result in a net gain of three dwellings (four dwellings in total). The site is not identified as a housing site in the adopted Site Allocations document. Where a site is not identified for development, it may still come forward through the planning application process where it will be tested in accordance with relevant national, London Plan and local policies.

The application site is not considered to be previously developed land and would technically be development on garden land and spreads beyond the footprint of the existing dwelling. Policy DMH 6 of the Local Plan Part 2 states that in exceptional cases a limited scale of backland development may be acceptable. This is subject to the neighbour impacts, access road details being acceptable, tree retention and the scale of development being more intimate than directly adjoining neighbours.

The parcel of land has a sprawling bungalow of no architectural merit. As such new dwellings would appear to fit into the existing settlement pattern rather than appearing as an incongruous addition to the existing settlement pattern. The area is characterised by large detached properties and the adjacent property is a two storey dwelling.

In effect given all of the above considerations the development of the land parcel would appear to be a logical redevelopment within the context of its surroundings, rather than an obvious backland/garden development proposal. Overall there are no objections in principle to the addition of residential development on the application site subject to compliance with the policies set out in the Development Plan.

#### Housing Mix

The Council's current information on housing need indicates a substantial borough-wide requirement for larger affordable and private market units, particularly 3 bedroom properties. Applicants proposing residential schemes are required to demonstrate that this need has been taken into account in line with Policy DMH 2 of the Local Plan: Part 2 (2020) and Policy H10 of the Intend to Publish Version of the London Plan (2020). The proposal seeks to provide 4 x 4 bed family sized homes for which there is a borough-wide requirement and as such, the proposed unit mix is considered acceptable.

### 7.02 Density of the proposed development

Policy 3.4 of the London Plan (2016) seeks to ensure that the new development takes into account local context and character, the design principles in Chapter 7 and public transport capacity development should optimise housing output for different types of location within the relative density range shown in Table 3.2. Development proposals which compromise this policy should be resisted.

The density matrix, however, is only of limited value when looking at small scale development such as that proposed with this application. In such cases, it is often more appropriate to consider how the development harmonises with its surroundings and its impact on adjoining occupiers.

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

Not relevant to this application

**7.04 Airport safeguarding**

Not relevant to this application

**7.05 Impact on the green belt**

Although part of the site, i.e. the northern part of the former extensive garden land of the existing dwelling, is situated within Green Belt, the area to be redeveloped does not encroach onto the Green Belt and is set away from the boundary of the Green Belt by in excess of 4 metres. This area of the site will be soft landscaped.

Given the existing built environment and its relationship with the boundary, it is considered on balance that there would be no adverse impact on the openness of the Green Belt. Where seen from within the adjoining Green Belt the buildings would be a continuation of the Bury Street properties. No Green Belt issues are therefore considered to be raised by this application.

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

The NPPF (2019) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

Policy 7.1 of the London Plan states that "design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability and accessibility of the neighbourhood".

Policy 7.4 of the London Plan states, "Development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area".

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires that all new development achieves a 'high quality of design in all new buildings, alterations and extensions'. Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) advises that all development will be required to be designed to the highest standards and incorporate principles of good design.

Policy DMEI 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) will not allow developments adjacent to or conspicuous from the Green Belt that would injure the visual amenities of the Green Belt by reason of siting, materials, design, traffic or activities generated and proposals should assimilate development into the surrounding area by the use of extensive peripheral landscaping to site boundaries.

It is noted that part of the site is designated as Green Belt however, no part of the proposal would be built on this area of land. Notwithstanding this, it should be noted that Policy DMEI 6 of the Hillingdon Local Plan (January 2020) Development in Green Edge Locations states

that new development adjacent to the Green Belt, Metropolitan Open Land, Green Chains, Sites of Importance for Nature Conservation, Nature Reserves, countryside, green spaces or the Blue Ribbon Network should incorporate proposals to assimilate development into the surrounding area by the use of extensive peripheral landscaping to site boundaries. That said, the boundary of the Green Belt that covers only approximately half the garden area of the site would appear to be a little incongruous.

The northern most proposed new dwelling would be set in by approximately 4.2 m from the Green Belt boundary and between 17 m and 18 m to the rear and the eastern boundary.

Policy DMH 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that A) The net loss of existing self-contained housing, including affordable housing, will be resisted unless the housing is replaced with at least equivalent residential floor space. B) The Council will grant planning permission for the subdivision of dwellings only if: i) car parking standards can be met within the curtilage of the site without being detrimental to the street scene; ii) all units are self contained with exclusive use of sanitary and kitchen facilities and provided with individual entrances and internal staircases to serve units above ground floor level; iii) adequate amenity space is provided for the benefit of residents; and iv) adequate living space standards are met.

Policy DMH 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that the Council will require the provision of a mix of housing units of different sizes in schemes of residential development to reflect the Council's latest information on housing need. The Council will require the provision of a mix of housing units of different sizes in schemes of residential development to reflect the Council's latest information on housing need.

Policy DMH 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that there is a presumption against the loss of gardens due to the need to maintain local character, amenity space and biodiversity. In exceptional cases a limited scale of back land development may be acceptable, subject to the following criteria: i) neighbouring residential amenity and privacy of existing homes and gardens must be maintained and unacceptable light spillage avoided; ii) vehicular access or car parking should not have an adverse impact on neighbours in terms of noise or light. Access roads between dwellings and unnecessarily long access roads will not normally be acceptable; iii) development on back land sites must be more intimate in mass and scale and lower than frontage properties; and iv) features such as trees, shrubs and wildlife habitat must be retained or re-provided.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that: A) All development, including extensions, alterations and new buildings, will be required to be designed to the highest standards and, incorporate principles of good design including: i) harmonising with the local context; ii) ensuring the use of high quality building materials and finishes; iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities; iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and undesignated, and their settings; and v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure. B) Development proposals should not adversely impact on the amenity of adjacent properties and open space.

The proposal is for four detached two storey dwellings with rear dormers to accommodate

a fourth bedroom in the roofspace. The first two dwellings on the southern end of the site would follow the established front building line of the neighbouring property at 186 Bury Street. Dwellings Nos 3 and 4 would be set forward of this building line by 4 m. There would be separation distance of 2 metres between each dwelling and two car parking spaces are allocated to the front of each dwelling which would be accessed by a driveway using the existing vehicular crossover on the southern end of the site. The proposed dwellings would be set back between 21 m and 22 m from the boundary of the site with a frontage onto Bury Street.

The immediate locality of Bury Street is characterised by large detached and semi-detached dwellings and the proposed development is considered to respect the character and appearance of the existing built environment along Bury Street.

With regard to the criteria in Policy DMH 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), the proposed limited scale of development, including the re-development of the existing bungalow, is considered to: i) maintain neighbouring residential amenity and the privacy of existing homes and gardens and avoid unacceptable light spillage; ii) the proposed vehicular access and car parking will not have an unacceptable adverse impact on neighbours in terms of noise or light; iii) the proposed development will be more intimate in mass and scale than 186 Bury Street, to the south-east; and iv) features such as trees, shrubs and wildlife habitat are generally retained or re-provided.

The four dwellings are considered to be in keeping with the character of the street scene and the surrounding area. The new dwellings would benefit from adequate private amenity areas to the rear of the site with spacious frontages and on site car parking.

#### **7.08 Impact on neighbours**

Policy DMHB 11 B) of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to safeguard the amenities of neighbouring residents in terms of loss of light, loss of outlook, sense of dominance and loss of privacy.

The first of the four dwellings closest to the southern shared boundary would be set in from the shared side boundary with No. 186 Bury Street by approximately 1 m. Both dwelling Nos 1 and 2 would follow the established front building line. In addition, the proposed new dwelling (no. 1) would not extend beyond this neighbouring property's rear wall. A first floor window is proposed in the south facing flank elevation however, this would serve a landing area and could therefore be conditioned to be obscure glazed should planning permission be forthcoming. Consequently, it is considered that the proposal itself would not result in the loss of residential amenity to the neighbouring property at 186 Bury Road in terms of loss of light, loss of outlook and sense of dominance.

Dwellings 3 and 4 would be set forward of this building line by approximately 4 m however, dwelling No. 3 would not intersect the 45 degree line of site when measured from the nearest ground and first floor habitable room windows in the front elevation of dwelling No. 2. It is noted that to the rear dwelling No. 3 would also comply with the 45 degree line of sight.

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

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. The standards require a 7 person 4 bed dwelling over three storeys should have a minimum internal floor area of 121 sq m. Submitted plans indicate that all the dwellings would be in excess of these standards and therefore would provide a satisfactory living environment for the future occupants in accordance with Policy 3.5 of the London Plan 2016.

The Technical Housing Standards - nationally described space standard requires that in order to provide a single bedroom it must have a floor area of at least 7.5m<sup>2</sup> and be 2.15m wide. A double or twin bedroom should have a floor area of at least 11.5m<sup>2</sup>. Hillingdon's local variation stipulates 8m<sup>2</sup> and 12m<sup>2</sup> respectively. The proposed floor plans indicate that all the bedrooms would be in excess of these space standards.

Any proposal should ensure that all the proposed habitable rooms would have an adequate outlook and source of natural light, in compliance with the Mayor of London's Housing Standards Minor Alterations to The London Plan (March 2016).

Paragraph 5.40 within the Local Plan: Part Two (2020) states that the Council will expect new development proposals to carefully consider layout and massing in order to ensure development does not result in an increased sense of enclosure and loss of outlook. Single aspect dwellings should be avoided.

It is considered that all the proposed habitable rooms, would have an adequate outlook and source of natural light, and therefore comply with Policy 3.5 of the London Plan (2016).

#### Private Amenity Space

Policy DMHB 18 of the Hillingdon Local Plan Part 2: Development Management Policies (January 2020) stresses the importance of new buildings and extensions providing adequate amount of external amenity space, that not only protects the amenity of the occupants of the proposed development, but also of those of the surrounding buildings, as well as protecting both parties privacy.

Table 5.3: Private Outdoor Amenity Space Standards states that a dwelling house with 4 + bedrooms should be provided with a minimum of 100 sqm of private external amenity space. Each of the private amenity spaces provided meets or exceeds this. Therefore the proposal complies with Policy DMHB 18 of the Hillingdon Local Plan Part 2: Development Management Policies (January 2020).

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

Highways & Transportation commented as follows: -

#### Site Characteristics & Background

The site in Bury Street is located within a residential catchment just south of Breakspear Road (both designated as 'Classified' roads in the boroughs hierarchy of roads).

The immediate vicinity is encompassed by double yellow line waiting restrictions and in addition there are generous off-street parking facilities available for most of the surrounding residential properties in the area which further assists in reducing general on-street parking

demand. The public transport accessibility level (PTAL) rating (1b) is considered as poor thereby heightening ownership and use of private motor transport.

The proposal is for the demolition of the existing detached bungalow and the provision of 4 new four-bedroom detached properties. Each of the 4 units would be provided with 2 on-plot parking spaces. An existing vehicular access shared with No.186 is to be utilised to access the site with a new internal 'shared' roadway layout serving the 4 dwellings.

### Parking Provision

Local Plan: Part 2 Policy - DMT 6 requires that new development will only be permitted where it accords with the Council's adopted parking standards unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network.

In order to comply with the adopted parking standard, the maximum on-plot requirement demands up to 2 spaces for each unit. This level of provision is proposed hence the standard is met.

### Electric Vehicle Charging Points (EVCP's)

In line with the emerging London Plan, within any final parking quantum there is a requirement for a minimum of 20% 'active' EVCP provision with all remaining spaces being designated as 'passive' provisions. In this case, each dwelling should incorporate 1 'passive' and 1 'active' space. This aspect should be subject to a planning condition.

### Cycling Provision

In terms of cycle parking there should be a provision of at least 2 secure and accessible spaces for each of the dwelling units in order to conform to the adopted minimum borough cycle parking standard. This requirement has been acknowledged by the applicant but is not depicted on-plan hence this detail should be secured via planning condition.

### Access Arrangements for Vehicular and Pedestrian Usage

The principle of layout and design of the roadway and highway access should broadly conform to the Department for Transport's (DfT's) - Manual for Streets (MfS) (circa 2007) best practice for road and parking layouts as this would allow for vehicles using the site to enter and leave the site in a forward gear which is the recommended practice on highway safety grounds and appears achievable given the plot area.

An existing vehicular access shared with No.186 is to be utilised to access the site with a new internal 'shared' roadway layout serving the 4 dwellings. Given that Bury Street is a major heavily trafficked thoroughfare, the utilisation of an existing access point reduces the proliferation of additional crossings onto this roadway which is considered beneficial in highway safety terms and therefore welcomed. This approach would also avoid the loss of grass verge space on the public highway which is considered as a positive environmental benefit.

### Vehicular Trip Generation

Local Plan: Part 2 Policies - DMT 1 and DMT 2 require the Council to consider 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.

The proposal would produce a marginal increase in traffic generation from the site as compared to the existing single dwelling unit however peak period traffic movement into and out of the site would not be expected to rise beyond 1-2 vehicle movements during the peak morning and evening hours. Hence this uplift is considered marginal in generation terms and therefore can be absorbed within the local road network without notable detriment to traffic congestion and road safety.

#### Operational Refuse Requirements

Refuse collection would continue via Bury Street. No bin storage areas for the new units are depicted. On collection day, a site management regime should ensure that waste collection distances do not exceed 10m from the point of collection from the public highway in order to conform to accepted best practice. This can be achieved by either a formal planning condition or informal arrangement applied by the new occupier/s. It is considered that for this scale of development it is in the best interest of the occupier to place their refuse within the 10m distance parameter from the highway if they wish for their refuse to be collected. Such an informal arrangement is therefore highly likely to occur and is therefore considered acceptable in this particular case. There are no further observations.

#### Conclusion

The application has been reviewed by the Highway Authority who are satisfied that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns, in accordance with Local Plan: Part 2 Development Plan Policies DMT 1, DMT 2 & DMT 6 and Policies 6.3, 6.9, and 6.13 of the London Plan (2016).

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

Design matters have been addressed in Paragraph 07.7 of this report.

#### Security

Policy DMHB 15 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that the Council will require all new development to ensure safe and attractive public and private spaces by referring to the Council's latest guidance on Secured by Design principles. Where relevant, these should be included in the Design and Access Statement. Development will be required to comprise good design and create inclusive environments whilst improving safety and security by incorporating the following specific measures:

- i) providing entrances in visible, safe and accessible locations;
- ii) maximising natural surveillance;
- iii) ensuring adequate defensible space is provided;
- iv) providing clear delineations between public and private spaces; and
- v) providing appropriate lighting and CCTV.

A condition is attached requiring compliance with Secured by Design standards.

### **7.12 Disabled access**

Policy 3.8(c) of the London Plan (March 2016) requires that ninety percent of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings'.

Policy 7.2 of the London Plan (March 2016) states that new development should achieve

the highest standards of accessible and inclusive design to ensure that:

- a) development can be used safely, easily and with dignity by all regardless of disability, age, gender, ethnicity or economic circumstances and
- b) development is convenient and welcoming with no disabling barriers, so everyone can use them independently without undue effort, separation or special treatment.

The Access officer commented as follows: -

I have considered the detail of this planning application for four, 4 bed houses and deem there to be no accessibility issues raised by the proposal. However, any grant of planning permission should include the following conditions:

Prior to works commencing, details of step free access via the principal private entrance shall be submitted to, and approved in writing, by the Local Planning Authority. Such provision shall remain in place for the life of the building.

**REASON:** To ensure that an appropriate standard of housing stock, in accordance with the 2016 London Plan policy 3.8(c) and policy D7 of the 2019 (Intend to Publish) London Plan, is achieved and maintained.

The dwellings 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 that an appropriate standard of housing stock, in accordance with the 2016 London Plan policy 3.8(c) and policy D7 of the 2019 (Intend to Publish) London Plan, is achieved and maintained.

A condition is attached to ensure the details of step free access via the principal private entrance and compliance with Approved Document M to the Building Regulations (2010) 2015. Subject to such conditions, the proposal would accord with Policies 3.8 and 7.2 of the London Plan (March 2016).

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

Policy H2 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states that housing provision is expected to include a range of housing to meet the needs of all types of households and the Council will seek to maximise the delivery of affordable housing from all sites over the period of the Local Plan. For sites with a capacity of 10 or more units the Council will seek to ensure that the affordable housing mix reflects housing needs in the borough, particularly the need for larger family units. This is supported by Policy DMH 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

The proposal is for less than 10 residential units and does not meet the threshold in order to require affordable housing provision. As such, the proposal is not contrary to Policy H2 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) and Policy DMH 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

### **7.14 Trees, Landscaping and Ecology**

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) also requires that new development is high quality, sustainable, adaptable, and harmonises with the local context. Landscaping and tree planting should also enhance amenity, biodiversity and green infrastructure.

Policy DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states:

- 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.

#### Trees & Landscaping commented as follows

This site is occupied by a detached chalet bungalow, with a detached garage, shed and swimming pool located within a spacious garden plot on the east side of Bury street.

The site makes a significant contribution to the leafy character and appearance of the area. The garden contains some 37 trees which are not protected by TPO or Conservation Area. The Bury Road boundary is defined by trees and hedges with a fine Horse chestnut and other trees within the highway verge.

Most of the trees within the site are located within the northern half of the site, which lies within the Green Belt.

The land to the east is a densely wooded National Nature Reserve, Ruislip Woods. The land across the road is an attractive public open space, known as Ruislip Common.

#### COMMENT: EXISTING TREES

A full tree report, by Trevor Heaps, dated October 2020, has been submitted. The report has identified 37 trees which are on, or close to the site. The condition and value of these trees is exceptionally high. 8 of the trees are category 'A'; T1, T5, T10, T17, T20, T21, T36 with 25 trees category 'B'. Only one hedge, H2, and two individual trees; T3 and T4, fall into the lower 'C' category.

The arboricultural impact assessment concludes that one 'B' grade tree, T26 magnolia, will be removed to facilitate the development.

There will be some incursion into the root protection area (RPA) of a small number of trees, however, any encroachment is within the tolerance advised by BS5837:2012. Full tree protection measures are specified, supported by an arboricultural method statement.

#### COMMENT: SITE LAYOUT

The site layout has been constrained within the southern end of the site and retains all of the trees on site which occupy the Green Belt / northern part of the plot, together with the valuable tree screen along the Bury Road frontage and other boundaries.

The proposed four detached houses will share a new access road located behind, and parallel with, the tree-lined Bury Road frontage.

The site layout includes space for private gardens and soft landscape enhancement.

#### RECOMMENDATION

No objection subject to strict adherence to the recommendations of the tree report and conditions RES 9 (parts 1,2,4,5 and 6) and RES 10.'

**7.15 Sustainable waste management**

The Highways & Transportation officer has assessed the waste management and considered it to be acceptable.

**7.16 Renewable energy / Sustainability**

Not relevant to this application

**7.17 Flooding or Drainage Issues**

The site is located in Flood Zone 1 and is within a Critical Drainage Area. It is not identified as at risk of surface water flooding. It is considered that a condition can be imposed to ensure suitable sustainable drainage methods and materials are used to help prevent additional surface water run off during high rain fall events.

**7.18 Noise or Air Quality Issues**

Not relevant to this application

**7.19 Comments on Public Consultations**

Comments raised have been addressed within the body of this report.

**7.20 Planning Obligations**

Due to the scale of development, planning obligations are not required.

#### COMMUNITY INFRASTRUCTURE LEVY

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 £60 per sq metre.

Initial calculation for the proposed development

Mayoral CIL = 410 x £60 = £24,600

Hillingdon CIL = 410 x £38,950 = £38,950

Total CIL payable = £63,550

**7.21 Expediency of enforcement action**

Not relevant to this application

**7.22 Other Issues**

No other issues identified.

**8. Observations of the Borough Solicitor**

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the

application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in *Probit in Planning, 2009*.

#### Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

#### Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

#### Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

#### **9. Observations of the Director of Finance**

Not applicable

#### **10. CONCLUSION**

The application seeks full planning permission for the demolition of the existing single storey bungalow and the erection of 4 x 4 bed detached dwellings with amenity space, car parking, landscaping and associated works. The redevelopment of the site is considered to be acceptable and would provide the type of family dwellings that are most needed in the

borough. The proposed design is considered appropriate within the site's context and the proposal would not have an adverse impact on the openness of the Green Belt, the amenity of neighbouring properties or the local highways network.

On this basis, the proposal is recommended for approval.

## **11. Reference Documents**

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

Hillingdon Local Plan: Part Two - Development Management Policies

The London Plan (2016)

The Housing Standards Minor Alterations to The London Plan (March 2016)

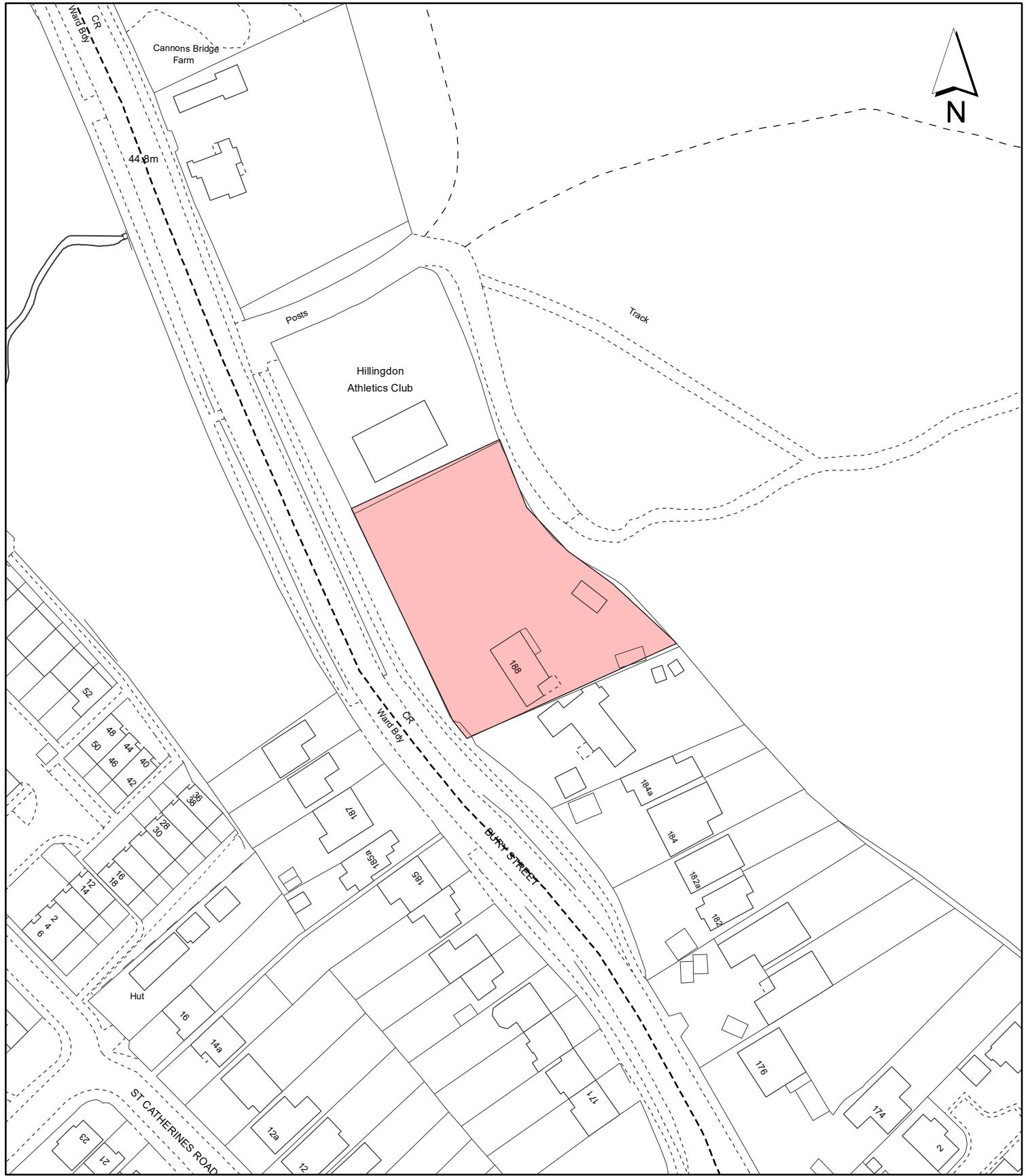
Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)

Technical Housing Standards - Nationally Described Space Standard

National Planning Policy Framework

**Contact Officer:** Diane Verona

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**Notes:**

 Site boundary

For identification purposes only.

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Site Address:

**188 BURY STREET  
RUISLIP**

**LONDON BOROUGH  
OF HILLINGDON**

Residents Services  
Planning Section

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Telephone No.: Uxbridge 01895 250111

Planning Application Ref:

**8697/APP/2020/3622**

Scale:

**1:1,250**

Planning Committee:

**North**

Date:

**February 2021**



**HILLINGDON**  
LONDON