



HILLINGDON  
LONDON



# Borough Planning Committee

**Date:** TUESDAY, 15 FEBRUARY  
2022

**Time:** 6.00 PM

**Venue:** COMMITTEE ROOM 5 -  
CIVIC CENTRE, HIGH  
STREET, UXBRIDGE

**Meeting  
Details:** Members of the Public and  
Media are welcome to attend.  
This meeting may also be  
broadcast live.

## To Councillors on the Committee

Councillor Henry Higgins (Chairman)

Councillor Steve Tuckwell (Vice-  
Chairman)

Councillor Shehryar Ahmad-Wallana

Councillor Nicola Brightman

Councillor Jazz Dhillon

Councillor Allan Kauffman

Councillor John Morse (Opposition Lead)

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camera and scan the code below:



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Putting our residents first

Lloyd White  
Head of Democratic Services  
London Borough of Hillingdon,  
Phase II, Civic Centre, High Street, Uxbridge, UB8 1UW

# Useful information for residents and visitors

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You can watch the public part of this meeting on the Council's YouTube channel, live or archived after the meeting. Residents and the media are also welcome to attend in person, and if they wish, report on the public part of the meeting. Any individual or organisation may record or film proceedings as long as it does not disrupt proceedings.

It is recommended to give advance notice of filming to ensure any particular requirements can be met. The Council will provide seating areas for residents/public, high speed WiFi access to all attending and an area for the media to report. The officer shown on the front of this agenda should be contacted for further information and will be available to assist.

When present in the room, silent mode should be enabled for all mobile devices.

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# A useful guide for those attending Planning Committees

## Petitions, Speaking and Councillors

**Petitions** – Those who have organised a petition of 20 or more people who live in the Borough, can speak at a Planning Committee in support of or against an application. Petitions must be submitted in writing to the Council in advance of the meeting. Where there is a petition opposing a planning application there is also the right for the applicant or their agent to address the meeting for up to 5 minutes. The Chairman may vary speaking rights if there are multiple petitions

**Ward Councillors** – There is a right for local councillors to speak at Planning Committees about applications in their Ward.

**Committee Members** – The planning committee is made up of the experienced Councillors who meet in public every three weeks to make decisions on applications.

## How the meeting works

The Planning Committees consider the more complex or controversial proposals for development and also enforcement action.

Applications for smaller developments such as householder extensions are generally dealt with by the Council's planning officers under delegated powers.

An agenda is prepared for each meeting, which comprises reports on each application

Reports with petitions will normally be taken at the beginning of the meeting.

The procedure will be as follows:-

1. The Chairman will announce the report;
2. The Planning Officer will introduce it; with a presentation of plans and photographs;
3. If there is a petition(s), the petition organiser will speak, followed by the agent/applicant followed by any Ward Councillors;
4. The Committee may ask questions of the petition organiser or of the agent/applicant;
5. The Committee discuss the item and may seek clarification from officers;
6. The Committee will vote on the recommendation in the report, or on an alternative recommendation put forward by a Member of the Committee, which has been seconded.

## How the Committee makes decisions

The Committee must make its decisions by having regard to legislation, policies laid down by National Government, by the Greater London Authority – under 'The London Plan' and Hillingdon's own planning policies. The Committee must also make its decision based on material planning considerations and case law and material presented to it at the meeting in the officer's report and any representations received.

Guidance on how Members of the Committee must conduct themselves when dealing with planning matters and when making their decisions is contained in the 'Planning Code of Conduct', which is part of the Council's Constitution.

When making their decision, the Committee cannot take into account issues which are not planning considerations such as the effect of a development upon the value of surrounding properties, nor the loss of a view (which in itself is not sufficient ground for refusal of permission), nor a subjective opinion relating to the design of the property. When making a decision to refuse an application, the Committee will be asked to provide detailed reasons for refusal based on material planning considerations.

If a decision is made to refuse an application, the applicant has the right of appeal against the decision. A Planning Inspector appointed by the Government will then consider the appeal. There is no third party right of appeal, although a third party can apply to the High Court for Judicial Review, which must be done within 3 months of the date of the decision.

# Agenda

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## Chairman's Announcements

- 1 Apologies for Absence
- 2 Declarations of Interest in matters coming before this meeting
- 3 To sign and receive the minutes of the previous meeting 1 - 8
- 4 Matters that have been notified in advance or urgent
- 5 To confirm that the items of business marked Part I will be considered in Public and the Items marked Part II will be considered in Private

## PART I - Members, Public and the Press

### Applications with a Petition

	Address	Ward	Description & Recommendation	Page
6	59 Elm Avenue - 60130/APP/2021/4249	Cavendish	Demolition of existing dwelling and erection a residential building housing 6 flats with associated bins and cycle provision. Removal of corner drop kerb and creation of new drop kerb and widening of front drop kerb (revised drawings received).  <b>Recommendation: Approval</b>	9 – 54 127 - 141
7	Wyldewoode, 25 The Avenue - 13305/APP/2021/1007	Northwood	Four x 2 storey semi-detached dwellings with associated amenity space, parking and 4 x vehicular crossovers.  <b>Recommendation: Approval</b>	55 – 80 142 - 152
8	22 Fringewood Close - 42066/APP/2021/4244	Northwood	Erection of a single storey annexe for ancillary residential use with glazed link between the annexe and the existing house.  <b>Recommendation: Refusal</b>	81 – 94 153 - 166

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## Applications without a Petition

	Address	Ward	Description & Recommendation	Page
9	Woodlands, 5 The Drive, Ickenham - 56190/APP/2021/2737	Ickenham	Erection of a replacement two storey dwelling with basement involving the demolition of the existing house and garden building.  <b>Recommendation: Approval</b>	95 – 126  167 - 180

**PART I - Plans for Borough Planning Committee**

**127 - 180**

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## Minutes

### BOROUGH PLANNING COMMITTEE

11 January 2022



Meeting held at Committee Room 5 - Civic Centre,  
High Street, Uxbridge

	<p><b>Committee Members Present:</b> Councillors Henry Higgins (Chairman) Steve Tuckwell (Vice-Chairman) Jazz Dhillon Allan Kauffman John Morse (Opposition Lead)</p> <p><b>LBH Officers Present:</b> Nesha Burnham, Principal Planning Officer Katie Crosbie, Planning Team Leader Roz Johnson, Planning Services Manager Kerrie Munro, Legal Advisor Liz Penny, Democratic Services Officer Alan Tilly, Transport Planning and Development Manager</p>
18.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>Apologies for absence were received from Councillor Nicola Brightman, Councillor Ahmad-Wallana and Councillor Mohinder Birah with Councillor Jazz Dhillon substituting for the latter.</p>
19.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>Councillor Steve Tuckwell declared a non-pecuniary interest in agenda item 8 (32 Norwich Road, Northwood – 35516/APP/2021/2969) as he had close relatives living close to the application site. He did not vote and left the room during discussion of the item.</p>
20.	<p><b>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETING</b> (<i>Agenda Item 3</i>)</p> <p><b>RESOLVED:</b> That the minutes of the meeting dated 7 December 2021 be agreed as an accurate record.</p>
21.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>Liz Penny, Democratic Services Officer, tabled a report entitled Temporary Covid-19 Protocol for Written Representations: Standardisation of Time Limits. It was confirmed that the Committee was requested to consider the standardisation of time limits for submission of additional information and written representations to no less than 48 hours prior to a meeting – consistent with the rules for those that attended to speak in</p>

person. Members were also requested to note the addition of legal services advice regarding privacy and a tidy up of the protocol by Democratic Services which did not alter any material aspect of it.

The proposal was moved, seconded and, when put to a vote, unanimously agreed (Councillor Dhillon was absent therefore did not vote on this item).

**RESOLVED: That the proposal be approved as per the officer's recommendation.**

22. **TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART I WILL BE CONSIDERED IN PUBLIC AND THE ITEMS MARKED PART II WILL BE CONSIDERED IN PRIVATE** (*Agenda Item 5*)

It was confirmed that all items were in Part I and would be considered in public.

23. **49 BEECH AVENUE, RUISLIP - 12926/APP/2021/3897** (*Agenda Item 6*)

**Replacement of existing property with a 2.5 storey building comprising 4 x self-contained flats, parking, landscaping works and widening of vehicular crossovers to front.**

Officers introduced the application and made a recommendation for refusal. It was noted that the agent had submitted a revised ground floor plan 24 hours in advance of the meeting. The Council was not obliged to consider this revised drawing at this late stage but had opted to do so since it was likely, if the application were to be refused and an appeal lodged, that the drawing would be submitted at that time; it was therefore deemed sensible to have regard to it within the meeting. Members were informed that the agent had attempted to overcome the reasons for refusal by omitting the footpath in the revised plan. However, officers felt this had not addressed overlooking concerns satisfactorily as cars would still be parked in close proximity to ground floor habitable windows. Moreover, the revised plan created an additional issue for residents on the upper floor as access to their rear garden would be impractical. It was noted that the Chairman had decided to allow the revised plan to be considered on this occasion since it did not change the building itself – only the outer area.

A written representation in objection to the proposal was read out to the Committee on behalf of petitioners. Key points highlighted included:

- Beech Avenue was currently a quiet friendly street. The petition had been signed by 63 local residents who vehemently objected to the proposed development. Many of these residents had lived on the street for many years;
- The proposed flats were not in keeping with properties in the immediate vicinity which were family homes. There was a worrying trend whereby bungalows were being knocked down to be replaced with huge developments, thus ruining the street scene;
- The development would result in an unacceptably high density of people for the building. This would lead to an increase in noise and waste pollution and would create additional parking stress. The proposed car park would also lead to a significant increase in air and noise pollution to surrounding properties;
- The proposed development would be 2.5 storeys high, hence would result in a loss of privacy to surrounding properties.

A written representation (accompanied by an updated ground floor plan) was read out to the Committee on behalf of the agent. In response to proposed reason for refusal 1,



Members heard that, as set out in the proposed revised plan, at the front of the windows to the bedroom of Flat 1 and the living room of Flat 2, a buffer at least 1.5 metres wide with 1.2 metre high hedges or similar and with a flower bed and shrubs would be created to ensure an adequate visual and physical barrier. This buffer would prohibit future residents from passing in front of these habitable windows thus safeguarding the privacy of the ground floor flats. Additionally, car parking bays P1 and P2 would be allocated to Flats 1 and 2 respectively thereby further reducing the chance of overlooking or loss of privacy. Moreover, soundproof triple glazed windows would be installed to the habitable rooms at the front at ground floor level.

Ward Councillor Heena Makwana was in attendance and spoke in objection to the application noting that policy DMH2 of the Hillingdon Local Plan set out a requirement for a mix of housing units. The current need in the Borough was for family sized units; however, the application in question failed to propose any such units. Moreover, the application proposed two side windows which would be likely to result in a loss of privacy to no. 47. Additionally, the footpath and car parking spaces outside flats 1 and 2 would result in a lack of privacy and noise disturbance to said flats. No lift was proposed at the site therefore accessibility to the first-floor flats for wheelchair users would be limited. Finally, Ward Councillors were concerned that the proposed disabled parking bay had not been reflected in the drawings.

Members observed that the proposed development was excessively bulky and incongruous. In response to the Committee's request for the addition of another reason for refusal in relation to the loss of a family home it was confirmed that it would be difficult to raise new material concerns at this stage given the planning history at the site and the recent appeal.

Members requested further clarification regarding access. It was confirmed that the newly proposed omission of the footpath would result in a somewhat contrived access to rear garden. This additional concern could be incorporated in the refusal reasons.

The Committee enquired whether the hedge had been conditioned and whether the amenity space was deemed to be sufficiently private. It was confirmed that officers were satisfied with the privacy to the rear of the application site but were not convinced by the proposed green strip to the front.

The officer's recommendation was moved, seconded and, when put to a vote unanimously agreed. Councillor Jazz Dhillon was absent for part of the discussion, therefore did not vote on this item.

**RESOLVED:**

- 1. That delegated authority be granted to the Planning Service Manager to amend the reasons for refusal to reflect the changes in the revised ground floor plan including concerns regarding upper floor resident access to the rear garden; and**
- 2. That the application be refused.**

24. **302 KINGSHILL AVENUE, HAYES - 29352/APP/2021/3740** (*Agenda Item 7*)

**Erection of singly-storey front and rear gazebo canopy structures with operable shutters, open sides with metal mesh material and gazebo metal columns and part covered sides (timber cladding) to rear gazebo structure to facilitate the use**

**of part of the premises as a shisha lounge together with demolition of existing single storey store/office area to rear of premises.**

Officers introduced the application and made a recommendation for refusal.

A written representation from petitioners was read out to the Committee in objection to the application. Key points highlighted included:

- An online e-petition had been supported by a large number of local residents who objected to the opening of a shisha lounge in a residential area;
- Residents were concerned that, were it to go ahead, the proposal would result in unpleasant smells, loud noise late at night, an increase in parking stress, crime and antisocial behaviour. Moreover, it was felt the proposal would have an adverse impact on the character of area;
- Other shisha lounges already existed in the area therefore a new one was unnecessary;
- Residents were content with their area which was bustling during the day and settled at night.

The agent for the application was in attendance and addressed the Committee in support of the proposal. Key points highlighted included:

- Concerns regarding parking stress had been addressed in the officer's report;
- It was confirmed that the restaurant was well-established, well-managed and had no track record of antisocial behaviour under the current management – there was nothing to suggest that this would change in the future; however were the restaurant not well-managed, the matter would come to the attention of the police and the local Council which would put the current restaurant in jeopardy;
- A number of other restaurants along the parade were open at night therefore the area was not currently silent at night-time as had been suggested;
- There were a lot of misconceptions regarding shisha lounges which were simply places where people could meet to socialise, smoke, chat and consume alcoholic and non-alcoholic drinks. The Hillingdon Plan highlighted the need to develop drivers of the economy that fostered social inclusion;
- If the application were approved, odour and acoustic reports would be obtained and implemented prior to the structure being constructed. Moreover, it was confirmed that only one of the structures (to the front) would proceed;

In response to questions from the Committee, the agent observed that local businesses should be encouraged to rebuild post lockdown. It was reported that the proposed small extended section would have little aesthetic or obstructive impact.

Ward Councillor Darran Davies addressed the Committee in objection to the proposal highlighting concerns regarding the impact of increased parking stress on a busy shopping parade; it was felt said parking stress could result in a loss of revenue to the local shops. Concerns were also raised regarding the proposed rear smoking area which would impact on residents in Kingshill Avenue and Adelphi Crescent – it was further believed that the rear entrance would encourage antisocial behaviour. Gates had been installed by shop owners to the rear to discourage antisocial behaviour which had been a problem in the past - if left open later at night, it was feared the undesirables would return. It was also noted that other businesses in the vicinity closed at 11:00/11.30 with the exception of the Brookshouse Pub which employed SIA security staff.

Members were reminded that they could only consider the application before them irrespective of any newly suggested amendments to it.

The Committee observed that, whilst sympathising with the challenges faced by the proprietor post-pandemic, the proposal was not appropriate for the location. It was noted that shisha lounges were difficult to police in terms of noise and odour; in this case the proposal would inevitably cause a disturbance to residents both above and behind the application site. Furthermore, Members had concerns regarding the proposed rear entrance.

Members noted that the first reason for refusal mentioned noise, disturbance and odour in addition to refuse and recycling arrangements. At the request of the Committee, it was agreed that refuse and recycling arrangements would form the basis of a separate reason for refusal for the purposes of clarity.

Members did not feel the proposal was appropriate. The officer's recommendation was therefore moved, seconded and, when put to a vote, unanimously agreed.

**RESOLVED:**

- 1. That delegated authority be granted to the Planning Services Manager to amend reason for refusal 1 as agreed by the Committee; and**
- 2. That the application be refused.**

25. **32 NORWICH ROAD, NORTHWOOD - 35516/APP/2021/2969** (*Agenda Item 8*)

**Demolition of existing detached property and construction of new part two storey, part three storey building comprising 8 flats with associated vehicular crossovers, car parking and amenity space.**

Councillor Steve Tuckwell had expressed an interest in agenda item 8 therefore left the room and did not take part in the discussion or voting on this item.

Officers introduced the application and made a recommendation for refusal. Eight reasons for refusal were cited.

A petitioner was in attendance and addressed the Committee in objection to the proposal. It was felt that the officer's report was thorough and covered all the salient points. The proposal was deemed to be a crude attempt to cram as many units as possible onto a plot with no consideration given to neighbours. It was reported that the parking allocation was misleading as only 2 of the proposed 6 spaces would be usable without driving across the bus stop. It was noted that a previous application for the site had proposed a 4 flatted development in the style of a semi-detached home which would have been far preferable. It was suggested that any future development on the site should take the form of a semi-detached or detached family home given the need for family accommodation in the Borough.

The agent for the application was in attendance and addressed the Committee in support of the proposal. He commented that he felt that the proposed reasons for refusal had not been fully justified in the report. Key points highlighted included:

- Setting - the proposal was for an L-shaped development along Norwich Road and Cranbourne Road. This was a common layout for a corner plot which created a sense of enclosure and provided privacy;

- Scale and bulk - the report did not consider that the proposal constituted overdevelopment. The proposed development would have no adverse impact on neighbouring properties;
- Height – the proposal did not exceed the height of existing buildings nearby;
- Design – National Planning Policy Framework (NPPF), section 12, paragraph 134 encouraged innovative designs and use of balconies - buildings in the vicinity were 1930s houses with no architectural merit therefore something new was to be welcomed. Balconies would provide amenity space for the occupants and would enable them to enjoy the fresh air;
- The tree referred to was not a mature silver birch tree. The International Union for the Conservation of Nature considered the silver birch to be the least important to include on the red list;
- A mix of units including 3-bedroom flats could easily be incorporated into the scheme and ground floor flats could be made accessible to disabled people.

Councillor Duncan Flynn was in attendance and addressed the Committee on behalf of petitioners in objection to the application. Councillor Flynn commented that the proposal in question was one of the worst he had ever seen in all his time as Ward Councillor. The fact that there were eight refusal reasons in the officer's report spoke for itself. Councillor Flynn commented that the height, bulk and mass of the proposed development constituted overdevelopment and the design was not in keeping with the local area. The proposed siting of a vehicle crossover next to a bus stop was very concerning, particularly given the proximity of a school and nursery. There was a failure to provide family-sized accommodation and the proposed flats did not meet the required minimum housing standards. Additionally, the parking situation would be undesirable and did not meet the Council's standards.

Members commented that they liked the innovative design in principle but found it to be wholly inappropriate in the proposed location. The development was far too big and was not at all in keeping with the local area. Moreover, it did not offer the kind of accommodation that Hillingdon Council wanted its residents to live in. On these grounds Members were minded to refuse the application.

The officer's recommendation was moved, seconded and, when put to a vote, unanimously agreed.

**RESOLVED: That the application be refused.**

26. **199 FIELD END ROAD, EASTCOTE - 2698/APP/2021/2355** (*Agenda Item 9*)

**Change of use from a financial and professional services, retail and café (Use Class E) to a mixed-use comprising retail, restaurant and cafe and a drinking establishment (Sui Generis) and retention of awnings and air conditioning units.**

Officers presented the report and highlighted the information in the addendum. The application was recommended for approval.

A written submission was read out on behalf of Ward Councillors objecting to the proposal. Key points highlighted included:

- Policy DMTC4 placed the onus on the applicant to demonstrate that there would be no adverse impact on or loss of amenity to nearby properties;
- The Planning Committee had not been provided with a noise impact assessment to enable it to assess this information;

- The absence of detail regarding the kitchen layout and ventilation rendered an informed decision impossible;
- The absence of a service plan made impact on highways impossible to determine;
- It was unclear whether the fire exit precluded one of the car parking spaces from being used – the site plan suggested that safe exit may be hindered by the bicycle store and stairs from flats above.

Noting the Planning History at the site, Members enquired how the current application differed from previous ones. It was confirmed that, in the latest application, the rear entrance would no longer be used to access the drinking establishment in the basement. The previous application had also sought longer operating hours; these had been reduced in the current application which proposed a closing time of 12pm.

Members observed that kitchen equipment would be contained in the basement and enquired whether a fire safety condition should therefore be applicable to ensure the safety of the establishment and of neighbours. It was confirmed that there was no requirement for fire safety information to be included in the application; however, at the request of the Committee, it was agreed that a fire safety condition would be added which would come into effect on commencement of the restaurant operation.

With regards to noise concerns, Members heard that a noise impact assessment would be submitted prior to the commencement of the new operation at the premises.

Members raised no further objections or requests for clarification. The officer's recommendation was moved, seconded and, when put to a vote, unanimously agreed. Councillor Alan Kauffman did not vote on this application as he had been absent during part of the presentation of the item.

**RESOLVED: That the application be approved subject to the addition of a fire safety condition to come into effect on commencement of the restaurant operation.**

27. **BARRA HALL, HAYES (APPLICATION FOR LISTED BUILDING CONSENT) - 8134/APP/2021/2148** (*Agenda Item 10*)

**Barra Hall CCTV upgrade and new CCTV column addition (application for listed building consent).**

Officers introduced the application and recommended that it be approved.

The Committee raised no objections. The officer's recommendation was moved, seconded and, when put to a vote, unanimously agreed.

**RESOLVED: That the application be approved.**

28. **BARRA HALL, HAYES (APPLICATION FOR FULL PLANNING PERMISSION) - 8134/APP/2021/2147** (*Agenda Item 11*)

**Barra Hall CCTV upgrade and new CCTV column addition (application for full planning permission).**

Officers introduced the application with a recommendation for approval.

	<p>The Committee raised no objections or concerns. The officer's recommendation was moved, seconded and, when put to a vote, unanimously agreed.</p> <p><b>RESOLVED: That the application be approved.</b></p>
29.	<p><b>RAVENS COURT CLOSE, RUISLIP - TREE PRESERVATION ORDER - NO. 792</b> <i>(Agenda Item 12)</i></p> <p><b>Tree Preservation Order No. 792 (TPO 792) Group 1: All Oaks within Ravenscourt Close, Ruislip.</b></p> <p>Officers introduced the application with a recommendation for approval.</p> <p>The Committee noted that the oak trees contributed to the amenity of the area and had a long life expectancy. Members raised no objections or concerns. The officer's recommendation was moved, seconded and, when put to a vote, unanimously agreed.</p> <p><b>RESOLVED: That TPO 792 be confirmed.</b></p>
	<p>The meeting, which commenced at 6.03 pm, closed at 7.45 pm.</p>

These are the minutes of the above meeting. For more information on any of the resolutions please contact Liz Penny on . Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.



**Item No.** Report of the Head of Planning, Transportation and Regeneration

**Address** 59 ELM AVENUE EASTCOTE

**Development:** Demolition of existing dwelling and erection a residential building housing 6 flats with associated bins and cycle provision. Removal of corner drop kerb and creation of new drop kerb and widening of front drop kerb

**LBH Ref Nos:** 60130/APP/2021/4249

**Drawing Nos:** Flood Risk Assessment dated 5th January 2021, Ref: WTFR-FRA-2020/12/Q22  
Parking Survey dated December 2020  
Daylight and Sunlight Assessment for Planning Issued: December 2020, Issue: 1, Job No: 3647  
EA59-AP3-1010 Rev. 1st  
EA59-AP3-1011 Rev. A  
Planning, Design and Access Statement  
Survey Rev. 1st  
EA59-AP3-1001 Rev. 1st  
EA59-AP3-1002 Rev. 1st  
EA59-AP3-1003 Rev. C  
EA59-AP3-1004 Rev. A  
EA59-AP3-1005 Rev. A  
EA59-AP3-1006 Rev. A  
EA59-AP3-1007 Rev. A  
EA59-AP3-1008 Rev. A  
EA59-AP3-1009 Rev. A

**Date Plans Recieved:** 17/11/2021      **Date(s) of Amendment(s):** 17/11/2021  
**Date Application Valid:** 17/11/2021

## 1. SUMMARY

The application seeks permission for the demolition of the existing dwelling and erection of a residential building housing 6 no. flats, including two x one-bedroom flats, three x two bedroom flats and 1 x three-bedroom flat with associated bins and cycle provision. Also, the proposal seeks the removal of the corner drop kerb and creation of a new drop kerb and the widening of the existing front drop kerb.

There is no objection, in principle, to the creation of additional residential units in land use terms. Since the dismissed Appeal Decision relating to planning application reference 60130/APP/2020/4166, the housing mix has been revised to include 1 x three-bedroom unit. Accordingly, one family unit would be provided to replace the existing family sized property that would be demolished to facilitate the proposed development.

Having regard to the Inspector's views in Appeal Decision reference APP/R5510/W/21/3273062, it is considered that this current proposal would not have such a harmful impact to the character and appearance of the area to warrant a ground for refusal on this basis. By virtue of its siting, size, scale and height, it is considered that the proposed development would not unduly impact on the residential amenities of neighbouring occupiers.

The Inspector for Appeal Decision reference APP/R5510/W/21/3273062 did not uphold the Council's putative ground for refusal regarding the proposed vehicular crossovers causing highway safety issues. Taking this into account, coupled with the submitted parking survey results, it is considered that the proposal (which includes four on-site car parking spaces) would not generate such a significant increase in demand for road parking that its effects would result in harm to highway safety.

Based on the evidence submitted, it is considered that it has been sufficiently demonstrated that it would not be viable for a lift to be installed. Upon Officers' request, the proposed ground floor plan has been updated to show that Flats 1 and 2 would meet Building Regulation M4(3). This would be secured by condition, if planning permission were to be granted.

It is therefore recommended that this application be approved, subject to the imposition of planning conditions.

## **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, titled 'Survey Rev. 1st ' and numbered EA59-AP3-1001 Rev. 1, EA59-AP3-1002 Rev. 1st, EA59-AP3-1003 Rev. C, EA59-AP3-1004 Rev. A, EA59-AP3-1005 Rev. A, EA59-AP3-1005 Rev. A, EA59-AP3-1007 Rev. A, EA59-AP3-1008 Rev. A, EA59-AP3-1009 Rev. A and EA59-AP3-1011 Rev. A (all received on 26.01.2022) 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 (2012), Part 2 (2020) and the London Plan (2021).

#### **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 (2020).

#### **4 OM19 Construction Management Plan**

Prior to the commencement of any site clearance, demolition or construction work, the applicant shall submit a demolition and construction management plan to the Local

Planning Authority for its approval. The plan shall detail:

- (a) The phasing of development works
- (b) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours)
- (c) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities)
- (d) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours)
- (e) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process
- (f) The storage of demolition/construction materials on site.

The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

#### REASON

To safeguard the amenity of surrounding areas in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

#### **5 NONSC Non Standard Condition**

The development hereby permitted shall not be commenced until a detailed design and method statement (in consultation with London Underground), has been submitted to and approved in writing by the Local Planning Authority. The design and method statement shall:

- i) Provide demolition and construction details on all structures;
- ii) Provide details on the use of scaffolding and tall plant; and
- iii) Mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statement, and all structures and works comprised within the development hereby permitted which are required by the approved design statement in order to procure the matters mentioned in the above paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

#### REASON

To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with Policy T3 of the London Plan (2021).

#### **6 NONSC Non Standard Condition**

No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management and water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- 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;
- vi. Provide details of how the dwellings will achieve a water efficiency standard of no more than 110 litres per person per day maximum water consumption.

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 Policies SI2 and SI 13 of the London Plan (2021).

#### **7 NONSC Non Standard Condition**

Prior to the commencement of the development hereby approved, a sustainability and energy statement shall be submitted to and approved in writing by the Local Planning Authority. The sustainability and energy statement shall demonstrate how a 10% reduction in carbon dioxide emissions beyond Building Regulations requirement Part L 2013 (TER Baseline) has been achieved including full technology specifications and locations.

#### REASON

To ensure the development contributes to minimising the effects of, and can adapt to a changing climate in accordance with Policies DMEI 2 and DMEI 10 of the Hillingdon Local Plan: Part 2- Development Management Policies (2020) and Policy SI 2 of the London Plan (2021).

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

Notwithstanding the approved drawings and prior to any works on site above damp proof course level, a landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

- 1. Details of Soft Landscaping
  - 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 (including dimensions, external finishes and design)
  - 2.b Cycle Storage
  - 2.c Means of enclosure/boundary treatments
  - 2.d Car Parking Layouts (including details of how the parking spaces will be allocated and details of provision of one 'active' and three 'passive' electric vehicle charging points)
  - 2.e Hard Permeable Surfacing Materials
  - 2.f External Lighting
- 4. Details of Landscape Maintenance
  - 4.a Landscape Maintenance Schedule for a minimum period of 5 years
  - 4.b Proposals for the replacement of any tree, shrub, or area of turfing/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 Proposed finishing levels or contours

6.b. Details of ecological enhancements

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 and ecology of the locality and provide adequate facilities in compliance with policies DMHB 11, DMHB 12, DMHB 14, DEMI 7 and DMT 2 of the Hillingdon Local Plan Part 2 (2020) and Policies G5 and G6 of the London Plan (2021).

#### **9 RES8 Tree Protection**

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.

2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority. Such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details.

The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

2.a There shall be no changes in ground levels;

2.b No materials or plant shall be stored;

2.c No buildings or temporary buildings shall be erected or stationed;

2.d No materials or waste shall be burnt; and

2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

3. Where the arboricultural method statement recommends that the tree protection measures for a site will be monitored and supervised by an arboricultural consultant at key stages of the development, records of the site inspections / meetings shall be submitted to the Local Planning Authority.

#### REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy DMHB 14 of the Hillingdon Local Plan Part 2 (2020).

**10 NONSC Non Standard Condition**

Prior to the occupation of the development hereby approved, information shall be submitted to and approved in writing by the Local Planning Authority detailing how the development would adhere to the principles of Secure by Design. The development shall be carried out and retained in accordance with the agreed details.

**REASON**

To ensure that the development meets Secure By Design principles in accordance with Policy D11 of the London Plan (2021).

**11 NONSC Non Standard Condition**

Prior to the occupation of the development hereby approved, the timber features on the front and rear gables as detailed on approved drawing number EA59-AP3-1006 Rev. A (received on 26.01.2022) shall be installed in accordance with the material and external surface details approved as part of Condition 3 of this permission.

**REASON**

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

**12 NONSC Non Standard Condition**

Prior to any works on site above damp proof course level, details of step free access via all points of entry and exit 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 housing of an inclusive design is achieved and maintained in accordance with Policies D5 and D7 of the London Plan (2021).

**13 NONSC Non Standard Condition**

Prior to the occupation of the development hereby approved, the two ground floor flats labelled as Flats 1 and 2 on drawing number EA59-AP3-1011 Rev. A (received on 26.01.2022) shall be constructed to meet the standards for a Category 3, M4(3)(2)(a) Wheelchair Adaptable Standard dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, with all such provisions remaining in place for the life of the building.

**REASON**

To allow the Building Control body to check compliance of the development against the optional Building Regulations standards, and ensure an appropriate standard of housing, in accordance with policy D7 of London Plan (2021).

**14 NONSC Non Standard Condition**

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point and the internal floor level of the development shall be set at a minimum 300mm above natural ground level in accordance with the recommendation of paragraph 9.2 of the Flood Risk Assessment dated 5th January 2021 (reference: WTRF-FRA-2020/12/Q22).

Thereafter the development shall not be carried out other than in accordance with the approved details.

**REASON**



To ensure that the development relates satisfactorily to adjoining properties and to limit the risk of surface water flooding in accordance with Policies DMHB 11 and DMEI 9 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy SI 12 of the London Plan (2021).

**15 RES12 No additional windows or doors**

No additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved.

**REASON**

To prevent overlooking to adjoining properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

**16 RES13 Obscure Glazing**

Notwithstanding the approved drawings, the first floor windows, and second floor dormer windows and roof lights facing number 57 Elm Avenue as detailed on approved drawing number EA59-AP3-1004 Rev. A (received on 26.01.2022) 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 policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

**17 NONSC Non Standard Condition**

The side bedroom window serving Flat 2 as detailed on approved drawing number EA59-AP3-1003 Rev. C (received on 26.01.2022) shall be obscure glazed to at least scale 4 on the Pilkington scale up to 1.5 metres taken from the internal floor level for so long as the development remains in existence.

**REASON**

To protect the privacy of the future occupants of Flat 2 in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

**18 NONSC Non Standard Condition**

Prior to the occupation of the development hereby approved, the redundant existing vehicular crossovers from the site to Elm Avenue as shown on approved drawing number EA59-AP3-1003 Rev. C, EA59-AP3-1009 Rev. A and EA59-AP3-1011 Rev. A (all received on 26.01.2022) shall be permanently closed and any kerbs and footway reinstated in a manner to be agreed in writing by the Local Planning Authority.

**REASON**

In the interest of highway safety and the visual amenity of the area in accordance with Policies DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

**19 NONSC Non Standard Condition**

Nothing shall be erected, retained, planted and/or allowed to grow at or above a height of 0.6 metres along the front boundary of the site adjacent to Elm Avenue.

**REASON**

In the interest of highway safety and the visual amenity of the area in accordance with Policies DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

**20 NONSC Non Standard Condition**

Notwithstanding the approved drawings the vehicle crossovers shall be constructed to dimensions of 3.6m at the back of the footway and 4.8m (with taper kerbs) at the edge of the kerb to accord with the Council's Domestic Vehicle Footway Crossover Policy 2021.

**REASON**

In the interest of highway safety and the visual amenity of the area in accordance with Policies DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

**21 NONSC Non Standard Condition**

Prior to commencement, details of the proposed works to the embankment, including any excavation, shall be confirmed in writing to the Local Planning Authority. This shall include a conditions survey of the adjoining footway on Oak Grove, details of how the integrity of this foot way will be maintained, and a commitment to the repair of any damage to this footway as a result of adjacent works during the construction and operation of the development.

**REASON**

To ensure that the development does not compromise the structural integrity of the embankment adjoining Oak Grove and does not in turn compromise the safety of pedestrians or highway users, in accordance with Policies DMT 2 and DMT 5 of the Hillingdon Local Plan: Part 2 (2020).

**INFORMATIVES**

**1 170 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.

**2 152 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).

**3 153 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 (2021) and national guidance.

DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMEI 10	Water Management, Efficiency and Quality
DMH 1	Safeguarding Existing Housing

DMH 2	Housing Mix
DMH 4	Residential Conversions and Redevelopment
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D1	(2021) London's form, character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP G1	(2021) Green infrastructure
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature
LPP H1	(2021) Increasing housing supply
LPP H2	(2021) Small sites
LPP H10	(2021) Housing size mix
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF15	NPPF 2021 - Conserving and enhancing the natural environment
NPPF2	NPPF 2021 - Achieving sustainable development
NPPF4	NPPF 2021 - Decision-Making
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes
NPPF6	NPPF 2021 - Building a strong, competitive economy
NPPF9	NPPF 2021 - Promoting sustainable transport

#### **4            173            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.

## **5            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.

## **6            I21            Street Naming and Numbering**

All proposed new street names must be notified to and approved by the Council. Building names and numbers, and proposed changes of street names must also be notified to the Council. For further information and advice, contact - The Street Naming and Numbering Officer, Planning & Community Services, 3 North Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250557).

## **7            I23            Works affecting the Public Highway - Vehicle Crossover**

The development requires the formation of a vehicular crossover, which will be constructed by the Council. This work is also subject to the issuing of a separate licence to obstruct or open up the public highway. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

## **8            I23A            Re-instatement of a Vehicle Access.**

You are advised by London Borough of Hillingdon, Highways Management, that any works on the Highway, in relation to the reinstatement of any existing vehicle access, must be carried out with approval from the Highway Authority. Failure to reinstate an existing vehicle access will result in the Highway Authority completing the works, and the developer may be responsible for the costs incurred. Enquiries should be addressed to: Highways Maintenance, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

**9**            147            **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.

**10**            16            **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.

**11**            IT05            **Wildlife and Countryside Act 1981**

Wildlife and Countryside Act 1981: Note that it is an offence under this act to disturb roosting bats, nesting birds or any other protected species. Therefore, if applicable, it is advisable to consult your tree surgeon / consultant to agree an acceptable time for carrying out the approved works.

### **3. CONSIDERATIONS**

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

The application site comprises a rectangular plot of land of approximately 0.05 hectares located on the corner of the junction of Elm Avenue and Oak Grove. It currently comprises a detached bungalow set on a generous sized plot of land. The existing bungalow is characterised by a hipped roof profile and is externally finished in a mixture of render and brickwork. The gradient of the site increases from north to south along Oak Grove. The site benefits from two vehicular crossovers, one emerging onto Elm Avenue and the other emerging on the junction of Elm Avenue and Oak Grove.

The street scene is residential in character comprising a mix of housing types mainly of semi-detached properties with some detached houses and bungalows. No. 61 Elm Avenue to the West is a chalet bungalow and No. 57 Elm Avenue to the East is a semidetached two storey property. To the north of the site, and on the opposite side of the highway on Elm Avenue, are Nos. 48, 48a and 50 Elm Avenue. Directly to the rear of the site is a London Underground rail line.

The site falls within Flood Zone 1 and forms part of a Critical Drainage Area. The site has a Public Transport Accessibility Level rating of 3 (moderate). There are trees on and adjoining the site; however, none of which are protected by a Tree Preservation Order.

### 3.2 Proposed Scheme

The application seeks permission for the demolition of the existing dwelling and erection of a residential building housing 6 no. flats, including two x one-bedroom flats, three x two bedroom flats and 1 x three-bedroom flat with associated bins and cycle provision. Also, the proposal seeks the removal of the corner drop kerb and creation of a new drop kerb and the widening of the existing front drop kerb.

This application is a resubmission following application references 60130/APP/2021/2463 and 60130/APP/2020/4166 (refer to Section 3.3 of the Committee Report for further details).

### 3.3 Relevant Planning History

60130/APP/2004/3119 59 Elm Avenue Eastcote  
INSTALLATION OF A VEHICULAR CROSSOVER

**Decision:** 07-01-2005 Approved

60130/APP/2019/1369 59 Elm Avenue Eastcote

Two x 2-storey, 3-bed detached dwellings with associated parking and amenity space involving demolition of existing bungalow

**Decision:** 07-08-2019 Not Determined **Appeal:** 08-11-2019 Allowed

60130/APP/2019/98 59 Elm Avenue Eastcote

Two x 2-storey, 3-bed detached dwellings with associated parking and amenity space involving demolition of existing bungalow

**Decision:** 14-03-2019 Refused

60130/APP/2020/4166 59 Elm Avenue Eastcote

Erection of a residential building comprising 4 x 2-bed flats and 2 x 1-bed flats with associated bin storage and cycle provision including demolition of existing dwelling and corner drop kerb and installation of drop kerb and widening of front drop kerb.

**Decision:** 29-04-2021 Not Determined **Appeal:** 05-11-2021 Dismissed

60130/APP/2021/2463 59 Elm Avenue Eastcote

Proposed demolition of existing dwelling and erection of a residential building comprising 6 no. flats with associated bins and cycle provision, including removal of drop kerb and alterations.

**Decision:** 01-09-2021 Refused

#### Comment on Relevant Planning History

The relevant planning history attached to this site is referenced above.

Planning application reference 60130/APP/2020/4166 proposed the erection of a residential building comprising 4 x 2-bed flats and 2 x 1-bed flats with associated bin storage and cycle provision including demolition of the existing dwelling and corner drop kerb and installation of a new drop kerb and widening of the existing front drop kerb. A non-determination Appeal was lodged which was subsequently dismissed on 5th November 2021. The Council presented the following putative reasons for refusal within their appeal statement:

1. The proposed development, by reason of its siting, scale, bulk and design, fails to harmonise with the established local context, to the detriment of the character,



appearance and visual amenities of the street scene and the wider area. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part 1 (2012), Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part 2 (2020), Policies D3 and D6 of the London Plan (2021) and the National Planning Policy Framework (2019).

2. The proposed development leads to the loss of a family sized residential unit and by reason of the proposed unit mix fails to provide sufficient family sized units, as required by the latest information on housing need in the Borough. The proposed development fails to contribute towards mixed and balanced communities and the range of housing types required within the Borough contrary to Policy DMH 2 of the Hillingdon Local Plan: Part 2 (2020), Policy H10 of the London Plan (2021) and the National Planning Policy Framework (2019).

3. The proposed development includes the provision of 4 on-plot car parking spaces on the Elm Avenue frontage, close to the junction of Elm Avenue and Oak Grove. The proposed vehicle footway crossover would not be in accordance with the Council's Domestic Vehicle Footway Crossover Policy of 5th April 2019. This is considered likely to create conditions that are detrimental to public/highway safety contrary to Policy DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

Whilst putative reason for refusal number 2 was upheld at Appeal, the Inspector was of the view that the proposed development would not cause harm to the character and appearance of the area or to highway safety (Appeal Decision APP/R5510/W/21/3273062). Please refer to Sections 7.07 and 7.10 for the relevant extracts from the Appeal Decision in respect to character and appearance and highway safety.

Planning application reference 60130/APP/2021/2463 proposed the demolition of the existing dwelling and erection of a residential building comprising 6 no. flats with associated bins and cycle provision, including removal of a drop kerb and alterations. A non-determination Appeal was lodged which is currently being considered by the Secretary of State. The Council presented the following putative reasons for refusal within their appeal statement.

1. The proposed development, by reason of its siting, scale, bulk and design, fails to harmonise with the established local context, to the detriment of the character, appearance and visual amenities of the street scene and the wider area. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part 1 (2012), Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part 2 (2020), Policies D3 and D6 of the London Plan (2021) and the National Planning Policy Framework (2021).

An Appeal Decision is yet to be issued by the Secretary of State in respect to application reference 60130/APP/2021/2463.

The key changes that have been made since the submission of application references 60130/APP/2020/4166 and 60130/APP/2021/2463 are as follows:

i. A ground floor three-bedroom flat (i.e. family sized unit) is being proposed to replace the loss of the existing single dwelling house at the site. The proposed development under this current application comprises two x one-bedroom flats, three x two bedroom flats and 1 x three-bedroom flat. The proposed housing mix is considered to be appropriate, and would be compliant with Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy H10 of the London Plan (2021). The scheme under application reference 60130/APP/2020/4166 did not include any three-bedroom

units.

ii. The footprint of the proposed building has been increased at ground floor level to accommodate the third bedroom within Flat 2. It is noted that the footprint of the proposed building would be similar to the scheme consider under application reference 60130/APP/2021/2463. However, this previous application eliminated the mock-Tudor inspired detailing from the front and rear facing gables, resulting in a visually disproportionate, top-heavy building that was poorly articulated. This current application seeks to incorporate front and rear facing gables of a mock-Tudor inspired design similar to the scheme under application reference 60130/APP/2020/4166 - where the Inspector clearly stated in the Appeal Decision that these particular features would be in keeping with several other properties in the vicinity (Appeal reference APP/R5510/W/21/3273062).

iii. The rear bay windows previously forming part of the scheme under application reference 60130/APP/2020/4166 have been removed. However, given that the mock-Tudor inspired front and rear gables would be retained, it is considered on balance that the proposed development would not cause harm to the character and appearance of the area.

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

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 (2021)

Material Considerations:

The National Planning Policy Framework (NPPF) (2021) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

#### **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:

DMCI 7 Planning Obligations and Community Infrastructure Levy

DMEI 2 Reducing Carbon Emissions

DMEI 7 Biodiversity Protection and Enhancement

DMEI 9 Management of Flood Risk

DMEI 10 Water Management, Efficiency and Quality

DMH 1 Safeguarding Existing Housing

DMH 2	Housing Mix
DMH 4	Residential Conversions and Redevelopment
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D1	(2021) London's form, character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP G1	(2021) Green infrastructure
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature
LPP H1	(2021) Increasing housing supply
LPP H2	(2021) Small sites
LPP H10	(2021) Housing size mix
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF15	NPPF 2021 - Conserving and enhancing the natural environment
NPPF2	NPPF 2021 - Achieving sustainable development
NPPF4	NPPF 2021 - Decision-Making
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes
NPPF6	NPPF 2021 - Building a strong, competitive economy
NPPF9	NPPF 2021 - Promoting sustainable transport

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

16 neighbouring properties were consulted on 9th December 2021 and re-consulted on 24th January 2021. At the time that this committee report was completed, the consultation periods had not yet expired. Any further comments received will be reported to committee members in an addendum.

The matters raised in the representations received are summarised as follows:

- Loss of family housing
- Bulk, scale, and overdominance of the proposed development
- Density level is too high for the size of the site
- Out of keeping with the character of the area
- Overbearing impact
- Overshadowing and loss of light
- Noise and disturbance for future occupiers of the ground floor flats caused by the on-site car parking layout
- The third bedroom within Flat 2 faces the communal walkway
- Insufficient on-site car parking spaces
- There have been accidents on this road
- Highway safety concerns in respect to the site's proximity to schools and busy junctions
- Oak Grove only has pedestrian walkway on one side of the road
- The proposed flats meet the bare minimum internal space standards set by the London Plan
- Potential construction encroachment on the embankment supporting Oak Grove
- Some of the public footpath has been incorporated into the grounds of the application site
- The statements within the submitted Planning, Design and Access Statement are questionable.

A petition against the application with 44 signatories was received by the Council. The grounds for opposition are as follows:

- The building as further altered will still dominate the street scene of both Elm Avenue and Oak Grove and is not in keeping with the adjacent properties;
- It takes away independent family housing and replaces it with six flats with cramped accommodation that barely meets minimum space standards;
- Eastcote already has a surplus of such small flats stemming from permitted development office conversions in recent years of 250+ units in Field End Road;
- The four small end-on parking spaces on the forecourt will further compromise traffic and pedestrian safety around the busy and tight junction of Elm Avenue, Oak Grove and Lime Grove.

PLANNING OFFICER RESPONSE: Material planning considerations raised are addressed in the following sections of this Committee Report. The concerns raised in respect to land ownership dispute and potential encroachment on the embankment is not a planning consideration.

### Ward Councillors

The Cavendish ward councillors object to this planning application and fully support the views and comments submitted by the local residents. The sheer bulk and scale of this proposed building is not in keeping with the existing street scene and is an overuse of the site.

Eastcote Residents' Association (ERA)

A representation in objection to the application has been received from the ERA. For ease of reference the matters raised in this representation are separated into parts A - Q with each part followed by the planning officer's response.

A) This has been a very contentious development for which this is the 5th application and the 3rd regarding the replacement of the existing bungalow and small garage with a block of 6 flats.

Residents have consistently written and petitioned, to date LBH have recommended refusal, which has been robustly upheld by LBH Councillors at Committee. However, there is a history of appeal, due to non-determination on the part of the Council.

The result of the last non-determination appeal is still outstanding and, therefore, crosses the timeline of this current application.

That the one determined Planning Inspectorate Appeal dismissed that Appeal was a positive result. What is less positive is that, what we regard as two of the most important material planning reasons for refusal, were not included as reasons for that appeal decision, these being harm to the character and appearance of the area and highway safety.

PLANNING OFFICER RESPONSE: The putative grounds for refusal set out in the Council's Appeal Statement for application reference 60130/APP/2020/4166 were in respect to: 1. Harm to the character and appearance of the area; 2. Failure to provide sufficient family sized units and 3. Highway safety concerns in regard to the proximity of the on-site car parking spaces to the junction of Elm Avenue and Oak Grove. Please refer to the Section above titled 'Comment on Relevant Planning History' for the full wording of the putative grounds for refusal. The Inspector disagreed with the Council that the Appeal scheme would cause harm to the character and appearance of the area or to highway safety. Please refer to sections 7.07 and 7.10 of this report for further details on these planning considerations.

B) We can see why the Council might take the view that reasons for refusal have been removed from them due to the fact that they have already been set aside in previous determinations. However, we suggest that this is not the case.

Whilst this current application seems to have endeavoured to take on elements of previous applications that it perceives have been accepted, and deleted what it feels have been refused along the way, the result is a new application that must be assessed as it is currently configured.

Our assessment of this new application is as follow:-

Site usage & appearance including scale and mass of the building

In the D&A Statement, the application states that 'the proposed development will make efficient use of an underused site'. In response to the same statement for a very similar site and development, the Appeal officer for a recent appeal decision for 49 Beech Avenue stated 'I do not consider the site is under-utilised, as it currently provides a single dwelling with an appropriated sized garden.'

49 Beech Avenue is a very similarly sized plot for which the application was to replace a bungalow with a single building of 4 flats, not 6 and not using the roof space, as is the case here. Even for the smaller development, the Appeal Officer cited 'the constrained plot size for the quantum of the development proposed.'

PLANNING OFFICER RESPONSE: Each planning application must be determined on its own individual merits. The application and Appeal relating to 49 Beech Avenue (application ref:12926/APP/2020/2732) was for the erection of four flats. This scheme is not directly comparable

to the current application at 59 Elm Avenue, in respect to its location and materially different design. The Appeal Decision in respect to 49 Beech Avenue is therefore considered to hold very limited weight (Appeal ref: APP/R5510/W/21/3269964).

C) These views would seem to concur with our submission:-

o This application is an overuse of the site and is over dominant and out of keeping with the existing street scene. The sheer bulk and scale of the building takes away the sense of space that the bungalow and single garage provide, and might have been maintained in an acceptable way, if a smaller scale development had been pursued, e.g. the extant application for two detached houses;

o The plot is neither 'generous' nor 'wider than average' in relation to the proposed development or as against those plots given as an example in the D&A statement. Actual widths and sizes detailed by those living in Elm Avenue state this case very clearly.

PLANNING OFFICER RESPONSE: The Inspector for Appeal Decision relating to 59 Elm Avenue raised no concerns in respect to the bulk, scale or plot size of the site (Appeal ref: APP/R5510/W/21/3273062, LPA ref: 60130/APP/2020/4166). In paragraph 14 of the Appeal Decision, the Inspector makes a point of stating that "taking into consideration that the proposed building would be on a corner plot, I consider that it would not cause harm to the character and appearance of the area". Whilst this current application proposes a marginally deeper ground floor footprint when compared to the Appeal scheme, the proposed increase in depth is considered to be relatively modest when compared to the overall size and scale of the proposed building. In light of Appeal Decision ref: APP/R5510/W/21/3273062, Officers consider that it would be unjustifiable to refuse this current application on the grounds of harm to the character and appearance of the area.

D) Harmful effect on the living conditions of future occupiers of the proposed development

We would submit that this application, as it has been newly configured, results in a very significant negative effect on the living conditions of future occupiers:-

- 4 parking spaces - these spaces in the front garden will have an adverse effect on the living conditions of the occupants of the ground floor flats:-

- The parking spaces are only just over a metre away from the front windows of the habitable rooms of the two ground floor flats.

- Noise from the coming and going of vehicles will be an issue, including from those people accessing them.

- Should a van/vans park there, any acceptable aspect will be lost and, at best, light will be restricted.

- Bin stores also do not make for a very acceptable aspect in relation to Flat 1.

- Planting, as shown, in front of the ground floor windows will not hide the bins or vehicles. To be of sufficient height for this purpose, such planting would obscure the windows, creating its own problem regarding the occupants' living conditions.

PLANNING OFFICER RESPONSE: The proposed on-site car parking arrangement and bin store location would be almost identical to the scheme under application reference 60130/APP/2020/4166. The Inspector's Appeal Decision in respect to this previous application raises no concerns in regard to potential noise and disturbance generated by the on-site car parking spaces, or any issues in respect to loss of outlook from the proposed ground floor front habitable windows. The current application shows defensible space between the car parking

spaces and ground floor front windows, which would be secured by condition in the event of an approval. The bin store is a low level structure and would not impede on the outlook of the future occupiers of the proposed ground floor flats to such a significant extent to justify a reasonable ground for refusal.

E) Access to amenity space

- The occupants of Flat 2 will also be negatively affected by the access to the amenity space.

- The access pathway on the right side of the building is shared by Flat 2 occupants and all the occupants of the 4 other flats.

PLANNING OFFICER RESPONSE: The access path to the communal amenity space would be positioned along the flank (western) site boundary. The footway has been carefully devised to ensure that future occupiers of the upper floor flats would not be walking in front of the ground floor front windows of Flats 1 and 2. As such, it is considered that the position of the access path would not cause unacceptable harm to the living conditions of the future occupiers of Flats 1 and 2. Refer to Section 7.09 of this report for further details.

F) In addition, all the other occupants will either have to pass in front of Flat 2's windows or, as suggested by the parking layout in the current drawing, come out of the main entrance and walk out into the street and along it to gain access to the side passageway leading down to the entrance to their shared amenity space.

PLANNING OFFICER RESPONSE: As noted, the proposed arrangement is similar to that of application 60130/APP/2020/4166, where the appeal Inspector did not raise concerns regarding this configuration. It is acknowledged that future occupiers would have to walk past the window serving the single bedroom within Flat 2. However, this arrangement would be similar to the scheme considered under application reference 60130/APP/2021/2463. To mitigate the loss of privacy, the lower panels of this bedroom window would be obscure glazed, and this would be secured by way of condition. To improve the outlook and natural light afforded to this bedroom, a section of the 1.8 metre high wooden fence along the western site boundary has been replaced with low level railings. Full details of these railings would be secured by condition in the event of an approval. Refer to Section 7.09 of this report for further details.

G) The reality is that people find their own 'desire lines' and it is most likely that, despite planting in front of the ground floor windows, this route will be used, due to the inconvenience of having to take the longer route.

- Either way, whether the route is longer or shorter, living conditions will be affected for at least some occupants, on the ground floor and/or the upper flats, as detailed above.

PLANNING OFFICER RESPONSE: Due to the design of the proposed development, there is no alternative route to access the communal amenity space besides the dedicated footway. This arrangement is very similar to that shown in application 60130/APP/2020/4166 (as previously noted). Full details of the soft and hard landscaping and boundary treatment would be secured by condition, in the event of an approval.

H) 3rd bedroom in the ground floor flat 2 - loss of outlook/light

PLANNING OFFICER RESPONSE: The response set out in the preceding paragraph has already addressed this point.

I) It is noted that there are various anomalies between the drawings and D&S Statement provided in relation to this 3rd bedroom window:-

- Drawings ending 1003 and 1009, make no reference to obscure glass and show the side fence, onto which the window faces, to be solid all the way along.
- On the other hand, Drawing 1008 shows a metal railing break in the solid fencing at this point. The D&A statement supports this version (page 10, penultimate para).
- Then Drawing 1006 shows obscure glass to this window but without reference to either of the above.
- If the D&A 'clear side outlook' is actually what is specified, there is an overlooking issue from those on the Oak Grove public footpath and potentially then a security issue as a result, unless it is intended to fix the window shut, which would mitigate the risk, but take away ventilation from the room.
- If obscure glass and/or the solid fencing is the option, there is no acceptable outlook.
- Any of the above configurations would beg the question as to whether this can be considered a habitable room, since some combination and level of outlook, light and ventilation will be lost?

PLANNING OFFICER RESPONSE: As previously stated, if planning permission were to be granted, the development would need to be carried out in accordance with the approved drawings and not the details specified in the submitted Planning, Design and Access Statement. In the event of an approval, the lower panels of the bedroom window would be conditioned to be obscure glazed. Full details of the boundary treatment, which includes low level railing adjacent to bedroom window, would also be secured by condition.

#### J) Roof space flats - lack of light and aspect and reduced ceiling height

- The two, one-bedroom flats (not 2 bed as detailed in the D&A Statement on Page 3) only just meet the space standards and, this without accounting for the eaves areas of restricted height, which are not shown on the drawing.
- In flat 5, the two side dormers, overlooking 57 Elm Avenue, are thus specified with obscured glazing and to be fixed shut.
- The kitchen living area is shown with two velux but other than these there is only one small window in this area and one small window in the bedroom.

PLANNING OFFICER RESPONSE: The proposed section drawings and floor plans clearly demonstrate that the second floor flats would have sufficient floor to ceiling head room height to comply with Policy D6 of the London Plan (2021). A condition would be secured requiring the first floor side windows, side dormer and roof lights facing No.57 Elm Avenue to be obscured glazed and fixed shut, if planning permission were to be granted. Given that these windows serve as secondary windows, a condition of this nature would not prejudice the quality of accommodation for future occupiers. The open plan living/kitchen within Flats 5 and 6 would benefit from rear elevation windows and roof lights. As such, it is considered that the future occupiers of these proposed flats would be afforded with an adequate level of outlook and natural light.

#### K) Design issues generally

- The building and its internal layout do not meet the criteria of good design as required by the standards set by LBH. All the details already stated highlight bad design and in addition to these we would add:-
- Flats just meet or only slightly exceed the minimum space standards.



- The suggestion in the D&A statement, Page 11, Para 6, that modern technology and furnishings reduce the demand on floor space is just not acceptable.

- Flat 2 has been slightly reduced in size and now has only one bathroom for the 3 bedroom, 4 person accommodation it purports to provide (see above for the issues re bedroom 3).

PLANNING OFFICER RESPONSE: As previously stated, the assessment of the acceptability of the scheme is based on the submitted drawings. The submitted floor plans show that Flat 2 is a two bedroom, 3 person flat. All six of the proposed flats comply with the minimum gross internal area standards set out in Policy D6 of the London Plan. A refusal on this ground would therefore be unjustifiable.

L) Bedrooms and living spaces are not stacked above each other as detailed in page 11, para 2 of the D&A statement, an anomaly that has appeared in the D&AS of every new application thus far.

PLANNING OFFICER RESPONSE: Officers acknowledge that the living rooms of the proposed second floor flats are stacked above the bedrooms of the proposed first floor flats. However, the requirements of Approved Document E of the Building Regulation are deemed adequate for sound insulation transmission loss between floors and walls of adjoining residential dwellings. No planning conditions are therefore necessary as they are part of Building Regulations.

M) Highway Safety

- As detailed above, this application shows 4 parking space in the front garden.

- The spaces are tight and each car will either have to back into or out of their space from or onto Elm Avenue which is an established and very busy 'connector' road between Eastcote and Ruislip and an established east/west route for emergency vehicles.

- In addition, this development is not only on the corner of Oak Grove but is also on the busy junction where Elm Avenue, Oak Grove and Lime Grove meet.

- Due to the corner position of the site, the movement of vehicles to and from the forecourt, with the necessary time spent on Elm Avenue at right angles to the traffic, represents a serious highway safety concern that is likely to affect pedestrians as well as vehicles in that the line of sight for those coming out from Oak Grove will be severely impeded.

PLANNING OFFICER RESPONSE: The proposed car parking layout is identical to that considered by the Inspector under application reference 60130/APP/2020/4166. It was concluded by the Inspector within paragraph 10 of the Appeal Decision that "the proposed development would not be detrimental to highway safety, and therefore would not conflict with policy DMT 2 of the LP" (Appeal ref: APP/R5510/W/21/3273062). Significant weight should be given to this Appeal Decision which is of material consideration. On this basis, it is considered that current proposal would not have an unacceptable impact on highway safety.

N) Accessibility

- The D&A statement makes no attempt to show that the development will meet M4(2) of the Part M Regs which is a requirement of the London Plan and thus a condition applied by LBH which we expect to see in this case. However, the drawings provided do not suggest that the ground floor layouts for Flats 1 & 2 will be able to accommodate the necessary requirements.

PLANNING OFFICER RESPONSE: Revised drawings were submitted during the course of the application to demonstrate that the ground floor units would comply with Building Regulation M4(3), and this would be secured by condition if planning permission were to be granted. It also should be

noted that the Council's Access Officer was re-consulted and has confirmed that the revised details are satisfactory, from an inclusive design and accessibility perspective.

O) Structural issues relating to the Oak Grove bridge

- Whilst it is appreciated that this is not a material planning issue, it is of considerable concern that no information has been provided as to how the integrity of the Oak Grove footpath and bridge will be maintained given that currently a sizeable section of the rear garden at No. 59 is a raised embankment supporting Oak Grove at this point.
- Our view is that this is an issue that should be pursued sooner rather than later.

PLANNING OFFICER RESPONSE: The concerns in respect to the integrity of the Oak Grove footpath and bridge is not a planning consideration. Notwithstanding, condition 21 has been included to ensure details of any works proposed to the embankment are submitted to the Council for approval. In addition, Transport for London has been consulted as there is a railway track to the rear of the site. Transport for London has raised no objection to the proposal, subject to a pre-commencement condition requiring the submission of a Design and Method Statement (Condition 5).

P) In sum, we believe that the issues detailed above come together to provide sufficient reasons to refuse this application.

However, should the Council be minded to approve it, we ask that:-

- Anomalies between drawings and also the D&A statement are all resolved such that there can be no ambiguity in the drawings and documents that form part of any approved application.

PLANNING OFFICER RESPONSE: Condition 2 requires the development to be carried out in accordance with the approved drawings. The Planning, Design and Access Statement is not referenced within the wording of this condition. As such, there is no ambiguity as to the development that the Council would be approving if the application is granted.

Q) Careful consideration be given to applying the necessary conditions to an approval to safeguard the building stage and the ongoing use of the development. In particular, for example, in relation to M4(2), and the provision of a detailed construction plan which specifically references the works required for the rear garden railway embankment and its current support of the Oak Grove raised areas.

PLANNING OFFICER RESPONSE: Please refer to Section 2 of this report which includes the wording of the recommended conditions, which includes Condition 5 (the submission of a Design and Method Statement in consultation with London Underground), Condition 6 (the submission of a Construction Management Plan), Condition 13 (for the proposed ground floor flats to comply with Building Regulation M4(3)), and Condition 21 (submission of details in relation to the embankment).

TRANSPORT FOR LONDON:

Though we have no objection in principle to the above planning application there are a number of potential constraints on the redevelopment of a site situated close to London Underground infrastructure. This site is adjacent to our operational railway. Therefore we request that the grant of planning permission be subject to conditions to secure the following:

The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground), have been submitted to and approved in writing by the local planning authority which:

- provide demolition and construction details on all structures

- provide details on the use of scaffolding and tall plant
- and mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2021, draft London Plan policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012

This response is made as Railway Infrastructure Manager under the "Town and Country Planning (Development Management Procedure) Order 2015". It therefore relates only to railway engineering and safety matters. Other parts of TfL may have other comments in line with their own statutory responsibilities.

### **Internal Consultees**

#### **COUNCIL'S ACCESS OFFICER:**

This proposal for a flatted development comprising six flats raises accessibility concerns. Policy D7 of the London Plan (2021) requires all new housing to be designed and constructed as accessible and adaptable in accordance with M4(2) as set out in Approved Document M to the Building Regulations (2015 edition).

Paragraph 3.7.6 the London Plan (2021) recognises that the application of M4(2), which requires lift access (a step free approach to the principle private entrance), may have particular implications for developments of four storeys or less where historically the London Plan may not have required a lift. Local Planning Authorities are therefore required to ensure that dwellings accessed above or below the entrance storey in buildings of four storeys or less have step-free access.

The units above ground floor should demonstrate on plan how the design meets the requisite standards for an M4(2) unit. Particular attention should also be paid to the entrance lobby arrangement and to spatial requirements within the bedrooms, bathrooms and kitchen area. The plans should be amended accordingly to demonstrate compliance with the technical specifications within Approved Document M to the Building Regulations (2015 edition).

Conclusion: Unacceptable. Revised plans should be submitted prior to any planning approval. Unless the applicant submits a clear, well evidenced and compelling case to the Local Planning Authorities as to why lift access cannot be provided, the application should not be supported on the grounds of non-compliance with Policy D7 of the London Plan (2021).

The Council's Access Officer has provided the following comments based on the revised drawings that were submitted during the course of the application.

In view of the additional information received set out the reasons why lift access is not feasible and financially viable to the proposed residential units above ground, it would be acceptable for the developer to provide two M4(3) units to a Wheelchair Adaptable standard on the ground floor. In view of the above, the following condition should be attached to any approval:

The two ground floor dwellings hereby approved shall be constructed to meet the standards for a Category 3, M4(3)(2)(a) Wheelchair Adaptable Standard dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, with all such provisions remaining in place for the life of the building.

REASON: To allow the Building Control body to check compliance of the development against the optional Building Regulations standards, and ensure an appropriate standard of housing, in accordance with policy D7 of the 2021 London Plan.

COUNCIL'S TREES AND LANDSCAPE OFFICER:

This site is occupied by a bungalow on an exceptionally wide plot at the junction of Oak Grove. There is evidence that some conifers lining the sloping boundary of Oak Grove have been removed relatively recently, albeit this did not require the permission or notification of the Local Planning Authority. There are no Tree Preservation Orders or Conservation Area designations affecting the site, although there are mature trees at the end of the garden, lining the railway corridor.

This submission follows a number of previous submissions, most recently application ref. 60130/APP/2021/2463, for 6 flats, which was refused. Prior to this an extant permission ref. 60130/APP/2019 was granted approval on appeal. No trees will be affected by the proposal, although the back garden layout is unclear as to the future of the existing trees. The current proposal seeks to provide four parking spaces in the front garden as opposed to the two spaces previously proposed. This new arrangement provides little scope for soft landscape (planting) enhancement in the front garden, notably on the corner with Oak Grove. A large bin store is prominent in the front garden and should be re-sited or, at least, well-designed and screened with planting. Bike storage is located to the rear of the property where it will be secure and discrete (subject to detail).

There is a significant change of level between Oak Grove and the site as the road approaches the bridge over the railway line. Details of the changes of level and any retaining structures will be required. Space for small private gardens has been provided for the two ground-floor flats, with the remaining area indicated as shared / communal space for the other households. The back garden should be carefully designed and maintained in a way which accommodates different households in an attractive setting.- Attention to these details should be addressed by condition. If you are minded to approve this application, please add conditions RES9 (parts 1,2, 5 and 6).

PLANNING OFFICER RESPONSE: The on-site car parking layout is identical that considered under application reference 60130/APP/2020/416 where the Inspector raised no concerns in respect to the lack of soft landscaping to the site frontage or the position of the bin store. If planning permission were to be granted for this current application, conditions would be secured requiring the submission of full details in respect to landscaping and the bin store (including its external finishes and design). These conditions would help to mitigate the proposal's impact on the visual amenities of the surrounding area. It is therefore considered that refusing this current application on the grounds of inadequate soft landscaping and the position of the bin store would be unjustifiable, in the event of an Appeal.

The agent has confirmed in an email dated 25th January 2022 that the existing fruit trees in the garden would be retained as part of the development. In the event of an approval, tree protection measures for these retained trees would be secured by way of a condition.

COUNCIL'S HIGHWAYS OFFICER:

Site Characteristics and Background:

The address is located within a predominantly residential catchment in Eastcote. The site is occupied by a detached 2-bedroom bungalow located on the corner of Elm Avenue (designated as 'Classified') and Oak Grove which is to be demolished and replaced with a single block containing 3 x 2,1 x 3 and 2 x1- bedroom flatted units. 4 on-plot car parking spaces are proposed on the frontage onto Elm Avenue together with 9 cycle spaces located to the rear. An existing carriageway crossing that serves the site envelope on the junction of Elm Avenue/Oak Grove is to be

extinguished and relocated (distanced further from the junction with Oak Grove) with modification (i.e. widening) to the other remaining crossover on Elm Avenue.

The surrounding properties exhibit reasonably sized frontages with on-plot parking facilities and the area is situated on the edge of a controlled parking zone (CPZ) operating from 9am to 5pm - Monday to Saturday with double yellow lines on the immediate road junction. However, neighbouring roads such as Oak and Lime Grove lie outside of the CPZ and are therefore unrestricted. The address exhibits a public transport accessibility level (PTAL) rating of 3 which is considered as moderate and as such heightens dependency on the ownership and usage of private motor transport.

A previous and comparable application for 6 flats (4 x 2 and 2x1 bedrooms) (60130/APP/2020/4166) with a total of 4 'similarly laid out' on-plot parking spaces was appealed on the grounds of non-determination and thereafter dismissed. However, the Inspectorate deemed the level of proposed parking and vehicular access arrangements as acceptable in terms of highway impact implications.

A later application also for 6 flats (3x2,1x3 & 2x1 bedrooms) (60130/APP/2021/2463) with 2 on-plot parking spaces was refused in August this year but not on highway related grounds.

#### Parking Provision:

Policy DMT 6 of the Local Plan: Part 2 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.

The maximum requirement for the 6 flatted units amounts to 1-1.5 on-plot spaces per unit with the exception of the 3- bedroom unit which requires up to 2 spaces. 7 to 9 spaces are therefore required. 4 spaces are proposed to be provided hence there is a deficit in provision. By contrast for a PTAL rating of 3, the London Plan (2021) parking standard demands up to 0.75 spaces per unit (not exceeding 2 bedrooms) with 1 space for the larger 3-bedroom flat which would result in a significantly lesser requirement of 4 to 5 spaces.

To assist in justifying the lower provision for the current application, the applicant has undertaken parking stress surveys within the locality in order to catalogue the levels of parking demand in all roads within a walking distance of 200m of the site. Industry recognised methodology has been applied and the findings suggest that during the recommended surveyed periods there appears to be in excess of 40% spare parking capacity which can be legitimately used on the surrounding roadways.

As there is no evidence to the contrary as confirmed by random checks by council officers, the findings are considered robust and relevant. This aspect in combination with the aforementioned planning history and lower parking requirement demanded by the London Plan therefore supports a lower on-plot parking quantum. The Planning Inspectorate is therefore likely to take a similar view if the application were to be refused and appealed thereafter. Hence, there is no objection raised to the proposed on-plot quantum of 4 spaces. It is noted that the 4 spaces would be allocated to the larger 2 and 3-bedroom ground and 1st floor units with no provision for the smaller 2x1 bedroom units within the roof-space which is considered a logical and satisfactory arrangement.

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

In line with the London Plan (2021), within any final parking quantum there is a requirement for a minimum 20% 'active' EVCP provision with all remaining spaces being designated as 'passive' provisions. In this case, all 4 spaces should be made 'active' in order to future proof for anticipated

demand. This aspect should be secured by way of planning condition.

#### Cycle Parking Provision:

1 secure and accessible cycle space per unit (up to two-bedrooms) with 2 spaces for the larger three-bedroom flat should be provided in order to conform to the Council's adopted cycle parking standard amounting to 7 spaces. 7 communal spaces are indicated to the rear of the property with an acceptable positioning of a secure and accessible compound indicating conformity to the standard with 2 further spaces provided within the amenity space affiliated to each of the ground floor units.

#### Proposed New and Revised Carriageway Crossing:

There is no objection to the principle of two separate carriageway crossing provisions on Elm Avenue each serving 2 on-plot spaces which would require an existing crossing to be widened with the other extinguished and relocated further away from the junction with Oak Grove which is welcomed on safety grounds. Both access points should be dimensioned accordingly in line with the council's 'Domestic Vehicle Footway Crossover' Policy 2019 i.e. 3.6m at the back of footway and 4.8m (with taper kerbs) at the edge of kerb. Differing dimensions have been indicated on plan which would be remedied post-permission. Final provisions together with extinguishment of the existing crossing and corresponding reinstatement of footway on the junction corner would be implemented to the council's construction standard and at the applicant's expense.

In highway safety terms, effort should be made to maintain a low frontage wall treatment onto Elm Avenue in order to help ensure conformity to the relevant mutual inter-visibility sight-line requirements, as per DfT (Manual for Streets (MfS) circa 2007) best practice for new development road and parking layouts guidance, between vehicles leaving the site and extraneous vehicles/pedestrians on Elm Avenue itself. In order to assist with improving sight-lines at both site entrances for vehicles and pedestrians, it is therefore recommended that any front boundary wall height should not exceed 0.6m to achieve the aim of improved visibility. This aspect can be secured via planning condition.

#### 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 2-3 vehicle movements during the most crucial and sensitive peak morning and late afternoon/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:

In order to conform to the Council's 'waste collection' maximum distance collection parameter of 10m i.e. distance from a refuse vehicle to the point of collection, arrangements should ensure that waste is positioned at a collection point within this set distance. The proposed positioning of the bin storage area on the property frontage therefore indicates conformity. 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 T4, T5 and T6 of the London Plan (2021).

PLANNING OFFICER RESPONSE: Notwithstanding the Highways Officer's request, the Policy T6.1 of the London Plan requires a minimum of 20% of the car parking spaces to have 'active' provision with all remaining spaces being designated as 'passive' provisions. In this case, 1 'active' and 3 'passive' electric charging point would need to be provided, and this would be secured by condition, if planning permission were to be granted.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

Policy H1 of the London Plan (2021) states that in order to ensure that ten-year housing targets are achieved, boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions, especially on sites with PTAL ratings of 3-6.

Policy H2 of the London Plan (2021) states that Boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making in order to:

- 1) significantly increase the contribution of small sites to meeting London's housing needs
- 2) diversify the sources, locations, type and mix of housing supply
- 3) support small and medium-sized housebuilders
- 4) support those wishing to bring forward custom, self-build and community-led housing
- 5) achieve the minimum targets for small sites set out in Table 4.2 as a component of the overall housing targets set out in Table 4.1.

Policy DMH 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that the net loss of existing self-contained housing will be resisted unless the housing is replaced with at least equivalent residential floorspace.

Policy DMH 4 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that residential conversions and the redevelopment of dwellings into new blocks of flats will only be permitted where:

- i) it is on a residential street where the proposal will not result in more than 10% of properties being redeveloped into flats;
- ii) On residential streets longer than 1km the proposed redevelopment site should be taken as the midpoint of a 1km length of road for assessment purposes;
- iii) the internal floor area of the original building to be converted is at least 120 sqm; and
- iv) units are limited to one unit per floor for residential conversions.

Paragraph 4.11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that the redevelopment of dwellings into new blocks of flats can enable more effective use of sites to be achieved. However, this type of development must seek to enhance the local character of the area. In recent years, large concentrations of flats have resulted in a range of problems, including increased on-street parking and resultant congestion on roads, the loss of front gardens, reductions in privacy, significant changes to the street scene, and loss of family accommodation.

Based on a 1km survey of Elm Avenue, the proposed redevelopment of the application site into a block of flats would not result in more than 10% of properties being redeveloped into flats. Accordingly, the proposed development is not contrary to Policy DMH 4 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

There is no objection, in principle, to the creation of additional residential units in this location in land use terms. This would be consistent with the stance taken by Officers under application references 60130/APP/2020/4166 and 60130/APP/2021/2463. However, this would be subject to an appropriate design, residential amenity, adequate parking provision, and the proposal being in accordance with all of the relevant planning policies and guidance set out in the Development Plan.

The Council is currently able to demonstrate a five-year supply of deliverable housing sites. As such, the "tilted balance" as set out in paragraph 11(d) of the NPPF (2021) is not engaged.

#### HOUSING MIX:

Policy H10 of the London Plan (2021) states that new development should consist of a range of unit sizes.

Policy DMH 2 of the Hillingdon Local Plan: Part 2 - 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's current information on housing need indicates a substantial borough-wide requirement for larger affordable and private market units, particularly 3 bedroom properties, as identified in the Strategic Housing Market Assessment 2016.

In accordance with Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), developments should demonstrate how the provision of family housing has been optimised to address local needs. Since the dismissed Appeal Decision relating to planning application reference 60130/APP/2020/4166, the housing mix has been revised to the following: 2 x one-bedroom flats 3 x two-bedroom flats and 1 x three-bedroom flat. Accordingly, one family unit would be provided to replace the existing family sized property that would be demolished to facilitate the proposed development. It is therefore considered that the proposal would consist of an appropriate housing mix in accordance with Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy H10 of the London Plan (2021).

The putative ground for refusal 1 attached to application reference 60130/APP/2020/4166 has therefore been addressed.

#### **7.02 Density of the proposed development**

Policy D3 of the London Plan (2021) states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. In other areas, incremental densification should be actively encouraged by Boroughs to achieve a change in densities in the most appropriate way. This should be interpreted in the context of Policy H2 of the London Plan (2021) which states that Boroughs should proactively support well-designed new homes on small sites below 0.25 hectares in size.

Policy DMHB 17 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all new residential development should take account of the Residential Density Matrix contained in Table 5.2, which recommends a density range of 105-175 habitable rooms/hectare and 35-50 units/hectare for sites within 800 metres of a town centre with a PTAL rating of 2-3.

The site is located within 300 metres of Eastcote town centre and has a PTAL rating of 3.



Based on the total site area of 0.0552 hectares, the proposed scheme would have a density level of 308 habitable rooms/hectare and 108 units/hectare. The proposed density levels would exceed the ranges set out in Table 5.2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020). However, the proposed density levels would be similar to the previously Appealed schemes under application references 60130/APP/2020/4166 and 60130/APP/2021/2463 where the Inspector raised no concerns with the density level of the development. It is therefore considered that it would not be appropriate or reasonable to introduce the exceedance of the Council's recommended density levels as a new ground for refusal.

Notwithstanding the above, due regard must still be given to whether the development would acceptably integrate with the character and appearance of the surrounding area, and would respect residential amenity considerations. Please refer to the sections of this Committee Report which assess these planning considerations in further detail.

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

Not applicable to this application.

#### **7.04 Airport safeguarding**

Not applicable to this application.

#### **7.05 Impact on the green belt**

Not applicable to this application.

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

Paragraph 126 of the NPPF (2021) seeks the creation of high quality, beautiful and sustainable buildings. Parts b) and c) of paragraph 130 of the NPPF (2021) states that planning policies and decisions should ensure that developments are visually attractive as a result of good architecture and are sympathetic to local character and history, including the surrounding built environment.

Policies D1, D3 and D4 of the London Plan (2021) require development proposals to be a high quality and to enhance the local context and be delivering buildings and spaces that positively respond to local distinctiveness.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) states that all new developments should achieve a high quality of design in all new buildings and the public realm contributes to community cohesion and a sense of place.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all development will be required to be designed to the highest standards and incorporate principles of good design. Policy DMHB 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) advises that development should be well integrated with the surrounding area.

The putative ground for refusal number 1 for planning application reference 60130/APP/2020/4166 was that the proposed development would cause harm to the character and appearance of the area. However, the Inspector did not agree with the Council on this ground for refusal, as evidenced by the following extracts from the Appeal Decision (ref: APP/R5510/W/21/3273062).

"11. Properties within the area of the appeal site vary considerably. To the east there are semi-detached properties with front facing gables and attached or integral garages. Directly opposite the appeal site is a narrow bungalow that, similar to its neighbours to the east, stretches deeply into its plot. On the corner of Lime Grove and Elm Avenue there is a large detached property that contains two large dormer extensions. The dwelling on the other corner of Elm Avenue and Lime Grove is also large and detached and takes up a

considerable proportion of its plot. There are a number of properties with accommodation within the roof.

12. The proposed building would be set back from the adjacent semi-detached properties and would have two front facing gables incorporating a timber looking feature in keeping with several other properties in the vicinity. Apart from the single front door it would have the appearance, from the front, of two semi-detached houses. Whilst the building would extend rearwards beyond the adjacent properties there would still be a reasonable amount of amenity space left to the rear, and the rear elevation would be approximately in line with the rear elevation of No 61, on the other side of Oak Grove.

13. The mass and bulk of the building would be broken up by the use of brickwork at ground floor level and render at first floor level, and there would be over 5m between the east elevation of the proposed building and the west elevation of No 57. The parking arrangement to the front would be similar to many nearby properties.

14. Overall, given the above factors and taking into consideration that the proposed building would be on a corner plot, I do not consider that it would cause harm to the character and appearance of the area. There would not therefore be conflict with policies DMHB 11 or DMHD 1 of the LP2. The former of these requires that all development should harmonise with the local context. The latter requires, amongst other things, that a satisfactory relationship with adjacent dwellings is achieved. Nor would there be conflict with policy BE1 of the London Borough of Hillingdon Local Plan Part 1 - Strategic Policies. This requires that all new development should achieve a high quality of design."

It should be noted that the Appeal Decision (ref: APP/R5510/W/21/3273062) referenced above is of material consideration and carries a significant degree weight. In terms of this current application, the proposed building would be set-back from the adjacent property at No.57 Elm Avenue by approximately 2.7 metres, which is a similar distance to the Appeal scheme referenced in the preceding paragraphs. The proposed building would also contain front gable face features with mock-Tudor inspired detailing, which would again be reminiscent of the Appeal Decision scheme.

The proposed building at ground floor level would have a deeper footprint compared to the aforementioned Appeal scheme to accommodate for the third bedroom within Flat 2. However, the proposed increased depth of approximately 1.2 metres is considered to be relatively modest when compared to the overall size and scale of the proposed building. The rear building line of the proposed development would be in general alignment of the extended rear building line of No.61 Elm Avenue, i.e. the corner plot property on the opposite side of the highway on Oak Grove. Moreover, there would be a separation distance in excess of 11 metres between the rear elevation of the proposed building and the end of the proposed communal garden. Thus, ensuring that the proposed building would sit comfortably within its plot.

At 9.3 metres, the ridge height of the proposed building would be identical to the scheme considered by the Inspector in the Appeal Decision (ref: APP/R5510/W/21/3273062). The Inspector raised no concerns in respect to the proposed ridge height, which sits marginally above the ridge height of the adjacent property at No. 57 Elm Avenue. Similarly, the Inspector raised no issues in the Appeal Decision (ref: APP/R5510/W/21/3273062) regarding the proposed roof profile of the development, which incorporates a centre crown roof form. Having due regard to the Appeal Decision (ref: APP/R5510/W/21/3273062), it is considered that it would be unreasonable to refuse this current proposal based on the height of the building or the proposed crown roof profile.

There is currently a pending Appeal in respect to planning application reference 60130/APP/2021/2463. Unlike this current proposal, the development considered under application reference 60130/APP/2021/2463 proposed to render the entire first floor level of the building and the front and rear gable projections. Thus, resulting in a visually disproportionate, top-heavy building that is poorly articulated. This current proposal seeks to incorporate mock-Tudor inspired features on the front and rear gables similar to the scheme under application reference 60130/APP/2020/4166 - where the Inspector clearly stated in the Appeal Decision that these particular features would be in keeping with several other properties in the vicinity (Appeal reference APP/R5510/W/21/3273062).

In light of the above, and in particular the Appeal Decision reference APP/R5510/W/21/3273062, it is considered that the proposal would not have such a harmful impact to the character and appearance of the area to warrant a ground for refusal on this basis. It is therefore considered that this current proposal has overcome putative ground for refusal number 1 attached to application references 60130/APP/2020/4166 and 60130/APP/2021/2463.

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

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

Paragraph 5.38 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that: "The Council will aim to ensure that there is sufficient privacy for residents and it will resist proposals where there is an unreasonable level of overlooking between habitable rooms of adjacent residential properties, schools or onto private open spaces. A minimum of 21 metres separation distance between windows of habitable rooms will be required to maintain levels of privacy and to prevent the possibility of overlooking. In some locations where there is a significant difference in ground levels between dwellings, a greater separation distance may be necessary."

Paragraph 5.40 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that: "For the purposes of this policy, outlook is defined as the visual amenity enjoyed by occupants when looking out of their windows or from their garden. 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."

Paragraph 5.41 of the Hillingdon Local Plan: Part 2 (2020) states: "The Council will aim to minimise the impact of the loss of daylight and sunlight and unacceptable overshadowing caused by new development on habitable rooms, amenity space and public open space. The Council will also seek to ensure that the design of new development optimises the levels of daylight and sunlight. The Council will expect the impact of the development to be assessed following the methodology set out in the most recent version of the Building Research Establishments (BRE) "Site layout planning for daylight and sunlight: A guide to good practice".

The proposed building would be positioned behind the front building line of No.57 Elm Avenue by approximately 2.7 metres. As such, the proposed development would not result in a loss of outlook for the front elevation windows of the neighbouring property at No. 57. The proposed building would project beyond the rear building of No. 57 by 4.7 metres (at the closest point) for a distance 7.3 metres, before projecting an additional 2 metres. However, the proposed rear building line would be set-away from the mutual boundary shared with No.57 between approximately 1.5 metres to 8.7 metres. As shown on the submitted plans, the proposed development would not breach the 45-degree line of

sight taken from the nearest rear habitable room window at No.57. Although the proposed development may have a degree of impact in terms of outlook enjoyed from No.57, it would not be to such a significant extent that a refusal reason could be justified. Also, it should be noted that the relationship between the proposed building and No.57 would be similar to the scheme under application reference 60130/APP/2021/2463, where no putative grounds for refusal were raised in regards to impact on neighbouring residential amenity.

The application is supported by a Daylight and Sunlight Assessment relating to the form of development proposed under application reference 60130/APP/2020/4166. This includes Nos. 48, 50, 57 and 61 Elm Avenue within the scope and confirms that the effect on Vertical Sky Component (VSC) is within the 80% guidance value in all cases, meaning that there will be no adverse impact on neighbouring residents in terms of daylight. The assessment also confirms that all windows retain in excess of 80% of their current values, meaning the proposed development accords with BRE guidance in relation to sunlight. The proposed development is not considered to be significantly different with regards to the impact on daylight and sunlight. As such, the findings of the report are considered to be applicable to the current application and the proposal is considered to be acceptable with regard to its impact on the daylight and sunlight received by neighbouring properties.

The proposed development would include first floor side windows, side facing dormer windows and a roof light which would face towards No.57. To prevent any issues with overlooking or loss of privacy, all of these windows openings (including the side dormers and roof light) should be obscure glazed and non-opening below a height of 1.8 metres taken from internal finished floor level. A condition of this nature would not prejudice the overall quality of accommodation for the future occupants of Flats 3 and 5, as the subject windows are secondary, with the principal windows of the habitable rooms fitted in either the front or rear elevations of the building. This would also facilitate natural ventilation for the bathrooms and cross-ventilation for the habitable rooms while also mitigating overlooking onto neighbouring residences. It is noted that there is a proposed ground floor side bathroom window facing No.57. However, this bathroom window would face directly towards the boundary treatment (of which details would be secured by condition). In light of this, it is considered that the proposed development would not give rise to an unacceptable loss of privacy or overlooking for the occupiers at No.57.

Given their separation distance and orientation, it is considered that the proposed development would not adversely impact upon the residential amenities of Nos. 48, 48a, 50 and 61 Elm Avenue, in terms of outlook, privacy, overbearing impact or otherwise.

It is recognised that there would be some potential for increased levels of on-site activity to generate noise and disturbance. Notwithstanding this, the site would continue to be used in an exclusively residential capacity. It is therefore considered that the provision of proposed flats would not lead to such a significant change in the local noise environment to warrant a refusal on this basis.

Having regard to the above, it is considered that the proposal would not cause unreasonable harm to the living conditions of neighbouring occupiers, in compliance with Policy DMHB 11 part B) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

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

INTERNAL AMENITY SPACE:

Policy DMHB 15 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development will be required to comprise good design and create

inclusive environments whilst improving safety and security by incorporating specific measures, which includes ensuring adequate defensible space is provided.

Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all housing development should have an adequate provision of internal space in order to provide an appropriate living environment. The space standards set out in Table 5.1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) are the same as those found in Table 3.1 of the London Plan (2021).

Policy D6 of the London Plan (2021) sets out the minimum internal floor space standards required for residential developments in order to ensure that there is an adequate level of amenity for future occupants. Table 3.1 of Policy D6 of the London Plan (2021) states that:

- A one storey dwelling with 1 bedroom, 2 person occupancy should provide a GIA of at least 50 square metres;
- A one storey dwelling with 2 bedrooms, 3 person occupancy should provide a GIA of at least 61 square metres; and
- A one storey dwelling with 3 bedrooms, 4 person occupancy should provide a GIA of at least 74 square metres;

The proposed development would provide the following:

Ground floor level:

Flat 1 - Two bedroom, 3 person occupancy measuring 62 square metres

Flat 2 - Three bedroom, 4 person occupancy measuring 76 square metres

First floor level:

Flat 3 - Two bedroom, 3 person occupancy measuring 62 square metres

Flat 4 - Two bedroom, 3 person occupancy measuring 62 square metres

Second floor level:

Flat 5 - One bedroom, 2 person occupancy measuring 50 square metres

Flat 6 - One bedroom, 2 person occupancy measuring 50 square metres

As demonstrated above, all the proposed flats would meet the minimum space standard requirement set out in Policy D6 of the London Plan (2021). All the proposed bedrooms would exceed the minimum floor area standards set out in the Technical housing standards- nationally described space standard (2015). The proposed flats would be dual aspect, thus providing future occupants with a reasonable level of natural light. The proposed section drawings demonstrate that the proposed flats would have a minimum floor to ceiling height of 2.5 metres for at least 75 per cent of their gross internal area, in accordance with criteria 8) of Policy D6 of the London Plan (2021).

It is noted that one of the single bedrooms within Flat 2 would be served by a window facing towards the footway leading to the communal garden. This arrangement would be similar to the scheme considered under application reference 60130/APP/2021/2463, where no objection was raised in respect to this arrangement. To minimise the loss of privacy, the elevation drawings show that the lower panels of this bedroom window would be obscure glazed, and this would be secured by condition in the event of an approval. The 1.8 metre high wooden fence along the mutual boundary with Oak Grove has also been replaced with railings in order to improve the outlook and natural light afforded to this bedroom. Whilst the outlook from this bedroom window would be reduced, this compromise is considered to be acceptable as the obscure glazing would help to protect the privacy of future occupants.

As stated in the previous section of this report, a condition would be secured requiring the first floor side windows, dormers and roof light facing No.57 Elm Avenue to be obscure glazed. These side windows include windows serving habitable rooms within Flats 3 and 5. However, these side windows are secondary windows with the subject habitable room windows being primarily served by the principal windows fitted in either the front or rear elevations of the building. It is therefore considered that the recommended condition would not prejudice the overall quality of accommodation for the future occupants of Flats 3 and 5, in terms of outlook and natural light. The ground floor side (north-east) elevation window serves the bathroom of Flat 1 (i.e. a non-habitable room).

There would be defensible space adjacent to the front habitable room windows of the ground floor flats and the proposed on-site car parking spaces. The defensible space would be in the form of soft landscaping which would extend across the full length of the front habitable windows and measure 1.2 metres in depth (at the shallowest point). Full details of the specimen and density of the soft landscaping would be secured by condition. This proposed arrangement would be very similar to that which was found acceptable in application 60130/APP/2020/4166. It is therefore considered that the proposed defensible space is an appropriate design response which would effectively mitigate the loss of privacy and disturbance to the future occupants of the proposed ground floor flats.

It is worth highlighting that there would be a dedicated footway providing access to the communal garden along the western site boundary. The footway has been carefully devised to ensure that future occupiers of the upper floor flats would not be walking directly in front of the ground floor front windows to access the communal garden. Moreover, the access point to the dedicated footway would be from the south-western corner of the site frontage. This means that future occupiers would have a safe and direct route to the external amenity space, without having the need to navigate between the on-site car parking spaces.

Having regard to the above, it is considered that the proposed development would provide satisfactory internal living conditions for future occupants, in accordance with Policies DMHB 15 and DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy D6 of the London Plan (2021).

#### EXTERNAL AMENITY SPACE PROVISION:

Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all new residential development and conversions will be required to provide good quality and usable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.3. Table 5.3 states that:

- 1-bedroom flats should be provided with at least 20 square metres of private amenity space;
- 2-bedroom flats should be provided with at least 25 square metres of private amenity space; and
- 3-bedroom (plus) flats should be provided with at least 30 square metres of private amenity space.

Paragraph 5.70 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states:

"Dwellings on upper floors should all have access to a private balcony or terrace, where this is consistent with the overall design of the building. Houses and ground floor flats should have private gardens. The Council is keen to improve the quality of housing in the Borough and therefore communal provision of private outdoor space is generally not supported unless there are strong planning reasons and the proposed scheme is of high

quality with clear planning merits."

The proposed development would provide two x one-bedroom flats, three x two-bedroom flats and 1 x three-bedroom flat, requiring 145 square metres of external amenity space in total.

Based on the plans submitted, the proposed ground floor residential units labelled as Flats 1 and 2 would have direct access to dedicated garden spaces measuring 25 square metres and 30 square metres, respectively. The remaining flats would be served by communal amenity space measuring 143 square metres. In total, the proposal would provide 198 square metres of external amenity space.

It is noted that the dedicated garden spaces for Flats 1 and 2 cannot be accessed directly from either flat and are instead accessed via the side pathway and a garden gate. However, the submitted plans clearly show that these garden spaces would be demarcated by boundary treatment measuring 900mm high, of which full details would be secured by condition in the event of an approval. It is therefore considered that the proposed garden spaces for Flats 1 and 2 are adequate in terms of their size, usability and function.

As stated above, the upper floor flats would not be afforded with any private external amenity space provision which means that the proposed development would not be fully compliant with the requirements of Table 5.3 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020). However, it is considered that an, on balance, assessment should be applied as per the recommendations of Paragraph 5.70 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

In this case, it is considered that the provision of balconies for the upper floors would not be appropriate given the suburban context of the site. As such, the provision of external amenity space in the form of a communal garden to the rear of the site is considered to be an acceptable solution. This stance would be consistent with the approach taken by Officers in respect to the previous application (reference 60130/APP/2021/2463 and 60130/APP/2020/4166). The communal garden, coupled with the dedicated gardens spaces for Flats 1 and 2, would exceed the total requirement of private amenity space set out in Table 5.3. Thus, providing good quality external amenity areas for the future occupants of the proposed dwellings.

Overall, it is considered that the proposed development would provide a sufficient quality and quantity of external amenity space for the future occupants of the proposed flats. The proposal would therefore accord with the objectives of Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

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

Paragraph 111 of the NPPF (2021) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Policy DMT 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals will be required to meet the transport needs of the development and address its transport impacts in a sustainable manner.

Policy DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that proposals must ensure that safe and efficient vehicular access to the highway network is provided, schemes do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents. Also, that impacts on local

amenity and congestion are minimised and there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing roads.

Policy DMT 5 Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals will be required to ensure that safe, direct and inclusive access for pedestrians and cyclists is provided on the site connecting it to the wider network, including the provision of cycle parking in accordance with Appendix C, Table 1 or, in agreement with the Council.

Policy DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires that proposals comply with the Council's parking standards in order to facilitate sustainable development and address issues relating to congestion and amenity.

#### PARKING PROVISION:

Appendix C of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that 1 and 2 bedroom flats should be provided with 1 to 1.5 spaces, and 3 bedroom flats should be provided with a maximum of 2 spaces per unit. Based on this, the proposal for two x one-bedroom flats, three x two bedroom flats and 1 x three-bedroom flat require a maximum of 7 to 9 car parking spaces.

Policy T6.1 of the London Plan (2021) states that development comprising up to 2 bed units in outer London with a PTAL rating of 2 to 3 should provide a maximum of 0.75 car parking spaces per dwelling. Development of 3+ beds in these areas should provide a maximum of 1 car parking space per dwelling. For the proposed development, this would equate to 4-5 car parking spaces, which is a lesser requirement than the Council's adopted Car Parking Standards.

Based on the Transport for London's WebCAT planning tool, the application site has a PTAL rating of 3 (moderate). The site is designated within a Controlled Parking Zone (Permit E) which operates Mondays to Saturdays 9am to 5pm. The proposal includes the provision of four off-street parking spaces to the site frontage. The proposal would therefore fall short of the maximum car parking standards required by the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and the London Plan (2021). However, paragraph 10.6.4 of the London Plan (2021) highlights that consideration should also be given to local circumstances and the quality of public transport provision, as well as conditions for walking and cycling.

A Parking Survey report was accompanied with this application. The report states that parking surveys were undertaken at 3.10am on 14th October 2020 and 2.20am on 16th October 2020 in accordance with the Lambeth Methodology (which is commonly accepted as the industry accepted parking methodology). The results show that there is a moderate 58% parking stress with a reserve capacity of approximately 35 spaces in the area during overnight conditions when residents would be expected to be home and parked up for the night.

The Council's Highways Officer has reviewed the parking survey results and has not disputed these findings. The Council is not in possession of any substantive evidence to demonstrate that the future residents choosing to park on surrounding street would lead to unacceptable levels of congestion or harm to highway safety. This, in combination with the planning history attached to the site and lower parking requirement demanded by the London Plan therefore supports a lower on-site parking quantum.

The Council's Highways Officer has advised that the Planning Inspector is likely to take a



similar view if the application were to be refused and Appealed. In light of this, no objection is raised to the proposed on-site quantum of four car parking spaces. It is also worth noting that none of the putative reasons for refusal for application references 60130/APP/2020/4166 and 60130/APP/2021/2463 concerned the number of on-site parking spaces being provided.

The submitted Planning, Design and Access Statement states that one car parking space would be provided for each of the proposed two-bedroom and three-bedrooms flats. The smaller one-bedroom flats would have no on-site car parking provision. The Council's Highways Officer has raised no objection to this proposed car parking allocation, of which full details would be secured by condition.

Taking into account the above, it is considered that the proposal would not generate such a significant increase in demand for road parking that its effects would result in harm to highway safety or the efficient working of the local highway network.

#### VEHICLE ACCESS AND HIGHWAY SAFETY:

As previously stated, the proposed development would involve the installation of two new vehicular crossovers which would emerge onto Elm Avenue in replacement of the existing crossovers. It should be noted that the position of the proposed vehicle access arrangements would be identical to that considered under application reference 60130/APP/2020/4166, where the Council raised concerns about highway safety as part of putative ground for refusal 3. However, this ground for refusal was not upheld by the Inspector who states the following in the Appeal Decision (reference APP/5510/W/21/3273062).

"The appeal site lies on the corner of Elm Avenue and Oak Grove. The existing bungalow on the site benefits from two drop crossings, one of which is across the corner of the two roads. This would be removed and replaced with a drop crossing facing directly onto Elm Avenue, further from the junction. Whilst the proposed crossing may be slightly nearer the junction than the 5m shown in the Council's Domestic Vehicle Footway Crossover Policy, it is nonetheless further than the existing one, and parked vehicles would be set back a similar distance to the existing situation. I cannot therefore accept that cars parked on the proposed driveway would compromise sightlines for those using the junction, or indeed those approaching the junction, anymore than the cars parked on the existing driveway do.

My attention has been drawn to the fact that there have been four recorded highway accidents in the vicinity over a five year period. However, none of these appear to directly relate to visibility issues.

In light of the foregoing I conclude that the proposed development would not be detrimental to highway safety, and therefore would not conflict with policy DMT 2 of the LP. This requires that development must provide safe and efficient vehicular access to the highway network."

Bearing in mind the above Appeal Decision extract, which is of a material consideration and carries a significant degree of weight, it is considered that it would be unsustainable to refuse this current application on the grounds that the proposed vehicular crossovers would prejudice the highway safety of those using the junction between Elm Avenue and Oak Grove.

It is also worth noting that the Council's Highways Officer has raised no objection to the

principle of the proposed two vehicular crossovers, subject to their dimensions complying with the Council's 'Domestic Vehicle Footway Crossover' Policy (2021). The proposed vehicle crossovers would have to be reduced to 3.6 metres at the back of the footway and 4.8 metres (with taper kerbs) at the edge of the kerb to accord with the Council's 'Domestic Vehicle Footway Crossover' Policy (2021). However, this matter could readily be addressed by the imposition of a condition, in the event of an approval. Also, a condition would be secured requiring the redundant vehicular crossovers to be reinstated into a raised kerb to the Council's satisfaction.

In order to assist with improving sight-lines at both site entrances for vehicles and pedestrians, the Council's Highways Officer has recommended that any front boundary wall height should not exceed 0.6 metres to achieve the aim of improved visibility. This aspect could be secured by way of a condition, in the event of an approval.

For the above reasons, it is considered that the proposal would not have an unacceptable impact on highway safety in accordance with Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policies T6 and T6.1 of the London Plan (2021) and paragraph 111 of the NPPF (2021).

#### VEHICULAR TRIP GENERATION:

The proposal would produce an increase in traffic generation from the site as compared to the existing single dwelling at the site. However, the Council's Highways Officer has commented that the peak period traffic movement into and out of the site would not be expected to rise beyond 2-3 vehicle movements during the most crucial and sensitive peak morning and late afternoon/evening hours. Hence, this uplift is considered marginal in generation terms and therefore could be absorbed within the local road network without notable detriment to traffic congestion and road safety.

#### ELECTRIC VEHICLE CHARGING POINTS:

Part G) of Policy T6 and part C) of Policy T6.1 of the London Plan (2021) states that all residential car parking spaces must provide infrastructure for electric or Ultra-Low Emission vehicles. At least 20 per cent of spaces should have active charging facilities, with passive provision for all remaining spaces. Accordingly, one car parking space should be provided with an active electric vehicle charging point and the remaining three car parking spaces should be provided with passive electric vehicle charging infrastructure. If planning permission were to be granted, this would be secured by condition.

#### ACCESSIBLE PARKING:

It is acknowledged that the proposed development would not provide any disabled car parking provision. However, Appendix C, Table 1 of the Hillingdon Local Plan: Part 2-Development Management Policies (2020) does not contain a specific requirement for such a provision to be provided for a development proposal of this size, especially given the low number of on-site car parking spaces being proposed. No putative grounds for refusal were raised in respect to the absence of disabled car parking provision under application references 60130/APP/2020/4166 and 60130/APP/2021/2463. Given these circumstances, it is considered that refusing this current application on the grounds of the absence of disabled car parking provision would be unjustifiable, in the event of an Appeal.

#### BICYCLE PARKING:

For a development of this size, Appendix C, Table 1 of the Hillingdon Local Plan: Part 2- Development Management Policies (2020) requires 1 on-site cycle space to be provided for 1 or 2 bed units and 2 cycle spaces for 3 or more bed units. For the proposed development, this would equate to 7 spaces.

The submitted plans show a covered cycle store with sufficient capacity to accommodate up to 7 cycles would be provided within the communal garden. The dedicated rear gardens of Flats 1 and 2 would have a cycle store each with sufficient capacity to accommodate 1 cycle space. Whilst there is no objection to the location of the proposed cycle stores, Flat 2 would require a cycle store of a sufficient size to accommodate two cycles as it is a three-bedroom unit. However, this matter could be easily resolved by the imposition of a condition requiring updated cycle store details to be submitted to the Council for consideration.

Subject to the above condition, it is considered that the proposal would provide secure and accessible cycle parking spaces for future occupants in compliance with Policy DMT 5 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy T5 of the London Plan (2021).

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

SECURE BY DESIGN:

Policy DMHB 15 of the Hillingdon Local Plan: Part 2 - Development Management Policies (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.

In the event of an approval, a condition would be secured requiring security measure details to be submitted to the Council. Subject to such a condition, the proposal would accord with Policy DMHB 15 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

#### **7.12 Disabled access**

Policy D5 of the London Plan (2021) seeks to ensure development proposals achieve the highest standards of accessible and inclusive design. Policy D7 of the London Plan (2021) requires for at least 10% of dwellings to meet Building Regulation requirement M4(3) 'wheelchair user dwellings', with all other dwellings meeting Category M4(2) 'accessible and adaptable dwellings'.

Paragraph 3.7.6 of the London Plan (2021) states that in exceptional circumstances the provision of a lift to dwelling entrances may not be achievable. In the following circumstances - and only in blocks of four storeys or less - it may be necessary to apply some flexibility in the application of this policy:

- Specific small-scale infill developments (see Policy H2 Small sites);
- Flats above existing shops or garages;
- Stacked maisonettes where the potential for decked access to lifts is restricted.

Paragraph 3.7.7 of the London Plan (2021) states that if it is agreed at the planning stage (for one of the reasons listed above) that a specific development warrants flexibility in the application of the accessible housing standards M4(2) and M4(3), affected dwellings above or below ground floor would be required to satisfy the mandatory building regulations requirements of M4(1) via the Building Control process. M4(2) and M4(3) dwellings should still be required for ground floor units.

It is acknowledged that the proposed building would not contain a lift, which means that the first and second floor flats would only be able to meet Building Regulation M4(1). The

site area is less than 0.25 hectares with the proposed building being two-storeys with habitable accommodation within its loft space. Taking this into account, coupled with the nature of the proposed development, it is considered that the proposal would constitute a 'small site' based on the interpretation of Policy H2 of the London Plan (2021). It is therefore considered necessary to assess whether 'exceptional circumstances' exists to warrant flexibility in the application of the accessible housing standards M4(2) and M4(3), as required by the London Plan (2021).

Pages 15 and 16 of the Planning, Design and Access Statement set out justification as to why the provision of a lift would not be feasible or viable. The key points raised are as follows:

- It will cost upwards of £70,000 (plus VAT) to provide lift access to in effect four upper floor dwellings as the ground floor flats do not require use of the lift;
- This requirement would be onerous against the cost to serve four dwellings with long term maintenance cost having to be paid for via additional service charges by all six proposed dwellings;
- The inclusion of a lift in design terms was explored. To accommodate the piston movement that would need to go below and above the roof level would materially increase the roof height or require a box feature to be added at the centre of the roof;
- Such changes will result in a building height that fails to be reflective of adjoining properties or result in a lift box above the main roof, which would be of character.

In light of the above points, it is considered that adequate evidence has been provided to demonstrate that a lift would make the development unviable and make the service charges unaffordable for future occupants. Officers consider that there are alternative design solutions which would not necessitate a lift overrun projecting above the roof of the building (refer to drawing number EA59-AP3-1010). Notwithstanding this point, it is agreed that a lift provision is likely to require the roof height of the building to be increased or for the roof form to be altered. This, in turn would add unacceptable bulk to the roof form of the proposed development.

Upon Officers' request, the proposed ground floor plan has been updated to show that Flats 1 and 2 would meet Building Regulation M4(3). This would be secured by condition, if planning permission were to be granted. The proposed flats on the first and second floor would meet the mandatory building regulations requirements of M4(1) via the Building Control process.

It is acknowledged that the proposal fails to fully comply with Policy D7 of the London Plan (2021). However, paragraph 3.7.7 of the London Plan (2021) does allow Local Authorities to apply a flexible approach in exceptional circumstances. Based on the evidence submitted, it is considered that it has been sufficiently demonstrated that it would not be viable for a lift to be installed. It is therefore considered, on balance and subject to the above condition, that the proposed development is acceptable in relation to inclusive access consideration.

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

Policy H2 of the Hillingdon Local Plan: Part 1 - Strategic Policies (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 (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 (2012) and Policy DMH 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

#### **7.14 Trees, landscaping and Ecology**

##### TREES AND LANDSCAPING:

Policy G1 of the London Plan (2021) states that development proposals should incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that landscaping and tree planting should enhance amenity, biodiversity and green infrastructure. This is supported by Policy DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) which 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.

The application site does not form part of a Conservation Area and is not subject to a Tree Preservation Order. The Council's Trees and Landscape Officer has commented that there is evidence that conifers lining the sloping boundary of Oak Grove have been removed relatively recently, albeit this did not require the permission or notification of the Local Planning Authority. The agent has confirmed in an email dated 25th January 2021 that the existing trees in the rear garden would be retained as part of the proposed development. If planning permission were to be granted, conditions would be secured requiring details of tree protection methods to be submitted to the Council for consideration. Also, full soft and hard landscaping details would be secured by condition.

Subject to the above conditions, it is considered that the proposed development would not cause harm to any trees of high visual amenity value and that the proposed soft landscaping would help to soften the overall appearance of the proposed building.

##### ECOLOGY:

Paragraph 174 of the NPPF (2021) states that planning decisions should contribute to and enhance the natural and local environment by: d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. This is supported by Policy G6 of the London Plan (2021) and Policy DEM1 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

The site does not contain any ponds, open woodland or dense scrub and shrubbery. There are no sites of ecological interest adjacent to the site. It is therefore considered that the likelihood of protected species being present at the site is low, and as such, an ecology survey is not required. This would be in line with 'Circular 06/05: Biodiversity and Geological Conservation- Statutory Obligations and their Impact within the Planning System' which states that, "...bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development."

In the event of an Approval, an ecological enhancement plan would be secured by condition. Subject to this condition, the proposal is considered to accord with the Policy DEMI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy G6 of the London Plan (2021) and the NPPF (2021).

Also, an informative would be secured advising that should protected species be found at the site, the applicant(s) must fulfil their duties under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended).

#### **7.15 Sustainable waste management**

Policy DMHB 11 part (d) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

The proposed block plan shows that refuse and recycling bin storage would be provided for at the front of the site. The size of the two bins which would be accommodated would be 1,100 litres which is considered to be of a sufficient capacity for a development of this size. It is acknowledged that the refuse and recycling bins would front Elm Avenue rather than being located in a more discreet location to the rear of the site. However, there is already an established bin collection from Elm Avenue, whereas, there are no existing waste collections occurring on Oak Grove (north of the bridge). It is therefore considered that the proposed location of the refuse and recycling facilities on the site frontage would be the most appropriate location for both future occupants of the proposed development and the Council's refuse collection crew members. Furthermore, the Council's Highways Officer has commented that the location of the refuse and recycling store would conform with the Council's 'waste collection' maximum distance collection parameter of 10 metres, i.e. distance from a refuse vehicle to the point of collection.

The submitted drawings show that the bins would be contained within a store, which would help to screen their appearance to minimise the visual impact to the surrounding street scene. In the event of an approval, full details of the bin store (including its dimensions, external finishes and design) would be secured by condition.

Subject to the above condition, it is considered that the proposed development would be able to provide a convenient location for the refuse and recycling facilities in accordance with Policy DMHB 11 part (d) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

#### **7.16 Renewable energy / Sustainability**

Policy SI 2 of the London Plan (2021) states residential development should achieve at least a 10% improvement beyond Building Regulations 2013.

Policy DMEI 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires all developments to make the fullest contribution to minimising carbon dioxide emissions in accordance with the London Plan targets.

The submitted Planning, Design and Access Statement states that the proposed development would incorporate sustainability measures, including double glazed windows, high levels of insulation, energy efficient heating systems and low level lighting. In the event of an approval, a condition would be secured requiring a sustainability energy statement is submitted to demonstrate that the proposal would achieve at least a 10% improvement beyond Building Regulations 2013. Also, a condition would be secured requiring the proposed dwellings to achieve as a minimum, a water efficiency standard of

no more than 105 litres per person per day maximum water consumption.

Subject to the above conditions, the proposal would be compliant with Policies DMEI 2 and DMEI 10 of the Hillingdon Local Plan: Part 2- Development Management Policies (2020) and Policy SI 2 of the London Plan (2021).

#### **7.17 Flooding or Drainage Issues**

Policy SI 12 of the London Plan (2021) states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Policy SI 13 of the London Plan (2021) states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.

Policy DMEI 9 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that proposals that fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.

Policy DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development within areas identified at risk from surface water flooding which fail to make adequate provision for the control and reduction of surface water runoff rates will be refused.

A Flood Risk Assessment was accompanied with this application. The report states that the Environment Agency's Flood Map identifies the site to lie within Flood Zone 1, where the chances of flooding in any given year is less than 1 in 1,000 probability of fluvial and tidal flooding. As such, there are no restrictions on development, including more vulnerable uses such as Use Class C3 (dwellinghouses), in this location, in terms of fluvial and tidal flood risk.

According to the Council's GIS, the site is designated within a Critical Drainage Area. The Flood Risk Assessment recommends that the floor level is set at a minimum of 300mm above ground level, and this would be secured by way of a condition, in the event of an approval. Also, a condition would be secured requiring a sustainable water management scheme, that incorporates sustainable urban drainage systems (SuDs), to be submitted to the Council for consideration.

Subject to such conditions, it is considered that the proposed development would not increase the risk of flooding on the site or elsewhere in accordance with Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policies SI 12 and SI 13 of the London Plan (2021).

#### **7.18 Noise or Air Quality Issues**

Not applicable to this application.

#### **7.19 Comments on Public Consultations**

Covered in other sections of this Committee Report.

#### **7.20 Planning obligations**

Policy DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that to ensure development is sustainable, planning permission will only be granted for development that clearly demonstrates there will be sufficient infrastructure of all types to support it. Infrastructure requirements will be predominantly addressed through the Council's Community Infrastructure Levy (CIL).

The Council adopted its own Community Infrastructure Levy (CIL) on 1st August 2014. The Hillingdon CIL charge for residential developments is £95 per square metre of additional floor space. This is in addition to the Mayoral CIL charge of £60 per square

metre. CIL rates are index linked. The proposal involves the erection of new dwellings and is therefore CIL liable if planning permission were to be granted.

**7.21 Expediency of enforcement action**

Not applicable.

**7.22 Other Issues**

None.

**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 Probity 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**

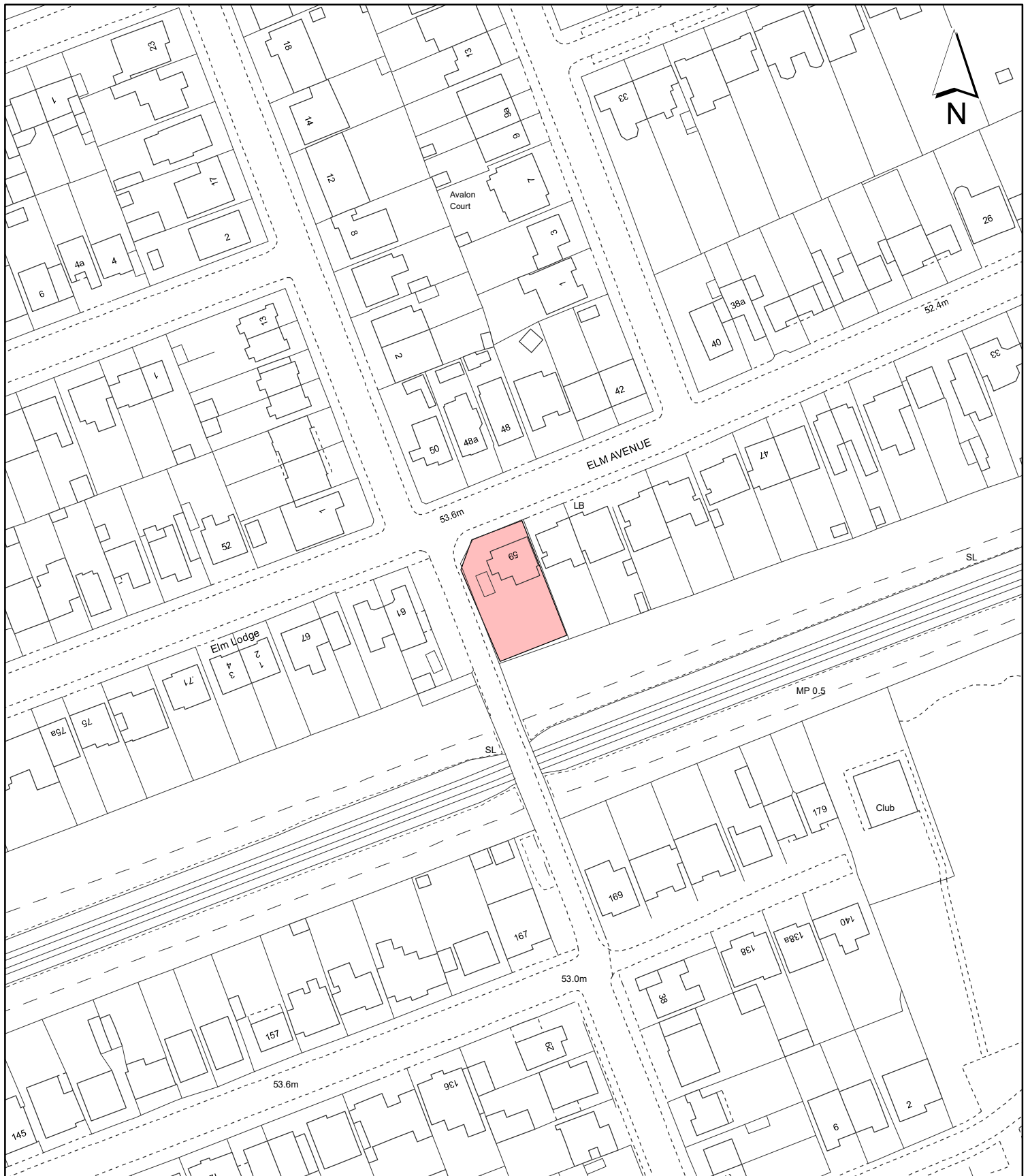
For the reasons set out in this Committee Report, it is considered that the proposal would comply with the objectives of national, regional and local planning policies and guidance. It is therefore recommended that the application be approved, subject to the imposition of the conditions set out in Section 2 of the Committee Report.

**11. Reference Documents**

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)  
The London Plan (March 2021)  
Technical Housing Standards - Nationally Described Space Standard (March 2015)  
Hillingdon Local Plan Accessible Hillingdon Supplementary Planning Document (September 2017)  
Planning Obligations Supplementary Planning Document (July 2014)  
National Planning Policy Framework (July 2021)

**Contact Officer:** Nesha Burnham

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

For identification purposes only.  
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Site Address:

**59 Elm Avenue**

**LONDON BOROUGH OF HILLINGDON**  
**Residents Services Planning Section**

Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:  
**60130/APP/2021/4249**

Scale:  
**1:1,250**

Planning Committee:  
**Borough Page 54**

Date:  
**February 2022**



**HILLINGDON**  
 LONDON

**Item No.** Report of the Head of Planning, Transportation and Regeneration

**Address** WYLDEWOODE 25 THE AVENUE NORTHWOOD

**Development:** Four x 2 storey semi-detached dwellings with associated amenity space, parking and 4 x vehicular crossovers.

**LBH Ref Nos:** 13305/APP/2021/1007

**Drawing Nos:** Arboricultural Impact Assessment Rev B  
5802-A101A  
Location Plan  
TS19-486-1  
5802-A103  
TS19-486-2  
Planning, Design and Access Statement  
Arboricultural and Planning Integration Report  
Ecological Impact Assessment  
5802- A106  
5802-A105B  
5802-A100B  
5802-A102A

**Date Plans Recieved:** 15/03/2021      **Date(s) of Amendment(s):** 15/03/2021  
**Date Application Valid:** 24/03/2021      05/01/2022

## 1. SUMMARY

The application seeks planning permission for 4no. 2-storey semi-detached dwellings with associated amenity space, parking and vehicular crossovers.

Planning permission was refused in November 2020 for a redevelopment scheme to provide 4no. terraced dwellings on the site (ref. 13305/APP/2020/2670). This application seeks to address the 3no. reasons for refusal relating to the impact on the character and appearance of the area, the impact on the amenity of neighbouring residents and impact of the proposed landscaping scheme on site.

It is considered that the reasons for refusal have, on balance, been addressed. The new scheme succesfully breaks the bulk and scale of development on the site with a revised design which responds to its context. The new scheme also changes the relationship to near neighbours and now retains a 45 degree angle to windows. The new scheme also proposes a markedly different landscaping scheme to the front.

The application is recommended for approval, subject to conditions.

## 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 5802-A101A; 5802-A102A; 5802-A105B; 5802-A100B, 5802- A106 and 5802-A103 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 (2012), Part 2 (2020) and the London Plan (2021).

**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 (2020).

**4 RES12 No additional windows or doors**

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 additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved.

**REASON**

To prevent overlooking to adjoining properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

**5 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 any extension or other alteration to any of the dwellinghouses 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)

**6 RES23 Visibility Splays - Pedestrian**

The accesses for the proposed car parking shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.

**REASON**

In the interests of highway and pedestrian safety in accordance with policy DMT 2 of the

Hillingdon Local Plan Part 2 (2020).

**7 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
  - 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 for at least 2 cycles per dwelling, located at the rear of each dwelling
  - 2.c Means of enclosure/boundary treatments
  - 2.d Car Parking Layouts (including demonstration that at least 2 of the parking spaces are served by active electric vehicle charging points and the remaining being passive charging spaces, at least 1 space shall be disabled parking compliant, and the layout and specifications of safe pedestrian routes)
  - 2.e Hard Surfacing Materials
  - 2.f External Lighting
  - 2.g Other structures (such as play equipment and furniture)
3. Details of Landscape Maintenance
  - 3.a Landscape Maintenance Schedule for a minimum period of 5 years
  - 3.b Proposals for the replacement of any tree, shrub, or area of turfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased
4. The landscape scheme shall incorporate details of the landscaping and habitat recommendations outlined in Chapter 7 of the submitted Ecological Impact Assessment (prepared by MM Ecology) and other measures to provide ecological enhancement.
5. Schedule for Implementation

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 Policy G5 of the London Plan (2021).

**8 RES8 Tree Protection**

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or

development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority. Such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details.

The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

- 2.a There shall be no changes in ground levels;
- 2.b No materials or plant shall be stored;
- 2.c No buildings or temporary buildings shall be erected or stationed;
- 2.d No materials or waste shall be burnt; and
- 2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

3. Where the arboricultural method statement recommends that the tree protection measures for a site will be monitored and supervised by an arboricultural consultant at key stages of the development, records of the site inspections / meetings shall be submitted to the Local Planning Authority.

#### REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy DMHB 14 of the Hillingdon Local Plan Part 2 (2020).

#### **9 RES19 Ecology**

No development shall take place until a scheme to protect and enhance the nature conservation interest of the site has been submitted to and approved in writing by the Local Planning Authority. This shall include a suitable Construction Environment Management Plan. The development shall be carried out and maintained in accordance with the details approved.

#### REASON

In order to encourage a wide diversity of wildlife on the site in accordance with policy DME1 7 of the Hillingdon Local Plan Part 2 (2020) and London Plan (2021) G5.

#### **10 RPD2 Obscured Glazing and Non-Opening Windows (a)**

The first floor side elevation windows of the dwellings hereby approved and the first floor rear elevation windows serving the en-suites, shall be glazed with permanently obscured glass 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 policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

#### **11 NONSC Non Standard Condition**

Prior to works commencing, details of step free access via the principal private entrances, and all other points of entry and exit, 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 2021 London Plan policy D7 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 the 2021 London Plan policy D7 is achieved and maintained.

**13 RES6 Levels**

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

**14 NONSC Non Standard Condition**

Prior to the commencement of any site clearance, demolition or construction work, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its approval. The plan shall detail:

- (a) The phasing of development works
- (b) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours)
- (c) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities)
- (d) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours)
- (e) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process
- (f) The storage of demolition/construction materials on site.

The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

REASON

To safeguard the amenity of surrounding areas in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

**15 NONSC Non Standard Condition**

No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management and water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- 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;
- vi. Provide details of how the dwellings will achieve a water efficiency standard of no more than 110 litres per person per day maximum water consumption.

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 Policies SI2 and SI 13 of the London Plan (2021).

#### **16 NONSC Non Standard Condition**

Prior to the commencement of the development hereby approved, a sustainability and energy statement shall be submitted to and approved in writing by the Local Planning Authority. The sustainability and energy statement shall demonstrate how a 10% reduction in carbon dioxide emissions beyond Building Regulations requirement Part L 2013 (TER Baseline) has been achieved including full technology specifications and locations.

#### REASON

To ensure the development contributes to minimising the effects of, and can adapt to a changing climate in accordance with Policies DMEI 2 and DMEI 10 of the Hillingdon Local Plan: Part 2- Development Management Policies (2020) and Policy SI 2 of the London Plan (2021).

### **INFORMATIVES**

#### **1 152 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).

#### **2 153 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 (2021).

- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm



DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMHD 1	Alterations and Extensions to Residential Dwellings
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMEI 10	Water Management, Efficiency and Quality
LPP G1	(2021) Green infrastructure
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature
LPP GG4	(2021) Delivering the homes Londoners needs
LPP H1	(2021) Increasing housing supply
LPP H10	(2021) Housing size mix
LPP H2	(2021) Small sites
LPP D1	(2021) London's form, character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D7	(2021) Accessible housing
LPP D6	(2021) Housing quality and standards
LPP D8	(2021) Public realm
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF2	NPPF 2021 - Achieving sustainable development
NPPF4	NPPF 2021 - Decision-Making
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes
NPPF9	NPPF 2021 - Promoting sustainable transport
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places

### **3            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.

#### 4 173 **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 large detached dwelling located on the southern side of The Avenue. It is situated within a large plot of approximately 1400sqm. To the east is No. 29 The Avenue, which is a large 7 bed replacement dwelling set within a similar sized site. To the west is no. 21 The Avenue. This property is a linked detached dwelling, which forms a matching pair with No. 19, both set within smaller plots. To the rear is the Gravel Pits, an area of woodland of historical, geological and ecological value which is designated green belt.

The site itself is not within the designated greenbelt, however it is subject to an area tree preservation order.

The street scene is residential in appearance, predominantly characterised by generous plot sizes with a leafy open character and dwellings which are set back from the road.

#### 3.2 **Proposed Scheme**

The application seeks planning permission for 4no. 2-storey semi-detached dwellings with associated amenity space, parking and 4no. vehicular crossovers.

#### 3.3 **Relevant Planning History**

13305/APP/2007/2946 25 The Avenue Northwood

ERECTION OF A THREE STOREY BUILDING (INCLUDING ROOFSPACE ACCOMMODATION) TO PROVIDE 4 FOUR-BEDROOM TOWNHOUSES WITH INTEGRAL GARAGES AND CAR PORTS, SINGLE STOREY REAR CONSERVATORIES AND LANDSCAPING (INVOLVING DEMOLITION OF THE EXISTING DWELLINGHOUSE).

**Decision:** 11-12-2007 Refused

13305/APP/2008/1212 25 The Avenue Northwood

ERECTION OF A TWO STOREY BUILDING COMPRISING FOUR TERRACE PROPERTIES (2 THREE-BEDROOM AND 2 FOUR-BEDROOM INCLUDING ACCOMMODATION WITHIN THE ROOFSPACE), TOGETHER WITH ASSOCIATED PARKING AND AMENITY SPACE (INVOLVING DEMOLITION OF THE EXISTING DWELLING (OUTLINE APPLICATION FOR APPROVAL OF ACCESS, APPEARANCE, LAYOUT AND SCALE ONLY).

**Decision:** 05-06-2008 Withdrawn

13305/APP/2020/2690 Wyldewoode 25 The Avenue Northwood

Four x 2-storey, 3-bed terraced dwellings with habitable roofspace, parking and amenity space, installation of vehicular crossover to front and demolition of existing dwelling

**Decision:** 18-11-2020 Refused

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

In 2007 an application for four townhouses was refused due to the impact on the character of the area and inadequate information on protecting trees and landscaping (ref. 13305/APP/2007/2946). This application is markedly different in design and scale to that proposed.

The most recent and relevant planning application to this decision is ref.13305/APP/2020/2690 which was for a terraced row of 4x two-storey dwellings with habitable roof space. This application was refused on 23 November 2020 for the following reasons:

1. The proposed development, by reason of its size, scale, bulk, height and design, would constitute an over development of the site that would result in a poor and incongruous form of development that would be detrimental to the character, appearance and visual amenities of the street scene and the surrounding area. The proposal is therefore contrary to Policies BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 1 and DMHB 11 and DMHB 12 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020), Policy 7.8 of the London Plan (2016) and the NPPF.

2. The proposal would by reason of its excessive height, depth and proximity would result in harm to the residential amenity of occupants at No. 21 The Avenue by reason of loss of light, outlook and overbearing impact. The proposal is therefore contrary to Policies DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policies 3.5 and 5.3 of the London Plan (2016).

3. The proposed landscaping scheme to the site frontage including the proposed boundary treatment would be harmful to the open and verdant character of the site, the street scene and the wider area. The proposal is therefore contrary to Policy DMHB 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

The current application revises the form and footprint proposed for the four dwellings and now proposes 2no. pairs of semi-detached dwellings, rather than a terraced row.

The first reason for refusal centred around the scale of the building and its overall width, spanning most of the plot. The roof form proposed was also considered to exacerbate the bulk as it comprised of several large box dormers as well as a large flat projection in the centre. Overall the roof form had the visual effect of a three-storey building which was at odds within The Avenue street scene which is characterised mainly by two-storey houses. It was also considered that the proposal would be an inadequate replacement for the

attractive, traditional house that was to be demolished, as it would fail to incorporate any features which gave the original house an element of distinctiveness.

The second reason for refusal concerned the loss of outlook from and overbearing impact on No. 21 The Avenue. This was due to the height and depth of the proposed single storey rear element, which would include tall brick privacy screens to balconies above, increasing the height of the single storey element to 5.15m.

The final reason for refusal concerned the large expanse of hardstanding to the front of the property, as well as a series of gates which enclosed the frontage. In a street scene that was generally open and verdant, with only low boundary walls and high levels of soft landscaping this was considered harmful to the character of the area. Concern was also raised with the visual impact of the proposed communal parking layout which is more typical of flatted developments, rather than family houses characteristic of this area.

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

##### 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 (2021)

##### Material Considerations

The National Planning Policy Framework (NPPF) (2021) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

#### **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  
DMHB 12 Streets and Public Realm  
DMHB 14 Trees and Landscaping  
DMHB 15 Planning for Safer Places  
DMHB 16 Housing Standards  
DMHB 17 Residential Density  
DMHB 18 Private Outdoor Amenity Space  
DMHD 1 Alterations and Extensions to Residential Dwellings

DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMEI 10	Water Management, Efficiency and Quality
LPP G1	(2021) Green infrastructure
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature
LPP GG4	(2021) Delivering the homes Londoners needs
LPP H1	(2021) Increasing housing supply
LPP H10	(2021) Housing size mix
LPP H2	(2021) Small sites
LPP D1	(2021) London's form, character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D7	(2021) Accessible housing
LPP D6	(2021) Housing quality and standards
LPP D8	(2021) Public realm
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
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NPPF2	NPPF 2021 - Achieving sustainable development
NPPF4	NPPF 2021 - Decision-Making
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes
NPPF9	NPPF 2021 - Promoting sustainable transport
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

17 neighbouring properties were consulted by letter dated 26.3.21 and 8.9.21. The second consultation was as a result of revisions to the proposed scheme to the parking layout, and a reduction in depth of the proposed dwellings and their subsequent projection to the rear.

Objections to the proposal have been received from 9 neighbouring properties. The matters raised are summarised as follows:

1. Overdevelopment of the site
2. The changes compared to the previous refusal are minor and the refusal reasons have not been overcome
3. Harmful impact on amenity particularly due to the large buildings extending closer to neighbouring boundaries
4. The new buildings would give rise to overdominance, loss of outlook/views and loss of light
5. Concerns about the parking provision
6. Concerns with regard to overlooking from new windows in closer proximity and a subsequent loss of privacy
7. 2/3 houses would be more appropriate, the density is unacceptable as proposed
8. Harm to the streetscene
9. Comments regarding consultation process/did not receive a letter
10. Disagree with statements in the Design and Access Statement/submission
11. Breaches 45 degree rule
12. Side windows should be obscure glazed
13. Office would provide a 5th bedroom
14. Inadequate refuse arrangements

Officer note: The material planning issues raised are addressed in the main body of this report. In respect of point 9, consultation by the Council has exceeded statutory requirements.

A petition of objection has been received with 35 valid signatories.

NORTHWOOD RESIDENTS ASSOCIATION - Objection.

The matters raised in the first round of consultation are summarised as follows:

- These are 5 bedrooms rather than 4, as there is a study in the loft
- Development still appears bulky and overdevelopment
- Overdominant and breach of 45 degree rule for No. 21
- First floor side elevation windows should be conditioned to be obscure glazed and un-openable below 1.8m
- Refuse storage is shown down side walkways - indicative of how tight the site is
- The proposed parking is tight for manoeuvring and number of parking spaces is insufficient for visitor parking

Following re-consultation the Northwood Residents Association provided the following comments:

"There has been a marginal reduction to the rear elevation including a cut out adjacent to No 21 The Avenue, but nowhere near sufficient to prevent the over dominance that would occur if consent were granted. However, they haven't dealt with the other points on refuse and parking, and the structure still appears to be bulky and over dominating. As the amendments are minor the objection already submitted still stands, the 45 degree rule is a maximum, and the slight amendment to the plan remains overdevelopment"

Officer note:

The impact of the scale of the proposal on the residential amenity of No. 21 is addressed within the main body of this report and is considered acceptable. The revised parking layout is considered an improvement to the visual appearance and character of the area, with sufficient room for entering and egressing the site. In terms of numbers of parking spaces provided (2 spaces per each dwelling), this is compliant with planning policy and would not discernibly exacerbate congestion or parking stress. Each proposed plot is considered suitably large enough to accommodate refuse storage, to be deposited at the kerb on collection day. The specific details of refuse storage would be secured by condition. A condition has been recommended requiring the obscure-glazing of the first floor side elevation windows. At 197sqm gross internal floor area for each dwelling, this would be sufficient for a 5-bedroom dwelling if each study (9sqm) was counted as a single bedroom. The requirement for a 5-bedroom, 7person dwelling over 3-storesys is 125sqm.

### **Internal Consultees**

HIGHWAYS OFFICER

#### Parking Provision

It is proposed to provide a new build containing 4x4 bedroom terraced residential units. 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. The maximum standard requires 2 spaces for each unit resulting in a requirement for 8 on-plot spaces. 8 communal spaces are to be provided hence this meets the parking standard. The allocation of spaces per house would benefit from a parking allocation plan secured by way of planning condition.

#### Disabled Compliant Parking Provision

In accord with the parking standard - 10% of parking spaces should be disabled compliant equating to 1 space. This is not indicated on-plan hence should be secured via planning condition.

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

In line with the London Plan (2021), within any final parking quantum there is a requirement for a minimum 20% 'active' EVCP provision with all remaining spaces (80%) being designated as 'passive' provisions which equates to 2 'active' and 6 'passive' spaces. This has not been fully acknowledged by the applicant who has indicated the provision of 4 'passive' spaces only, hence this aspect should be remedied accordingly and facilitated by way of a parking allocation plan to secure the appropriate level of EVCP's and parking provision for each flat. Again, a suitable planning condition should be applied.

#### Cycle Parking Provision

In terms of cycle parking there would be a requirement to provide 2 secure and accessible spaces for each of the units to accord with the Council's adopted cycle parking standard. This would total a requirement of 8 suitably located spaces. The positioning of 2 spaces to the rear of each new build is considered acceptable in principle.

#### Vehicular Access Provision

There are two carriageway crossings emerging onto The Avenue which serve the existing dwelling. Both are to be re-provided in a realigned position.

The new access points and extinguishment of old would need to be facilitated at the

applicant's/developer's expense with the crossing provisions conforming to Council standards in terms of build quality and dimension with specific reference and conformity to the Council's 'Domestic Vehicle Footway Crossover' 2019 Policy. Finalised detail would be arranged post-permission and executed under S184 of the Highways Act 1980 (or suitable alternative arrangement). Indicative designs are considered acceptable and fit for purpose.

Where a gated arrangement to a site envelope is proposed, electronic operation is normally recommended as it helps to ensure a more rapid discharge of a vehicle (or vehicles) entering the site from the public highway and a reduction in 'vehicle stacking' which therefore promotes traffic fluidity and mutual safety for all road users. Such a facility is proposed and is therefore welcomed.

Notwithstanding the above, in safety terms there should be conformity to the relevant mutual inter-visibility sight-line requirements between vehicles leaving the site and extraneous vehicles/pedestrians on The Avenue. It is therefore recommended that the height of walling on either side of the new openings does not exceed 0.6m in height to achieve the aim of satisfactory visibility.

#### Operational Refuse Requirements

Refuse collection will continue via The Avenue. In order to conform to the Council's 'waste collection' maximum distance collection parameter of 10m i.e. distance from a refuse vehicle to the point of collection, arrangements should ensure that waste bin storage is positioned at a collection point within this set distance. It is noted that bin storage positioning is proposed immediately to the rear of the new build which exceeds the above distance parameter. However, it is highly likely that an informal on-plot management regime would be established to ensure that any refuse is positioned within the above distance parameter on collection days. Hence 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 T4, T5 and T6 of the London Plan (2021).

#### Officer note:

Clarification has been sought from the Highway Officer regarding the description and reference to flats. Any additional comments will be reported in the addendum to committee however, this is not expected to raise any concerns given the number of parking spaces and proposed arrangement to the front of the site.

#### ACCESS OFFICER -

Drawing no. 5802- A101 Rev A, shows a compliant entrance level W/C in accordance with Approved Document M to the Building Regulations 2010. No further objections, however, the following conditions should be attached to any planning approval:

Prior to works commencing, details of step free access via the principal private entrances, and all other points of entry and exit, 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 2021 London Plan policy D7 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 2021 London Plan policy D7 is achieved and maintained.

#### LANDSCAPE OFFICER -

This site is occupied by a two-storey detached house, set back from the road within a spacious plot, on the south side of The Avenue. The street is characterized by generous plot sizes and its leafy suburban streets. The plot backs onto The Gravel Pits, a wooded area of historical interest and ecological value. The property was largely concealed behind a tall conifer hedge on the front boundary, which has recently been removed. The site lies within the area covered by TPO 88, however, there are no protected trees at this address.

This site has been the subject of pre-application advice, ref. 13305/PRC/2020/73, and a full application, ref. 13305/APP/2020/1007, which was refused. One of the reasons for refusal was due to the lack of soft landscape enhancement to the front of the property which would have been detrimental to the character and appearance of the area and failed to satisfy policy DMHB14.

The current proposal is supported by a tree report, with tree protection measures and an arboricultural method statement, by GHA Trees, last updated in March 2021. The report confirms that there are no trees remaining on the site, with 6 individual trees, or groups on third party land which influence this site. Two of the trees are grade B; group G1 and T5 a sycamore. The other four trees are of lower quality / value, rated grade C. All of these trees should be safeguarded, provided that the protection measures are strictly adhered to.

An ecological impact assessment has been undertaken by MM Ecology, dated July 2020. Recommendations in chapter 7 include the need for a Construction Environmental Management Plan. Other ecological mitigation measures should be provided as part of a comprehensive landscape plan, if the application is approved. The current amended layout proposal, Seabrook drawings 5802/A100 and A105, continues to propose a front 'garden' comprising wall to wall grey infrastructure of hard surfacing for car parking and boundary treatments with little, if any, space for soft landscape enhancement. No attempt has been made to replace, or provide, green infrastructure, for which this area is known. The proposal will be detrimental to the verdant character and appearance of the area. - These drawings fail to satisfy policy DMHB14

Seabrook drawing 5802-A100 Rev B proposes an amended parking layout for 8 cars parked perpendicular to the roadside, thereby removing the need for on-site vehicle manoeuvring space. This plan is diagrammatic and simplified showing no dedicated pedestrian access to the front of the building. However, this parking arrangement (if acceptable to highways) has the potential to create space and opportunity for green infrastructure / living landscape.

#### Recommendation:

The layout as proposed in Seabrook drawings 5802/A100 and A105 remains unacceptable as it fails to address the previous landscape reason for refusal.

The layout indicated on drawing ref. 5802-A100 Rev B may be acceptable, subject to detail. Further detail is required about the requirement for safe pedestrian routes, and the accommodation of bike / bin stores which, ideally, should be located to the rear of the building.

If you are minded to approve the application please add pre-commencement condition RES8 (Construction Management Plan which should incorporate ecological measures and the

arboricultural method statement) and conditions RES9 (parts 1,2,5 and 6).

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

The National Planning Policy Framework (NPPF, 2021) has a requirement to encourage the effective use of land in meeting the need for homes and other uses.

Policy GG4 of the London Plan (March 2021) seeks to ensure that London's housing needs are met. This objective is reiterated in the Mayor of London's Supplementary Planning Guidance (SPG) on Housing, although it is noted that in achieving housing targets, full account must be given to other policy objectives.

Policy H1 of The London Plan (2021) promotes the optimisation of housing output within different types of location.

This is an existing residential unit set in a spacious plot. The site lies within an established residential area where there would be no objection in principle to the intensification of the residential use of the site, subject to all other material planning considerations being acceptable, in accordance with policies outlined in the Hillingdon Local Plan (November 2012 and January 2020).

Policy BE1 of the Local Plan: Part 1 - Strategic Policies (November 2012) advises that new development, in addition to achieving a high quality of design, should enhance the local distinctiveness of the area, contribute to community cohesion and sense of place and make a positive contribution to the local area in terms of layout, form, scale and materials and seek to protect the amenity of surrounding land and buildings, particularly residential properties. Specifically, the policy advises that development should not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas and increase flood risk. These and other material planning issues are considered throughout this report.

#### **HOUSING MIX**

Policy H10 of The London Plan encourages the Council to provide a range of housing choices in order to take account of the various different groups who require different types of housing.

Policy DMH 2 of the Hillingdon Local Plan: Part 2 - 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's current information on housing need indicates a substantial borough-wide requirement for larger affordable and private market units, particularly 3 bedroom properties, as identified in the Strategic Housing Market Assessment 2016.

The proposal is for 4 x four-bedroomed properties. Whilst this would not provide a mix of housing sizes, the same applied to the refused scheme (albeit 4 x three-bedroomed units were proposed), where no concerns were raised in respect to housing mix. It is considered that this proposal would support the provision of family sized housing for which there is a need in the borough, and as such the proposed housing mix in this case is acceptable.

### **7.02 Density of the proposed development**

It should be noted that the density matrix found in the 2016 London Plan does not form

part of the new London Plan (2021). Policy D3 of the London Plan (2021) states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites.

Policy DMHB 17 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all new residential development should take account of the Residential Density Matrix contained in Table 5.2, which recommends a density range of 35 - 65 u/ha in a suburban area with a PTAL score of 2. The proposal equates to 30 units per hectare which is just below the suggested density range.

The form, layout, quality, character and impacts of the proposed development are considered in the following sections of this report. Based on these considerations, the proposed density of the development is considered to be appropriate and is not contrary to Policy D3 of the London Plan (2021).

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

Not applicable as the application property is not statutorily listed, and the site is not situated within any Archaeological Priority Area, Conservation Area or Area of Special Local Character.

#### **7.04 Airport safeguarding**

Not applicable to this application.

#### **7.05 Impact on the green belt**

The site is not located within the green belt, although the land directly to the south of the site is designated greenbelt. It is not considered that the proposal would have any discernable impact on the openness of the adjacent greenbelt, as a result of the proposed built development being situated away from the rear boundary. The recommended landscaping condition would ensure that a suitable boundary treatment can be agreed for the site edge adjoining the greenbelt.

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

Paragraph 126 of the NPPF (2021) seeks the creation of high quality, beautiful and sustainable buildings. Parts b) and c) of paragraph 130 of the NPPF (2021) states that planning policies and decisions should ensure that developments are visually attractive as a result of good architecture and are sympathetic to local character and history, including the surrounding built environment.

Policy D3 of the London Plan (2021) requires that development proposals should: Form and enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

Policy BE1 of the Hillingdon Local Plan (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) states that 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 by taking into account the surrounding: · scale of development, considering the height, mass and bulk of adjacent structures; · building plot sizes and widths, plot coverage and established street patterns; · building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure; architectural composition and quality of detailing; local topography, views both from and to

the site; and impact on neighbouring open spaces and their environment. 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 un-designated, and their settings; and v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

The proposal differs from that previously refused in that it now proposes two pairs of semi-detached dwellings, rather than a terrace of four. The 2no. pairs of semi's would have a ridge height of 8.82m with a small flat roofed dormer to the front of each of the properties. The roof would be hipped with a central crown and the rear projection would be hipped without the crown roof.

The proposal would involve the demolition of what is currently a very attractive, traditional house. It's key features include it's hipped, tiled roof with tall brick chimney stacks and a cat-slide element to the rear. The existing property also has a traditional arched porch to it's front elevation which gives the house an element of distinctiveness. Whilst its loss is regrettable, the building is not protected by any designation and the design of the new scheme does successfully incorporate cues from the original dwelling by appearing traditional in form and design.

The massing across the site has been successfully revised. The two pairs of properties retain a gap between them which allows views through the site. The previous application spanned almost the full width of the site and this is no longer proposed, with visual relief between the pairs now being retained. The buildings are also more proportionate to other buildings within the street, reflective of the established character. Whilst a crown roof is proposed, this has been reduced and it is noted that crown roofs are not an uncommon feature in the locality with examples seen at No. 29, 21 and 19. Even with the proposed crown, the roof form overall would be more traditional with a consistent and traditional eaves line, hipped roof slope and modest front dormers. Most notably the proposed semi-detached dwellings would now have the scale and appearance of two-storey dwellings within the street scene. The previous scheme presented as a three storey building with a markedly different scale and presence as a result.

It is noted that the dwellings would still be higher than No. 29 The Avenue, however this is considered appropriate given the change in ground levels increasing in height from east to west. Details of the proposed levels have been secured by condition to ensure this relationship is appropriate across the site. A condition has also been recommended to secure details of materials to ensure the design intent, to refer to the original building, is executed successfully with the design and finish of the new buildings.

Overall, the proposed dwellings would appear proportionate and are now proposed at a suitable scale and height. The revised design and semi-detached footprint have also helped overcome any concerns relating to bulk and massing, helping the properties to integrate into the established streetscene of The Avenue.

It is therefore considered that the first reason for refusal has been suitably addressed and that the new scheme has an acceptable impact on the character and appearance of the streetscene and wider area.

Also of relevance to the impact on character and appearance is refusal reason 3 on the previous application. The area has a generally open and verdant character which is important to retain as part of the new proposal. The revised site layout indicates an open

frontage with the provision of 2 parking spaces for each dwelling with the provision of a large area of soft landscaping. This helps to integrate the properties and has been secured by condition.

In summary, whilst the proposal would result in an intensification of this site, with a resultant increase in built form, the scale, form and design of the proposed dwellings is considered, on balance, to relate to the character and appearance of the street scene in accordance with the aforementioned policies.

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

Policy DMHB 11 of the Local Plan: Part Two - Development Management Policies (2020) advises that all development should not have an adverse impact on the amenity, daylight and sunlight of adjacent properties and open space.

Paragraph 5.38 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that: "The Council will aim to ensure that there is sufficient privacy for residents and it will resist proposals where there is an unreasonable level of overlooking between habitable rooms of adjacent residential properties, schools or onto private open spaces. A minimum of 21 metres separation distance between windows of habitable rooms will be required to maintain levels of privacy and to prevent the possibility of overlooking. In some locations where there is a significant difference in ground levels between dwellings, a greater separation distance may be necessary."

Paragraph 5.40 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that: "For the purposes of this policy, outlook is defined as the visual amenity enjoyed by occupants when looking out of their windows or from their garden. 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."

The proposed site plan identifies that the proposed dwellings would be set in from the boundaries shared with near neighbours and maintains a similar front building line to the adjacent properties.

To the east, No. 29 is a larger property and the proposed dwellings would project approximately 2.5m beyond the adjacent rear elevation of No. 29 at both first and ground floor level. Given the degree of separation between the properties, the moderate projection beyond the rear building line of No. 29, and that the proposal does not contravene a 45 degree line of sight, it is considered that the proposal would not significantly impact on the occupiers of this property in terms of daylight, sunlight and sense of enclosure.

To the other side, No. 21 is a smaller property. The proposed dwellings would be set off this boundary, and retain a distance of approximately 3m between flank walls, but project approximately 6.5m beyond the rear of this dwelling at ground floor and 2.6m at first floor. There is also a further projection at first floor level for the central portion of the semi-detached dwellings. The rearwards projection is large, however, this has been reduced in depth since the previously refused application. It is also important to note that there is a 2m difference between the proposed dwelling and no 21's window sill height at ground and first floor level. This means the proposed dwellings are nearly 2m lower than this neighbour. As a result of this relationship, the two-storey element would, on balance, be acceptable. The rear projections would also retain a 45 degree line of sight from the nearest first and ground floor windows at No. 21. Overall, whilst the depth of the new dwellings would be notable, this depth is not considered harmful. The resultant depth would not unduly harm the residential amenity of No. 21 in terms of light, outlook or

enclosure.

In terms of privacy the principal windows for the proposed dwellings will face to the front and rear of the site. There are also side elevation windows shown at ground and first floor. At ground floor, any overlooking would be obstructed by boundary treatment (to be secured by condition) and at first floor these would serve non habitable rooms. For the side elevation windows at first floor a condition has been recommended to ensure these windows are obscure glazed and non opening below 1.8m from the finished internal floor levels. Therefore these windows would not result in harmful overlooking to neighbouring properties.

Concerns have been raised in representations about the loss of privacy to properties on Chelwell Close adjoining the site to the south west. The proposed first floor windows closest to those properties (i.e. the proposed windows in the projecting first floor rear elements) would serve ensembles and a condition is recommended to secure obscure glazing and non-opening panels below 1.8m from floor level. Aside from these windows, there would also be rear facing bedroom windows and rooflights, however these would be positioned further away than the ensuite windows. Given the separation distances (which are similar to the relationship of these properties with No. 21 The Avenue) and that views from the rear elevations of the proposed dwellings would be at oblique angles, it is considered that the proposal would not result in an undue loss of privacy to these neighbours.

Oblique views from the proposed rear bedroom windows/rooflights across the rear gardens of the adjacent neighbouring properties (no. 21 and no. 29) would represent a typical arrangement in a residential area and would not be considered to cause undue loss of privacy.

For the reasons detailed above, it is considered that the proposed dwellings would not have an unduly harmful impact on the residential amenity of the above mentioned neighbouring residents. There are no other residential properties considered potentially adversely affected given the separation distances from the proposed dwellings.

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

Policy DMHB 16 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. Each of the proposed houses at 197m<sup>2</sup> would be well in excess of the Council's minimum standards for floor space for 4 bed (6 person) dwellings. Each dwelling would also be dual aspect with good outlook and privacy, and would overall provide a good standard of living accommodation.

Policy DMHB 18: Private Outdoor Amenity Space states that all new residential development and conversions will be required to provide good quality and useable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.2. All 4no. dwellings would exceed the 100 square metres requirement for a 4 plus bedroom dwelling with genuinely usable and good quality rear gardens. The landscaping condition would further secure this quality space.

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

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 pedestrians 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.

Policy DMT 6: Vehicle Parking states:

A) Development proposals must comply with the parking standards outlined in Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity.

The Council may agree to vary these requirements when:

i) the variance would not lead to a deleterious impact on street parking provision, congestion or local amenity; and/or

ii) a transport appraisal and travel plan has been approved and parking provision is in accordance with its recommendations.

B) All car parks provided for new development will be required to contain conveniently located reserved spaces for wheelchair users and those with restricted mobility in accordance with the Council's Accessible Hillingdon SPD.

The proposal as amended includes the provision of 8 on site parking spaces (2 for each dwelling) served by 4 x separate crossovers. Secure cycle storage would be secured by way of condition. The Highways Officer has confirmed 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 and DMT 6 and Policies T4, T5 and T6 of the London Plan (2021). The conclusions of these findings are agreed and conditions have been recommended in accordance with Highways advice.

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

Urban design and access have been addressed in this report. There are no issues relating to security, given that the existing access to the front/street elevation would be retained and provide a high degree of surveillance.

#### **7.12 Disabled access**

The Council's access officer has confirmed that subject to appropriate conditions, the proposed dwellings would not raise accessibility concerns in accordance with the requirements of Policy D7 of the London Plan (2021).

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

Not applicable to this application.

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

##### TREES AND LANDSCAPING

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.

One of the reasons for refusal in consideration of the previous application was the lack of soft landscaping to the front of the property which would have been detrimental to the character and appearance of the area, failing to satisfy policy DMHB14. The current proposal is supported by a tree report, with tree protection measures and an arboricultural method statement, by GHA Trees, last updated in March 2021.

Seabrook drawing 5802-A100 Rev B proposes an amended parking layout for 8 cars parked perpendicular to the roadside, thereby removing the need for on-site vehicle manoeuvring space. This plan does not show dedicated pedestrian access to the front of the building, however, this parking arrangement has the potential to create space and opportunity for green infrastructure / living landscape which has been secured by conditions recommended as part of this report.

## ECOLOGY

An ecological impact assessment (MM Ecology, dated July 2020) has been submitted by the applicant. This recommends the need for a Construction Environmental Management Plan and therefore a condition has been recommended to secure this. The recommended landscaping condition would also require submission of details of ecological enhancement measures. With the imposition of these conditions, the proposal is considered to be acceptable in respect of its impact on ecology.

### **7.15 Sustainable waste management**

It is considered that appropriate waste management details can be secured by way of condition.

### **7.16 Renewable energy / Sustainability**

Conditions have been recommended to ensure the development makes appropriate provision for energy and water conservation.

### **7.17 Flooding or Drainage Issues**

No significant issues raised. A condition has been recommended to secure satisfactory drainage provision.

### **7.18 Noise or Air Quality Issues**

There are no significant noise or air quality issues to address as part of this application proposal. However, a construction management plan condition has been recommended to ensure disturbance and pollution are minimised during construction of the development so far as practicable.

### **7.19 Comments on Public Consultations**

The comments raised through the consultation process are addressed in the sections above.

### **7.20 Planning Obligations**

CIL

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for residential developments is £95 per square metre of



additional floorspace. This is in addition to the Mayoral CIL charge of £60 per sq metre.

The proposal would attract a CIL of £79,955.13 and Mayoral Cil of £36,266.73.

**7.21 Expediency of enforcement action**

Not relevant to the consideration of this application.

**7.22 Other Issues**

No other issues raised.

**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 Probity 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**

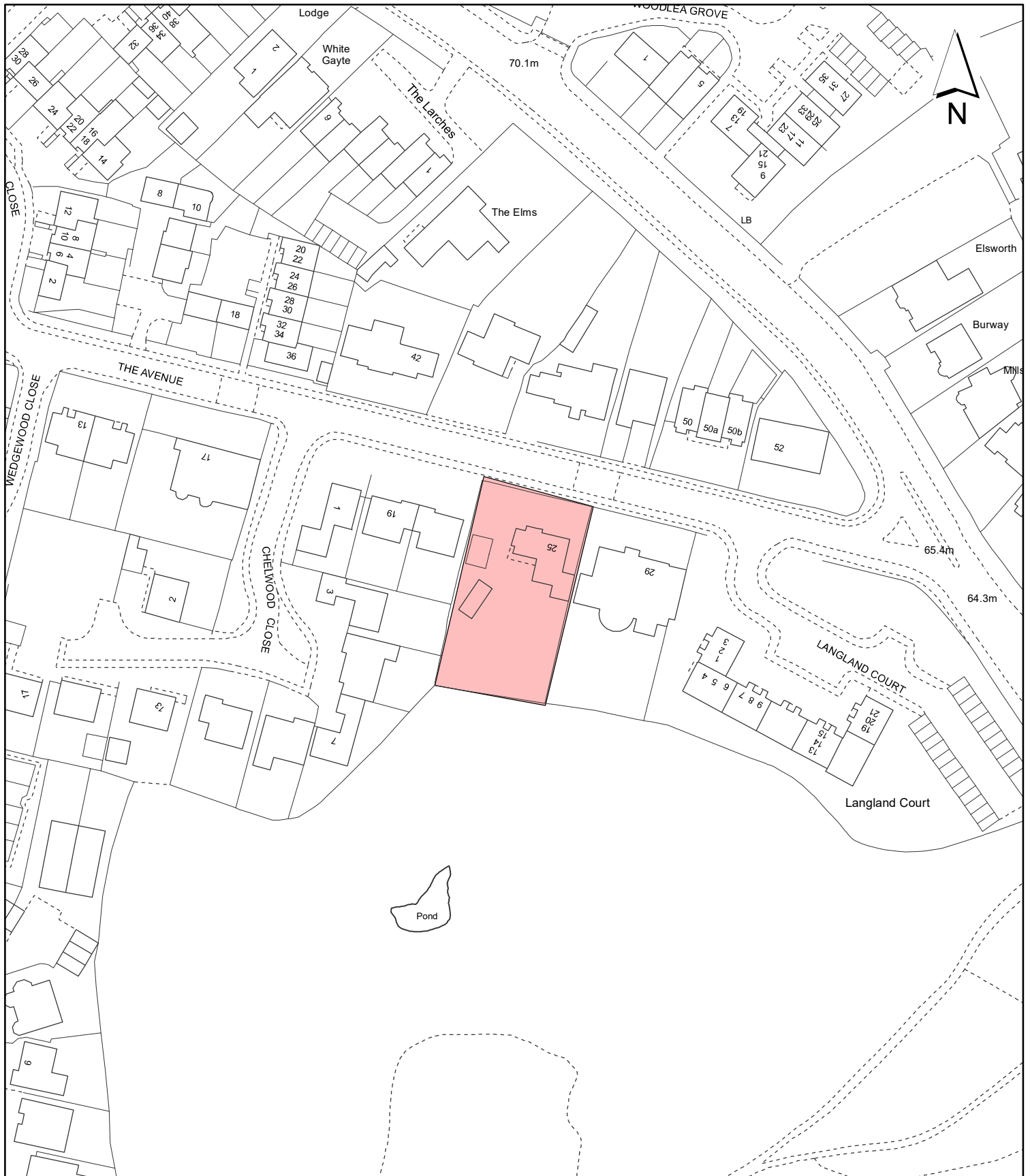
The application has overcome the previous reasons for refusal and is considered to have an acceptable impact on the character and appearance of the streetscene and locality and the amenities of neighbouring residents. The application offers an acceptable parking arrangement, four good quality, family-sized homes and appropriate landscaping. The application is recommended for approval, subject to conditions.

**11. Reference 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 (2021)

**Contact Officer:** Nicola Taplin

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

For identification purposes only.  
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Site Address:

**Wyldewoode  
 25 The Avenue**

**LONDON BOROUGH  
 OF HILLINGDON  
 Residents Services  
 Planning Section**

Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:

**13305/APP/2021/1007**

Scale:

**1:1,250**

Planning Committee:

**BoroughPage 79**

Date:

**February 2022**



**HILLINGDON**  
 LONDON

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A

<b>Item No.</b>	<b>Report of the Head of Planning, Transportation and Regeneration</b>
<b>Address</b>	22 FRINGEWOOD CLOSE NORTHWOOD
<b>Development:</b>	Erection of a single storey annexe for ancillary residential use with glazed link between the annexe and the existing house.
<b>LBH Ref Nos:</b>	<b>42066/APP/2021/4244</b>
<b>Drawing Nos:</b>	Arboricultural Impact Assessment 475-PTA-ZZ-RF-DR-A-1003 Rev. P04 475-PTA-ZZ-RF-DR-A-1001 Rev. P04 475-PTA-ZZ-00-DR-A-2100 Rev. P04 475-PTA-ZZ-00-DR-A-2000 Rev. P04 475-PTA-ZZ-RF-DR-A-2102 Rev. P04 475-PTA-ZZ-RF-DR-A-2001 Rev. P04 475-PTA-ZZ-RF-DR-A-2401 Rev. P01 475-PTA-ZZ-XX-DR-A-2201 Rev. P04 475-PTA-ZZ-XX-DR-A-2301 Rev. P04 475-PTA-ZZ-XX-DR-A-2301 Rev. P04 Design & Access Statement 475-PTA-ZZ-XX-DR-A-2302_S4-P05

**Date Plans Received:** 17/11/2021

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

**Date Application Valid:** 10/12/2021

## 1. CONSIDERATIONS

### 1.1 Site and Locality

The application site relates to land within the curtilage of a two storey detached dwelling located in the South-West corner of Fringewood Close. To the rear and side of the dwelling is a garden area which acts as the private amenity space for the occupiers of the existing property. The site lies within an area which is subject to a Tree Preservation Order and is within a landfill site buffer. The rear boundary of the plot backs onto Green Belt land located to the immediate South of the site.

The surrounding area is residential in character comprising of large two storey detached dwelling houses. The application site lies within the Developed Area as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

### 1.2 Proposed Scheme

Planning permission is sought for the erection of a single storey annexe for ancillary residential use with glazed link between the annexe and the existing house.

### 1.3 Relevant Planning History

42066/88/1318

22 Fringewood Close Northwood

To carry out tree surgery to T59 on TPO 265.

**Decision Date:** 12-07-1988      **Approved**      **Appeal:**  
42066/APP/1999/2196      22 Fringewood Close Northwood

ERECTION OF A TWO STOREY REAR EXTENSION WITH THE OVERALL HEIGHT EXTENDING 2.5 METRES ABOVE THE EAVES LEVEL OF THE EXISTING HOUSE INCLUDING HIGH LEVEL CIRCULAR GLAZING WITH A SHALLOW DOME ROOF

**Decision Date:** 10-12-1999      **Refused**      **Appeal:**  
42066/APP/2000/1715      22 Fringewood Close Northwood

ERECTION OF A TWO AND HALF (2 1/2) STOREY REAR EXTENSION

**Decision Date:** 08-08-2001      **NFA**      **Appeal:**  
42066/APP/2021/2887      22 Fringewood Close Northwood

Single storey annexe building for ancillary residential use with glazed link between the annexe and the existing house.

**Decision Date:** 24-09-2021      **NFA**      **Appeal:**  
42066/TRE/2002/104      22 Fringewood Close Northwood

TO CARRY OUT TREE SURGERY TO ONE HORNBEAM (T59) ON TPO 265

**Decision Date:** 16-05-2003      **Refused**      **Appeal:**

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

The relevant planning history attached to this site is referenced above.

## **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**

Six neighbouring properties and the Northwood Residents Association were consulted on 13th December 2021. The consultation period expired on 06th January 2022. Three letters of support were received along with a petition in support comprising 27 valid signatures.

The comments in support can be summarised as follows:

- Support on the basis of personal need of applicant;
- Benefits to applicant's quality of life and standard of living;
- Allow resident to access garden, as currently steps are a barrier;
- Would not be detrimental to neighbouring properties;
- Annexe set back in garden, therefore would not affect character of Fringewood Close/not visible from Fringewood close.

Planning Officer Comment: Material considerations raised above are addressed in the main body of the report.

The Northwood Residents Association lodged an objection and their comments are copied below:

It is a large annexe which is connected by a glazed walkway rather than attached to the property and would be capable of being adapted to a separate unit as described in the Local Plan Appendix A - A1.17.

Planning Officer Comment:

The concerns raised by The Residents Association will be addressed in the main body of the report.

LBH Tree and Landscape Officer Comments (summarised):

This site is occupied by a two-storey detached house located within a spacious garden plot in the south-west corner of Fringewood Close, a residential cul de sac. The property lies within the area covered by TPO 269 which protects selected trees including a hornbeam, T59 on the TPO schedule. The rear/south boundary of the site backs onto Copse Wood, which is covered by TPO 318 and lies within the Green Belt. COMMENT: A tree report to BS5837:2012, has been prepared by GHA Trees, dated September 2021. The survey has identified and assessed the condition and value of 8 trees / groups of trees which are on, or close to, the site. There are no A grade trees. There are 4 x B grade trees; T1 the protected hornbeam, T2 oak, T3 oak and T5 oak - all of which will be safeguarded and retained as part of the development. There are 4 x C grade trees, of which two will be removed to enable the development; T6 Prunus ssp and G7 a yew hedge. A preliminary method statement with tree protection measures has been submitted. This includes the recommendation (10.1) to nominate a suitable individual to supervise / monitor all arboricultural matters on site. There is no objection to the conclusions of the tree report and the proposal to remove one tree and a hedge, neither of which is protected and both of which are C grade features, which should not normally pose a constraint on development. Replacement tree planting should be included within a comprehensive landscape plan. The main issue appears to be that this 'ancillary' building, linked to the existing house, has a much greater footprint than the host building or the adjacent properties. Although a single-storey annexe, the pitched roof is high and visually dominant. The siting and footprint of the annexe sacrifices much of the currently spacious amenity space. Do the residual areas of garden meet Hillingdon's external amenity space standards? RECOMMENDATION If you are minded to approve this application, please add pre-commencement condition RES8 (Construction Method Statement to incorporate the recommendations within the arboricultural report and provide full tree protection details) and RES9 (parts 1,2,5 and 6) and RES10.

#### **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:

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 18	Private Outdoor Amenity Space
DMHD 1	Alterations and Extensions to Residential Dwellings
DMHD 2	Outbuildings
LPP D1	(2021) London's form, character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D6	(2021) Housing quality and standards
LPP D8	(2021) Public realm
NPPF2	NPPF 2021 - Achieving sustainable development
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places

## 5. MAIN PLANNING ISSUES

The main planning issues are whether the proposed development would be tantamount to the creation of a self-contained residential unit, the quality of living accommodation that would be afforded to future occupiers, the impact of the development on the character and appearance of the area and streetscene of Fringewood Close, the impact on neighbouring residential amenity, the impact on trees and landscaping and both parking and highway safety.

Whether the proposed development would be tantamount to the creation of a self-contained residential unit:

Policy DMH 6 (Garden and Backland Development) 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.

Policy DMHD 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that: i) The use of an outbuilding shall be for a purpose incidental to the enjoyment of the dwelling house and not capable for use as independent residential accommodation; and ii) Primary living accommodation such as a bedroom, bathroom, or kitchen will not be permitted.

It has been established through case law that the distinctive characteristic of a dwellinghouse is its ability to afford those who use it, the facilities required for day-to-day private domestic existence (Gravesham BC v SSE & O'Brien [1982]). Section 254 of the Housing Act 2004 refers to basic amenities comprising a toilet, personal washing facilities and cooking facilities.

The submitted drawings clearly show that the annexe is capable of being used independently from the main house at No.22 Fringewood Close. The annexe would contain open plan living accommodation comprising a kitchen, dining and seating area; a double bedroom; utility room; storage room; and bathroom within a footprint of



approximately 148sq.metres (measured externally).

In addition to this, the occupier would be able to independently access the annexe from the proposed glass link attached to the main dwelling. The occupier of the proposed annexe would not be reliant on the main dwelling for any aspects of the day to day living (i.e. there is no clear functional link). As a matter of fact and degree, it is considered that the proposed development would be tantamount to the creation of a self-contained residential unit. As such, a condition requiring the outbuilding to remain ancillary to the main dwelling is not considered to be enforceable, thus failing to pass the conditions tests set out in paragraph 57 of the NPPF (2021).

It is understood from the details submitted with this application the intention is for the existing occupier of the main dwelling to live within the proposed annexe. The applicant's personal need is supported by a letter written by their doctor which indicates the benefits of living accommodation being provided on one floor with access to the garden. The letter also states that care is provided by family members, however, it is not clear whether care is provided by members of the current household or relatives that provide visiting care. It is also unclear who would occupy the main dwelling once the existing occupier has moved into the proposed annexe.

The submitted plans show that the main dwelling at 22 Fringewood Close provides generous living accommodation over two floors and it is noted the ground floor footprint excluding the garage measures 108sq.metres. It is therefore questioned why the main dwelling could not be adapted to form an accessible bedroom and accessible living accommodation on the ground floor thereby utilising the existing floor area. In any respect, the harm detailed within this report and the reasons for refusal, are not outweighed by the demonstrated, personal need.

The proposed erection of a self-contained residential annexe in the rear garden of 22 Fringewood Close is considered directly contrary to Policies DMH 6 and DMHD 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020). In accordance with statute, decisions must be made in accordance with the development plan unless other material considerations exist. The applicant's personal circumstances are a material consideration and weigh into the balance, however, based on the evidence that has been provided, it has not been successfully demonstrated that these should outweigh the direct conflict with Development Plan policy and the harm identified in this report.

#### Quality of Living Accommodation:

Policy D6 of the London Plan (2021) states that housing development should be of high quality design and provide adequately sized rooms. Table 3.1 of the London Plan (2021) requires a one bedroom 1 storey dwelling to have a minimum gross internal floor area of 39 square metres (or 37 square metres).

Policy DMHB 16 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that all housing development should have an adequate provision of internal space in order to provide an appropriate living environment.

Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) requires all new residential development to provide good quality and

useable private amenity space in accordance with Table 5.3 which requires a 1 bedroom house to have at least 40 square metres of private outdoor amenity space. Houses with four-bedrooms or more are required to have at least 100 square metres of private outdoor amenity space.

The primary living space within the proposed unit would be served by glazing facing onto the rear garden area. The plans indicate that the bedroom would benefit from a door/window assembly. The utility and storage rooms are non-habitable rooms and do not benefit from windows.

With a gross internal area of 130 sq. metres, the proposed self-contained residential unit would exceed the London Plan's minimum space standard requirements. However, the floor area of a residential unit is not the only consideration when it comes to assessing the quality of accommodation that would be afforded to future occupiers. The plans indicate that no private amenity space would be afforded to the future occupier of the self-contained residential unit. It is accepted that sufficient garden area could be retained for both the main dwelling and annexe albeit as a shared garden. However, this arrangement would not be acceptable due to the size of the properties and the identified need for a private garden space as well as the annexe being capable of functioning independently of the main dwelling. Occupiers of either property could approach private rear windows of another dwelling at any time, with unrestricted comings and goings and simultaneously the garden area would be directly overlooked by each occupier at the main house and in the annexe.

Having regard to the above, it is considered the proposal would not provide good quality useable private outdoor amenity space and would therefore give rise to a substandard form of living accommodation. The proposal, therefore, conflicts with Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D6 of the London Plan (2021) and paragraph 130(f) of the NPPF (2021).

#### Character and Appearance:

Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that all development, including extensions, alterations and new buildings, must harmonise with the local context by taking into account the surrounding settings.

Policy DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development should be well integrated with the surrounding area and accessible.

Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) 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.

Policy DMHD 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states - The Council will require residential outbuildings to meet the following criteria: i) the building must be constructed to a high standard of design without compromising the amenity of neighbouring occupiers; ii) the developed footprint of the proposed building must be proportionate to the footprint of the dwelling house and to the residential curtilage in which it stands and have regard to existing trees; iii) the use shall be for a purpose incidental to the enjoyment of the dwelling house and not capable for use as independent residential accommodation; and iv) primary living accommodation such as a bedroom, bathroom, or kitchen will not be permitted.

The immediate context of the site is predominately residential in nature, with occupation generally restricted to the main dwelling houses. Also, it is observed that for the most part the rear gardens of the properties on Fringewood Close appear open in nature. The proposed annexe would measure approximately 13.2 metres deep and 12.4 metres wide with a building height of 6 metres. It is also noted that the footprint of the annexe exceeds the footprint of the host building and those of the neighbouring properties. The annexe would cover almost a quarter of the rear garden area which would erode the spaciousness of the existing garden area.

Due to its substantial size, footprint and height, the proposed outbuilding would appear as a cramped, overly dominant and incongruous addition within the rear garden of No.22 Fringewood Close. Moreover, due to the prominent corner plot position of the site, public views of the proposed building would be visible from the street scene on Fringewood Close, where it would appear more as a small dwelling rather than an ancillary outbuilding. Whilst existing hedges along the west boundary would partly screen views from the west, due to the scale, height and massing of the proposal, it would be visible from the surroundings including when viewed from Ducks Hill Road.

It is also worth highlighting that there are no other examples of outbuildings/annexes of a similar scale, size and form as that being proposed within the immediate locality. It is therefore considered that the proposed development would have a negative impact on the street scene, and appear completely at odds with the prevailing pattern of development within the local area. In this context the development relates poorly to established plot widths, built form and development in the local area.

One of the core planning principles of the NPPF is to encourage the effective use of land by reusing land that has been previously developed (Brownfield Sites). Residential gardens are excluded from the definition of previously developed land as defined in Annex 2: Glossary of the NPPF. Therefore, the proposed development would not adhere to the above core planning principles by making use of previously undeveloped land, and would be considered to constitute 'Garden Grabbing'. In addition, Policy BE1 of the Hillingdon

Local Plan: Strategic Policies (November 2012) specifies that all new development should not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas.

It is considered that the proposed development would not complement or harmonise with the street scene and the appearance and positioning of the proposed self-contained annexe would be contrary to the prevailing pattern of development within Fringewood Close. Subsequently, it is considered that the proposal would not complement or improve the surrounds, nor enhance the local character of the area.

In light of the above, it is considered that the proposed annexe would have a significantly harmful impact on the character, appearance and visual amenities of the area. The proposal therefore conflicts with Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012), Policies DMH 6, DMHB 11, DMHB 12, DMHD 1 and DMHD 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D1, D3 and D4 of the London Plan (2021) and Section 12 of the NPPF (2021).

Impact on Neighbouring Residential Amenity:

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to ensure that development proposals do not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space. The supporting text for this policy 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.

The proposal would involve removal of the existing hedging which extends from the south elevation and serves as a privacy screen as the neighbour No.20 Fringewood Close has windows at ground and first floor level in their west elevation that overlook the side garden area of 22 Fringewood Close.

Due to its size, scale and limited separation distance, it is considered that the proposed annexe would appear as an overly dominant and oppressive addition when viewed from the side windows and garden area of No.20 Fringewood Close. Furthermore, the annexe would be positioned in close proximity to the common boundary with No.20, meaning that the central portion of this neighbour's rear garden would be adversely impacted, in terms of outlook, overshadowing and overbearing impact.

There would be a limited separation distance of approximately 3.5 metres (at the closest point) between the proposed self-contained annexe and the rear elevation of No.20 Fringewood Close. Taking this into account, coupled with its size and height, it is considered that the proposed development would result in a loss of outlook, overshadowing and create a sense enclosure for the existing occupiers at No.20.

Notwithstanding the separation distance and being partially screened by the main dwelling and with no upper floor windows facing north, it is considered by virtue of its size, height and massing that the proposed development would cause some level of harm on the living conditions of No.24, in terms of outlook and overbearing impact.

Having regard to the above, it is considered that the proposed development would cause harm to the living conditions of Nos.20 and 24 Fringewood Close, contrary to Policy

DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and paragraph 130(f) of the NPPF (2021).

Trees and landscape:

Policy DMHB 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (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. 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.

It is noted the Prunus ssp and yew hedge that would be removed to accommodate the development are grade C trees. There are no A grade trees. A further four B grade trees (including a TPO hornbeam) and two C grade trees would be protected and retained.

The Council's Trees/Landscape officer was consulted and no objection is raised subject to conditions requiring the submission of a construction method statement to incorporate tree protection measures, a landscape scheme and retention of trees.

Parking and Highway Safety:

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.

Policy DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to ensure that all development is in accordance with the car parking standards set out in Appendix C, Table 1 unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network.

The access and parking arrangements would be unaltered therefore the Highway Authority do not require consultation. Three parking spaces would be required for the main dwelling and the one bed annex in accordance with parking standards set out in Appendix C, Table 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020). The site provides a total of five parking spaces; two garage spaces and three spaces on the hardstanding in front of the garage. Therefore sufficient parking provision would be retained within the site.

Other Matters:

It is not considered that the proposal would have any discernable impact on the openness

of the adjacent greenbelt. However, this does not diminish the identified harm to the character and appearance of the area.

The site is located within a landfill site buffer according to the Council's GIS records. In the event of an approval of planning permission, conditions/informatives could address any requirements arising from this.

Conclusion:

As a matter of fact and degree, it is considered that the proposed annexe would provide a self-contained residential unit, thus creating a new planning unit. Whilst the annexe would be connected to the main dwelling by a glazed link it would be capable of functioning independently from the main dwelling.

The proposed annex would provide the future occupier with a substandard form of accommodation, in terms of external space provision and unacceptably undermine the size, quality and functionality of the existing external amenity space provision. Additionally, the proposal would adversely impact on the character and appearance of the area, and the residential amenities of neighbouring occupiers.

The limited evidence submitted to demonstrate that there is an essential requirement for the proposed self-contained annexe to justify the proposal on personal medical grounds is not considered to outweigh the harm identified. As such, the proposal conflicts with the Development Plan and the application is therefore recommended for refusal.

## 6. **RECOMMENDATION**

### **REFUSAL for the following reasons:**

#### **1 NON2 Non Standard reason for refusal**

The proposed annexe, by reason of its provision of facilities required for day-to-day private domestic existence and the availability of independent access to it, would result in the creation of a self-contained residential unit in a backland position where such a dwelling would be unacceptable, due to the requirements of external amenity space for future occupiers, and its detrimental impact on the character and appearance of the area and on the living conditions of neighbouring occupiers. The proposal would therefore conflict with Policies DMH 6, DMHD 1, DMHD 2, DMHB 11, DMHB 12, DMHB 16, DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D1, D3, D4, D6 and D8 of the London Plan (2021) and the National Planning Policy Framework (2021).

#### **2 NON2 Non Standard reason for refusal**

By virtue of its substantial size, scale, footprint, height, roof form and prominent location, the proposed self-contained residential unit would result in an incongruous and cramped form of development that would relate poorly to the existing built form on and around the site, detrimental to the character, appearance and visual amenities of the street scene and the surrounding area. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMH 6, DMHB 11, DMHB 12, DMHD1 and DMHD 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D1, D3, D4 and D8 of the London Plan (2021) and

the National Planning Policy Framework (2021).

**3** NON2 Non Standard reason for refusal

The proposed self-contained residential unit would have no private amenity space provision, and would therefore give rise to a substandard form of living accommodation to the detriment of the amenities of future occupiers. The proposal, therefore, conflicts, with Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy D6 of the London Plan (2021) and the National Planning Policy Framework (2021).

**4** NON2 Non Standard reason for refusal

By virtue of its proximity, siting, size, scale, height and self-contained use, the proposed annexe would cause harm to the living conditions of the existing neighbouring occupiers at numbers 20 and 24 Fringewood Close and their respective private amenity space, in terms of loss of outlook, overshadowing, loss of privacy, sense of enclosure and overbearing impact. The proposal would therefore conflict with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2021).

## INFORMATIVES

**1** The decision to REFUSE 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 (2021) and national guidance.

- DMH 6 Garden and Backland Development
- DMHB 1 Design of New Development
- DMHB 1 Streets and Public Realm
- DMHB 1 Trees and Landscaping
- DMHB 1 Housing Standards
- DMHB 1 Private Outdoor Amenity Space
- DMHD 1 Alterations and Extensions to Residential Dwellings
- DMHD 2 Outbuildings
- LPP D1 (2021) London's form, character and capacity for growth
- LPP D3 (2021) Optimising site capacity through the design-led approach
- LPP D4 (2021) Delivering good design
- LPP D6 (2021) Housing quality and standards
- LPP D8 (2021) Public realm
- NPPF2 NPPF 2021 - Achieving sustainable development
- NPPF11 NPPF 2021 - Making effective use of land
- NPPF12 NPPF 2021 - Achieving well-designed places

**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.

We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

- 3** This is a reminder that Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), should an application for appeal be allowed, the proposed development would be deemed as 'chargeable development' and therefore liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This would be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012.  
For more information on CIL matters please visit the planning portal page at: [www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

### 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:

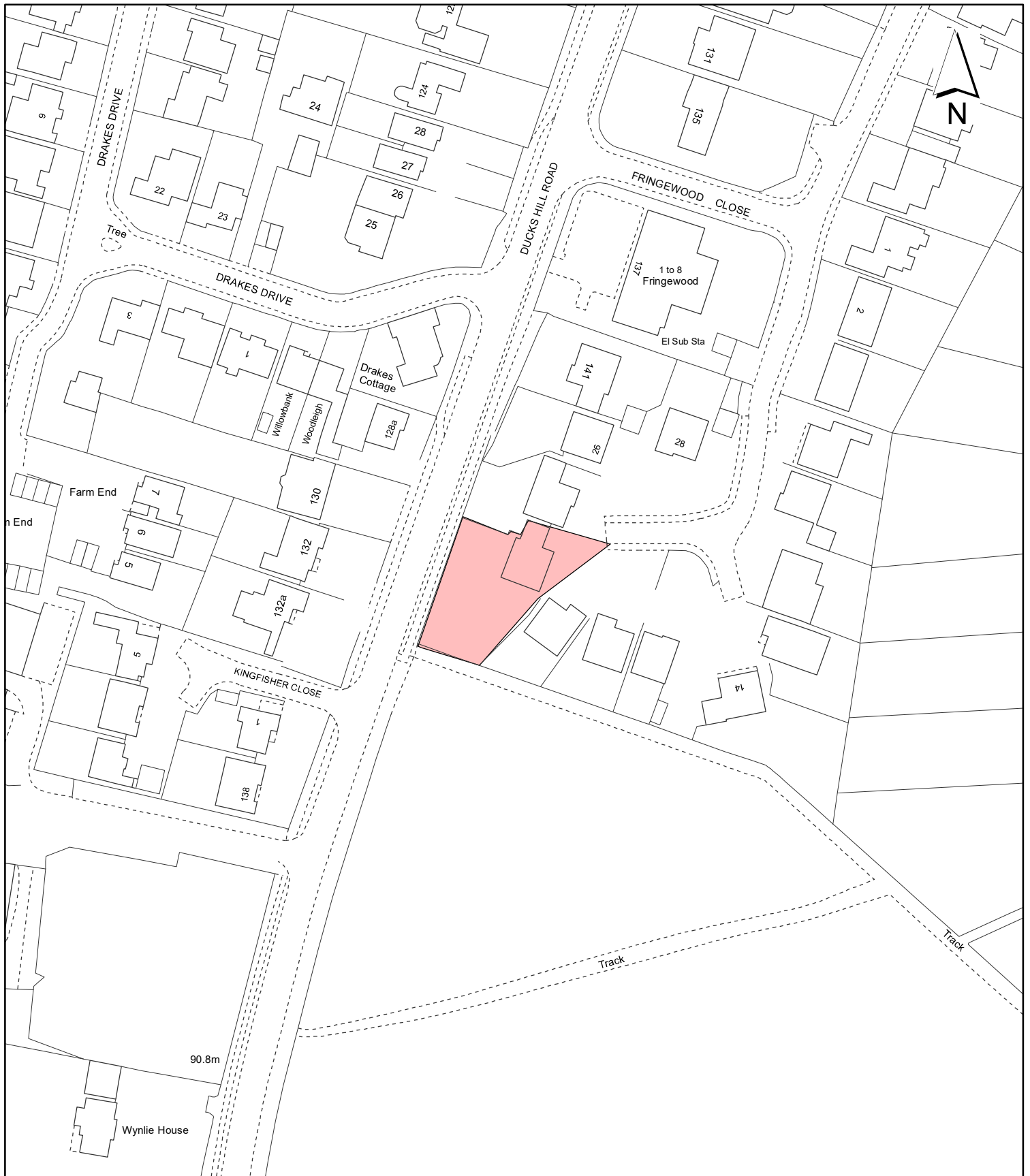
DMH 6 Garden and Backland Development  
DMHB 11 Design of New Development  
DMHB 12 Streets and Public Realm  
DMHB 14 Trees and Landscaping  
DMHB 16 Housing Standards  
DMHB 18 Private Outdoor Amenity Space  
DMHD 1 Alterations and Extensions to Residential Dwellings





DMHD 2	Outbuildings
LPP D1	(2021) London's form, character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D6	(2021) Housing quality and standards
LPP D8	(2021) Public realm
NPPF2	NPPF 2021 - Achieving sustainable development
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places

**Contact Officer:** Christos Chrysanthou

**Telephone No:** 01895 250230



<p><b>Notes:</b></p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).</p> <p>Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2020 Ordnance Survey 100019283</p>	<p>Site Address:</p> <p style="text-align: center;"><b>22 Fringewood Close</b></p>		<p style="text-align: center;"><b>LONDON BOROUGH OF HILLINGDON</b></p> <p style="text-align: center;"><b>Residents Services Planning Section</b></p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 01895 250111</p>	
	<p>Planning Application Ref:</p> <p style="text-align: center;"><b>42066/APP/2021/4244</b></p>	<p>Scale:</p> <p style="text-align: center;"><b>1:1,250</b></p>		
	<p>Planning Committee:</p> <p style="text-align: center;"><b>Borough Page 94</b></p>	<p>Date:</p> <p style="text-align: center;"><b>February 2022</b></p>		

**Item No.**                    **Report of the Head of Planning, Transportation and Regeneration**

**Address**                    WOODLANDS 5 THE COTTAGES THE DRIVE ICKENHAM

**Development:**            Erection of a replacement two storey dwelling with basement involving the demolition of the existing house and garden building.

**LBH Ref Nos:**            56190/APP/2021/2737

**Drawing Nos:**            Bat Emergence and Re-entry Survey (Dated 30th July 2021)  
 Arboricultural Impact Assessment Rev. A  
 Plan of Tree Constraints Rev. A  
 Tree Protection Plan Rev. B  
 Arboricultural Implications Assessment (Dated 4th August 2021)  
 B.S. 5837 Arboricultural Method Statement (Dated 4th August 2021)  
 WC 12  
 WC 01/D  
 WC 00  
 WC 10  
 Cover Letter (Dated 12th July 2021)  
 Design and Access Statement  
 WC 06/d  
 WC 07/d  
 Agent Email (Dated 21st January 2022)  
 WC 02/C  
 WC 03/C  
 WC 05/C  
 WC 04/D  
 WC 11/a  
 Heritage statement  
 Preliminary Roost Assessment including Bat Emergence Survey Issue 2 (Dated 2nd October 2020)  
 Preliminary Ecological Appraisal Survey

<b>Date Plans Recieved:</b>	12/07/2021	<b>Date(s) of Amendment(s):</b>	21/01/2022
<b>Date Application Valid:</b>	12/07/2021		10/08/2021
			12/07/2021

**1. SUMMARY**

This application seeks permission for the demolition of the existing two storey dwelling and garden building and erection of a replacement two storey dwelling. This is considered to constitute appropriate development within the Green Belt and is not considered to compromise the setting of the Harefield Place Grade II Listed Building. Subject to planning conditions, the development would also be considered acceptable with regard to its impact on the character of the area, street scene, highway network, waste, landscaping, access, flooding and contaminated land.

Accordingly, the application is recommended for approval.

**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 WC 01/D, WC 02/C, WC 03/C, WC 04/D, WC 05/C, WC 06/d, WC 07/d 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 (2012), Part 2 (2020) and the London Plan (2021).

**3 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 openness of the Green Belt site, in accordance with Policies DMHB 11, DMHD 2 and DMEI 4 of the Hillingdon Local Plan Part 2 (2020).

**4 NONSC Basement Room**

The basement room hereby approved, as shown on drawing reference WC 04/D, shall not be used for habitable purposes.

**REASON**

To ensure that the development does not give rise to a substandard form of living accommodation to the detriment of the amenity of future occupiers, in accordance with Policy DMHB 16 of the Hillingdon Local Plan: Part 2 (2020) and Policy D6 of the London Plan (2021).

**5 RES7 Materials**

Prior to the commencement of development, product details and samples of all external materials and finishes shall be submitted to and approved in writing by the Local Planning Authority. Details should include information relating to make, product/type, colour and photographs/images. Samples shall be made available on site for inspection. Consideration should also be given towards the potential of using re-salvaged materials.

Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

**REASON**

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

**6 NONSC Non Standard Condition**

Prior to the commencement of development, product details of all external windows and

doors shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details and be retained as such.

#### REASON

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

### **7 NONSC Building Recording**

Prior to the commencement of any demolition works, the existing building shall be recorded up to a Level 2 Building Record, as set out in Historic England's Understanding Historic Buildings: A Guide to Good Recording Practice (May 2016). The record shall include a description and photographs of the exterior and interior of the building, noting any features of interest, and scaled elevations, plans and detailed sections.

(a) A written scheme of investigation shall be submitted to and agreed with the Local Planning Authority prior to the recording.

(b) The completed record shall be submitted to and approved in writing by the Local Planning Authority. Copies of the document shall also be deposited to the Greater London Historic Environment Record (GLHER) and Hillingdon's Local Studies and Archives Service.

#### REASON

To safeguard the special architectural and/or historic interest of the building in accordance with Policies DMHB 1 of the Hillingdon Local Plan: Part 2 (2020), Policy HC1 of the London Plan (2021); and Chapter 16 of the National Planning Policy Framework (2021).

### **8 RES19 Ecology**

Prior to commencement of above ground works, a scheme to protect and enhance the nature conservation interest of the site shall be submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out and maintained in full accordance with the approved details.

#### REASON

In order to encourage a wide diversity of wildlife on the existing semi-natural habitat of the site in accordance with Policy DMEI 7 of the Hillingdon Local Plan Part 2 (2020) and Policy G6 of the London Plan (2021).

### **9 NONSC European Protected Species Mitigation Licence**

Prior to commencement of the development, including demolition and site preparation, a European Protected Species Mitigation Licence shall be obtained for the proposed works.

#### REASON

In order to ensure that bats, as a protected species, and their roosts, are duly considered and appropriate measures to mitigate harm are implemented prior to any demolition on site, in accordance with Policy DMEI 7 of the Hillingdon Local Plan Part 2 (2020), Policy G6 of the London Plan (2021) and the Wildlife & Countryside Act 1981.

### **10 RES9 Landscape Scheme**

Prior to commencement of above ground works, a landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of Soft Landscaping (including demonstration that the trees removed will be replaced with trees of equivalent quality)
  - 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 (including demonstration that secure and covered storage for 2 no. bicycles is provided)
  - 2.c Means of enclosure/boundary treatments
  - 2.d Car Parking Layouts (including demonstration that 1 no. car parking space is served by an active electric vehicle charging point and that all remaining car parking spaces are served by passive electric vehicle charging infrastructure)
  - 2.e Hard Surfacing Materials
  - 2.f External Lighting
  
3. Details of Landscape Maintenance
  - 3.a Landscape Maintenance Schedule for a minimum period of 5 years
  - 3.b Proposals for the replacement of any tree, shrub, or area of turfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased
  
4. Schedule for Implementation

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 14 and DMT 2 of the Hillingdon Local Plan Part 2 (2020) and Policy G5 of the London Plan (2021).

#### **11 RES10 Tree to be retained**

Trees, hedges and shrubs shown to be retained on the approved plan(s) 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 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.

#### **12 NONSC Accessibility**

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

#### REASON

To provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children, in accordance with Policies D5 and D7 of the London Plan (2021).

#### **13 NONSC Step Free Access**

Prior to superstructure 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. 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 provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children, in accordance with Policies D5 and D7 of the London Plan (2021).

#### **14 RES15 Sustainable Water Management**

No development approved by this permission shall be commenced beyond superstructure works 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 SI 13 of the London Plan (2021) 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 DME1 10 of the Hillingdon Local Plan Part 2 (2020) and Policy SI 13 of the London Plan (2021).

## **15 NONSC Basement Impact Assessment**

Prior to the commencement of development (excluding site clearance and demolition), a Basement Impact Assessment shall be submitted to and be approved in writing by the Local Planning Authority. The assessment shall include:

- the results of an appropriate site investigation that has identified the nature of the underlying geology and confirmed the depth of any groundwater beneath the site (taking into account the seasonal variability of groundwater);
- an assessment to identify any mitigation measures that need to be put in place to maintain the passage of groundwater around the building without impacting local groundwater levels; and, shallow infiltration rates to inform the utilisation of Sustainable Drainage Systems on the site.

The development shall only be undertaken in accordance with those approved details, and the approved scheme shall be implemented prior to the first occupation of the development hereby permitted and retained for the duration of the development.

### **REASON**

To prevent the development from increasing groundwater flood risk, in accordance with Policy EM6 of the Hillingdon Local Plan: Part 1 (2012), Policies DMEI 9 and DMHD 3 of the Hillingdon Local Plan: Part 2 (2020), Policy SI 12 of the London Plan (2021) and the National Planning Policy Framework (2021).

## **16 NONSC Contaminated Land**

(i) The development shall not commence until a scheme to deal with contamination has been submitted to and approved by the Local Planning Authority (LPA). All works which form part of the remediation scheme shall be completed before any part of the development is occupied or brought into use unless the Local Planning Authority dispenses with any such requirement specifically and in writing. The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;

b) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use; and

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works for each phase will be verified shall be agreed in writing with the LPA prior to commencement of each phase, along with the details of a watching brief to address undiscovered contamination. No deviation shall be made from this scheme without the express agreement of the LPA prior to its implementation.

(ii) If during remedial or development works contamination not addressed in the submitted remediation scheme is identified an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and

(iii) Upon completion of the approved remedial works, this condition will not be discharged until a comprehensive verification report has been submitted to and approved by the LPA. The report shall include the details of the final remediation works and their



verification to show that the works for each phase have been carried out in full and in accordance with the approved methodology.

(iv) No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

#### REASON

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DMEI 12 of the Hillingdon Local Plan: Part 2 (2020).

#### **17 NONSC Non Standard Condition**

The existing garden building on the site (as detailed on drawing WC 12) shall be completely demolished prior to the first occupation of the dwelling hereby permitted.

#### REASON

To protect the character, appearance and openness of the greenbelt, as the demolition of the garden building forms part of the justification for the replacement dwelling, and to accord with Policy EM2 of the Local Plan: Part 1 (2012), Policy DMEI 4 of the Hillingdon Local Plan: Part 2 (2020), Policy G2 of the London Plan (2021) and the NPPF (2021).

#### **18 NONSC Non Standard Condition**

The development hereby permitted shall only be carried out in strict accordance with the mitigation measures detailed within the Arboricultural Method Statement (Rev A) dated 04/08/2021 (Merewood Arboricultural Consultancy Services).

#### REASON

To ensure the protection of significant trees in accordance with Policy DMHB 14 of the Hillingdon Local Plan Part 2 - Development Management Policies (2020).

### **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 (2021) and national guidance.

DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 10	Water Management, Efficiency and Quality
DMEI 12	Development of Land Affected by Contamination
DMEI 14	Air Quality

DMEI 4	Development on the Green Belt or Metropolitan Open Land
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMH 2	Housing Mix
DMHB 1	Heritage Assets
DMHB 11	Design of New Development
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMHB 2	Listed Buildings
DMHB 7	Archaeological Priority Areas and archaeological Priority Zones
DMHD 3	Basement Development
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP D11	(2021) Safety, security and resilience to emergency
LPP D14	(2021) Noise
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP DF1	(2021) Delivery of the Plan and Planning Obligations
LPP G1	(2021) Green infrastructure
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature
LPP G7	(2021) Trees and woodlands
LPP H1	(2021) Increasing housing supply
LPP H10	(2021) Housing size mix
LPP HC1	(2021) Heritage conservation and growth
LPP S11	(2021) Improving air quality
LPP S112	(2021) Flood risk management
LPP S113	(2021) Sustainable drainage
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF13	NPPF 2021 - Protecting Green Belt Land
NPPF15	NPPF 2021 - Conserving and enhancing the natural environment
NPPF16	NPPF 2021 - Conserving & enhancing the historic environment
NPPF2	NPPF 2021 - Achieving sustainable development
NPPF4	NPPF 2021 - Decision-Making
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes
NPPF9	NPPF 2021 - Promoting sustainable transport

### 3 IT05 **Wildlife and Countryside Act 1981**

Wildlife and Countryside Act 1981: Note that it is an offence under this act to disturb roosting bats, nesting birds or any other protected species. Therefore, if applicable, it is advisable to consult your tree surgeon / consultant to agree an acceptable time for

carrying out the approved works. A condition has been included in this recommendation to obtain a European Protected Species Mitigation Licence prior to any demolition, site preparation or other related works on site.

#### **4 170 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.

#### **5 173 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.

#### **6**

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting [cadentgas.com/diversions](http://cadentgas.com/diversions).

Prior to carrying out works, including the construction of access points, please register on [www.linesearchbeforeudig.co.uk](http://www.linesearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.

### **3. CONSIDERATIONS**

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

The application site is located on the west side of The Drive in Ickenham and occupies a plot to the rear of nos. 1-4 The Cottages, The Drive and to the south of the Golf Club entrance. The site is designated as Green Belt land, part of the Colne Valley Archaeological Priority Zone and the southern section of the site is subject to a Tree Preservation Order. Based on the Council's GIS, the application site is subject to potentially contaminated land.

The woodland to the west is also designated as a Nature Conservation Site of Borough Grade II or Local Importance.

Based on the Transport for London WebCAT planning tool, the site has a Public Transport Accessibility Level of 1a.

### 3.2 Proposed Scheme

This application seeks permission for the demolition of the existing two storey dwelling and garden building and erection of a replacement two storey dwelling, comprising 4 no. bedroom and 8 no. person house.

### 3.3 Relevant Planning History

47646/H/95/1794                      Unit 5 The Cottages Harefield Place The Drive Ickenham  
Demolition and re-building of existing barn with two storey extension and conversion of building to residential

**Decision:** 18-04-1996    Approved

47646/J/95/1795                      Unit 5 The Cottages Harefield Place The Drive Ickenham  
Demolition and re-building of existing barn with two storey extension and conversion of building to residential (Application for Listed Building Consent)

**Decision:** 18-04-1996    Approved

56190/APP/2001/861                  5 The Cottages The Drive Ickenham  
ERECTION OF A TWO STOREY REAR EXTENSION

**Decision:** 24-10-2001    Approved

56190/APP/2008/341                  5 The Cottages, The Drive Ickenham  
ERECTION OF A SINGLE STOREY PART REAR CONSERVATORY (RETROSPECTIVE APPLICATION) AND ERECTION OF 2.2M AND 2M HIGH ENTRANCE GATES WITH 2M HIGH BRICK PIERS AT ROAD ENTRANCE.

**Decision:** 14-04-2008    Refused

56190/APP/2008/342                  5 The Cottages, The Drive Ickenham  
ERECTION OF A SINGLE STOREY PART REAR CONSERVATORY (RETROSPECTIVE APPLICATION FOR LISTED BUILDING CONSENT).

**Decision:** 14-04-2008    Approved

56190/APP/2021/2739                  Woodlands 5 The Cottages The Drive Ickenham  
Erection of a replacement two storey dwelling with basement involving the demolition of the existing house (Application for Listed Building Consent).

**Decision:** 20-09-2021    Withdrawn

### Comment on Relevant Planning History

The original barn building was demolished, re-built with a two storey extension and converted to residential following the grant of planning permission and Listed Building Consent under application references 47646/H/95/1794 and 47646/J/95/1795. It is considered that such works harmed and severed the heritage value of no. 5 The Cottages and it is accepted that the building no longer constitutes a curtilage listed building. Accordingly, the Listed Building Consent application (reference 56190/APP/2021/2739) which accompanied the current application submission was withdrawn.

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

##### 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 (2021)

##### Material Considerations

The National Planning Policy Framework (NPPF) (2021) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

#### **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  
PT1.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains  
PT1.EM6 (2012) Flood Risk Management  
PT1.EM7 (2012) Biodiversity and Geological Conservation  
PT1.EM8 (2012) Land, Water, Air and Noise  
PT1.H1 (2012) Housing Growth  
PT1.HE1 (2012) Heritage

##### Part 2 Policies:

DMCI 7 Planning Obligations and Community Infrastructure Levy  
DMEI 10 Water Management, Efficiency and Quality  
DMEI 12 Development of Land Affected by Contamination  
DMEI 14 Air Quality  
DMEI 4 Development on the Green Belt or Metropolitan Open Land  
DMEI 7 Biodiversity Protection and Enhancement

DMEI 9	Management of Flood Risk
DMH 2	Housing Mix
DMHB 1	Heritage Assets
DMHB 11	Design of New Development
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMHB 2	Listed Buildings
DMHB 7	Archaeological Priority Areas and archaeological Priority Zones
DMHD 3	Basement Development
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP D11	(2021) Safety, security and resilience to emergency
LPP D14	(2021) Noise
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP DF1	(2021) Delivery of the Plan and Planning Obligations
LPP G1	(2021) Green infrastructure
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature
LPP G7	(2021) Trees and woodlands
LPP H1	(2021) Increasing housing supply
LPP H10	(2021) Housing size mix
LPP HC1	(2021) Heritage conservation and growth
LPP S11	(2021) Improving air quality
LPP S12	(2021) Flood risk management
LPP S13	(2021) Sustainable drainage
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF13	NPPF 2021 - Protecting Green Belt Land
NPPF15	NPPF 2021 - Conserving and enhancing the natural environment
NPPF16	NPPF 2021 - Conserving & enhancing the historic environment
NPPF2	NPPF 2021 - Achieving sustainable development

NPPF4 NPPF 2021 - Decision-Making  
NPPF5 NPPF 2021 - Delivering a sufficient supply of homes  
NPPF9 NPPF 2021 - Promoting sustainable transport

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

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

**5.2** Site Notice Expiry Date:- **9th September 2021**

## **6. Consultations**

### **External Consultees**

GREATER LONDON ARCHAEOLOGICAL ADVISORY SERVICE:

Thank you for your consultation dated 10 August 2021.

The Greater London Archaeological Advisory Service (GLAAS) gives advice on archaeology and planning. Our advice follows the National Planning Policy Framework (NPPF) and the GLAAS Charter.

NPPF section 16 and the London Plan (2021 Policy HC1) make the conservation of archaeological interest a material planning consideration.

Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

The site is located within the Colne Valley Archaeological Priority Area, with some potential for prehistoric finds. The area of impact of the proposed development is small in scale and is likely to have been previously disturbed by landscaping, therefore there is not expected to be a significant impact on archaeological remains at this location.

No further assessment or conditions are therefore necessary.

This response relates solely to archaeological considerations. If necessary, Historic England's Development Advice Team should be consulted separately regarding statutory matters.

NATURAL ENGLAND:

No objection.

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

CADENT GAS:

No objection, informative note required regarding proximity to Cadent Gas assets.

### **Internal Consultees**

TREES AND LANDSCAPING OFFICER:

This site is occupied by a detached house located to the rear of 1-4 The Cottages, in the north-west corner of The Drive. The house is situated within a spacious plot with irregular-shaped

boundaries. To the south of the driveway the land is covered by TPO 236. According to the TPO schedule, there are three protected trees to the south of the drive; T7 *Gleditsia triacanthus*, T8 *Sorbus aucuparia* and T9 *Parrotia persica*. The western edge of the site is covered in woodland which is protected by the order, Woodland W1 on the schedule. The woodland order protects yews, oaks, beech, Turkey oak and sycamore. The site and surrounding land lie within the Green Belt.

Comment:

An Arboricultural Implications Assessment, by Merewood, has been submitted. A total of 44 trees have been identified and assessed. There are no A grade trees. The following are B category, whose condition and value indicate that they should be retained and safeguarded as part of any development: T1, T2, T3, T4, T5, T6, T7, T9, T10, T13, T15, T20, T27, T28, T29, T30, T34. T37, T38, T40, T41, T43 and R44. The other trees are of lower value, grade C, with the exception of; T8, T11, T12 and T18, which are U grade trees. U grade trees are very poor and could be removed in the interests of good management.

An Arboricultural Method Statement confirms that five trees will be removed to facilitate the development. One of the trees to be removed is a B grade yew (T27 on the schedule). The others are C grade, of lower value and life expectancy. This report provides full tree protection measures including protective fencing and a working method statement for the management of the demolition and construction work. There is no objection to the conclusions of the tree reports or the loss of the five trees, which should be replaced as part of a comprehensive landscape plan, by condition.

Recommendation:

No objection subject to conditions RES9 (parts 1,2 and 5) and RES10.

HIGHWAYS OFFICER:

Site Characteristics

The site is located towards the end of a private (unadopted) residential cul-de-sac in Ickenham. A replacement 5-bedroom detached residential unit is proposed with the use of an existing carriageway crossing facility.

The locality is devoid of parking controls and there are generous off-street parking facilities available for most of the surrounding residential properties in the area which assists in reducing general on-street parking demand. The site address exhibits a public transport accessibility level (PTAL) rating of 1a which is considered as 'very poor' and therefore raises dependency on the ownership and use of private motor transport.

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. 5 parking spaces are proposed and located within a generous on-plot frontage area.

Although this level of provision exceeds the parking standard, it is considered acceptable in this case as it reduces the potential for untoward on-street parking displacement resulting from the higher dependency on the private motor car due to the 'very poor' PTAL rating.



## Electric Vehicle Charging Points (EVCP's)

In line with the London Plan (2021), within the final parking quantum there is a requirement for a minimum 20% 'active' EVCP provision with all remaining spaces being designated as 'passive' provisions. In this particular case, the proposal should therefore incorporate 1 'passive' and 1 'active' space. This aspect should be secured via planning condition.

## Cycle Parking Provision

In terms of cycle parking, there should be a provision of 2 secure and accessible spaces for the dwelling unit in order to conform to the adopted borough cycle parking standard. Although not depicted within the submission, this quantum is achievable and can be secured via planning condition.

## Vehicular Access Provision

The existing crossing is to remain unaltered and is considered fit for purpose. There are no further observations.

## 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.

There will be no discernible difference in vehicle bound activity as compared to the scale and single tenure of the existing dwelling (which will remain for the replacement build) hence any generated activity can therefore be absorbed within the local road network without notable detriment to traffic congestion and road safety.

## Operational Refuse Requirements

In order to conform to the Council's 'waste collection' maximum distance collection parameter of 10m i.e. distance from a refuse vehicle to the point of collection, arrangements should ensure that waste is positioned at a collection point within this set distance. No specific detail is shown however it is acknowledged that collections occur at present and that there is ample space to satisfy the above parameter hence this aspect should be secured via a suitable planning condition.

## 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 T4, T5 and T6 of the London Plan (2021).

## CONSERVATION OFFICER:

Historic Environment Designation(s):

- Colne Valley Archaeological Priority Zone (APZ)
- Setting of Nos1-4 The Cottages, The Dr, Ickenham (curtilage listed buildings)

It appears that the 1995 planning permission & Listed Building Consent may not have been completely implemented in accordance with the approved plans. Nevertheless the existing building reflects the character of the former farm buildings, in terms of its low massing, traditional roof forms, materiality and window and door openings.

In terms of the matter regarding curtilage, at the time of listing the land in question did form part of Harefield Place and contributed towards its significance. However, in light of the works implemented following the 1995 application it has harmed and severed the heritage value of No5. Therefore in this instance it is accepted that the building is not considered to be curtilage listed, therefore Listed Building Consent application is not required.

The site is located within the Colne Valley Archaeological Priority Zone (APZ), it is advised GLAAS is consulted to ascertain whether there are any archaeological implications to consider in this instance.

The proposed development would not reflect the original traditional agricultural character of the site. The large window and door opening alongside the classical detailing is a incongruous design approach. The bulk of the proposed built form is also further exacerbated by the inclusion of a crown roof form and chunky rear dormer structure. The proposed development would result in the loss of the existing building which would be considered wasteful and counter intuitive to the ethos of sustainable development, particularly considering the age of the existing building.

The proposal would further disassociate the site from its historic origins.

In terms of the impact on the setting of the curtilage listed buildings (Nos1-4) there would be a minimal impact.

#### CONSERVATION OFFICER FOLLOW-UP:

Amended proposal: The proposal would still result in a further disassociation of the site from its historic origins. Nevertheless the design approach taken, adopting a traditional Arts and Crafts aesthetic would be commendable.

There would however be some concerns in regard to the rear dormer with a Juliet balcony. The curved form would be considered an incongruous feature. The form would need to be revised to reflect the form of the rest of the proposed building. It is important it is carried through by the quality of construction ensuring the detailing is of a high standard. The choice of materiality is also important, however consideration should also be given towards the potential of re-using salvaged materials. New external materials and finishes would all need to be of an exceptional high quality. Windows and doors would need to be constructed of timber and natural materials would be expected to be used (clay bricks and tiles).

If approved the following conditions would be required:

Prior to the commencement of any demolition works, the existing building shall be recorded up to a Level 2 Building Record, as set out in Historic England's Understanding Historic Buildings: A Guide to Good Recording Practice (May 2016). The record shall include a description and photographs of the exterior and interior of the building, noting any features of interest, and scaled elevations, plans and detailed sections. (a) A written scheme of investigation shall be submitted to and agreed with the Local Planning Authority prior to the recording. (b) The completed record shall be submitted to and approved in writing by the Local Planning Authority. Copies of the document shall also be deposited to the Greater London Historic Environment Record (GLHER) and Hillingdon's Local Studies and Archives Service.

Prior to the commencement of development, product details and samples of all external materials and finishes shall be submitted to and approved in writing by the Local Planning Authority. Samples shall be made available on site for inspection. Works shall be carried out in accordance to the approved details.

Prior to the commencement of development, product details of all external windows and doors shall

be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance to the approved details.

#### PLANNING OFFICER COMMENT:

Amended plans have been submitted by the applicant which revise the curved Juliet balcony design to a flat roof to reflect the rest of the building. This is considered to be acceptable. The suggested conditions have been adopted in this committee report.

#### FLOOD RISK OFFICER:

Not at risk from flooding. Though a basement is proposed - I cant see that a basement impact assessment been submitted for review though this site is situated well away from other properties therefore there are no comments.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

Policy H1 of the Hillingdon Local Plan: Part 1 (2012) and Policy H1 of the London Plan (2021) gives general support to housing provision to meet and exceed the Council's minimum strategic dwelling requirement, where this can be achieved, in accordance with other Local Plan policies.

At a national level, Chapter 5 of the National Planning Policy Framework (NPPF) (2021), supports the delivery of homes, confirming that local authorities should, through their Local Plans, demonstrate how housing targets and objectives will be met. Particular emphasis is given to housing delivery over the next five years, but authorities are also required to consider growth beyond this.

The proposed development is generally considered to be supported by policy at national, regional and local levels.

#### UNIT MIX

Policy H10 of the London Plan (2021) notes that new development should consist of a range of unit sizes.

Policy DMH 2 of the Hillingdon Local Plan: Part 2 (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's current information on housing need indicates a substantial borough-wide requirement for larger affordable and private market units, particularly 3 bedroom properties, as identified in the Strategic Housing Market Assessment 2016.

The proposed development would provide a large family house to replace the existing house. Accordingly, the proposal is not considered contrary to Policy DMH 2 of the Hillingdon Local Plan: Part 2 (2020) and Policy H10 of the London Plan (2021).

### **7.02 Density of the proposed development**

Policy D3 of the London Plan (2021) establishes the design-led approach which requires that all development make the best use of land that optimises the capacity of sites. Higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. In other areas, incremental densification should be actively encouraged by Boroughs to achieve a change in densities in the most appropriate way.

The site is not easily accessible with a PTAL rating of 1a. Accordingly, a lower density of

development would generally be considered to be acceptable in such a location.

The form, layout, quality and character of the proposed development is considered under Section 07.07 of the report. The experiential factors of the proposed development are considered under Sections 07.08 and 07.09.

Based on these considerations, the proposed density of the development is considered to be appropriate and is not contrary to Policy D3 of the London Plan (2021).

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

#### **ARCHAEOLOGY**

Policy DMHB 7 of the Hillingdon Local Plan: Part 2 (2020) states that the Council, as advised by the Greater London Archaeological Advisory Service, will ensure that sites of archaeological interest within or, where appropriate, outside, designated areas are not disturbed. If that cannot be avoided, satisfactory measures must be taken to mitigate the impacts of the proposals through archaeological fieldwork to investigate and record remains in advance of development works. This should include proposals for the recording, archiving and reporting of any archaeological finds.

The Greater London Archaeological Advisory Service (GLAAS) have been consulted and have advised that the proposed development is small in scale and the site is likely to have been previously disturbed by landscaping. As such, there is not expected to be a significant impact on archaeological remains at this location and the proposal is not considered contrary to Policy DMHB 7 of the Hillingdon Local Plan: Part 2 (2020).

#### **HERITAGE ASSET**

Policy DMHB 1 of the Hillingdon Local Plan: Part 2 (2020) states that development proposals are required to avoid harm to the historic environment.

Policy DMHB 2 of the Hillingdon Local Plan: Part 2 (2020) states that planning permission will not be granted for proposals which are considered detrimental to the setting of a Listed Building.

It is noted that Harefield Place is a Grade II Listed Building located along the Drive, sited approximately 230 metres south of the application site. In line with the original listing of the building, nos. 1 to 4 The Cottages are considered to constitute curtilage listed buildings.

As confirmed by the Council's Conservation Officer, it is understood no. 5 The Cottages, at the time of listing the land, did form part of Harefield Place and contributed towards its significance. However, the original barn building was demolished, re-built with a two storey extension and converted to residential following the grant of planning permission and Listed Building Consent under application references 47646/H/95/1794 and 47646/J/95/1795. It is considered that such works harmed and severed the heritage value of no. 5 The Cottages and it is accepted that the building no longer constitutes a curtilage listed building.

Given the separation distance between the proposed dwelling and Harefield Place, the development is also not considered to have a detrimental impact to the setting of a Listed Building.

Given the above considerations, the proposal would not be considered contrary to Policies DMHB 1 and DMHB 2 of the Hillingdon Local Plan: Part 2 (2020).

#### **7.04 Airport safeguarding**

Not applicable to the consideration of this application.

#### **7.05 Impact on the green belt**

The application site is located within Green Belt land and is subject to the following policy considerations:

Paragraph 147 of the NPPF (2021) sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'. Paragraph 148 continues this, stating:

"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."

Paragraph 149 of the NPPF (2021) states that the construction of new buildings are considered to be inappropriate in the Green Belt. Exceptions to this include:

- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
  - not have a greater impact on the openness of the Green Belt than the existing development; or
  - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

This is supported by Policy G2 of the London Plan (2021).

In terms of local policy, the Hillingdon Local Plan: Part 1 (2012) gives strong protection to Green Belt land. Policy EM2 states that the Council will seek to maintain the current extent of the Green Belt and any proposals for development in the Green Belt and Metropolitan Open Land will be assessed against national and London Plan (2021) policies, including the very special circumstances test.

Policy DMEI 4 of the Hillingdon Local Plan: Part 2 (2020) states:

- A) Inappropriate development in the Green Belt and Metropolitan Open Land will not be permitted unless there are very special circumstances.
- B) Extensions and redevelopment on sites in the Green Belt and Metropolitan Open Land will be permitted only where the proposal would not have a greater impact on the openness of the Green Belt and Metropolitan Open Land, and the purposes of including land within it, than the existing development, having regard to:
  - i) the height and bulk of the existing building on the site;
  - ii) the proportion of the site that is already developed;
  - iii) the footprint, distribution and character of the existing buildings on the site;
  - iv) the relationship of the proposal with any development on the site that is to be retained; and
  - v) the visual amenity and character of the Green Belt and Metropolitan Open Land.

It is noted that part c) of paragraph 149 of the NPPF (2021) is not applicable as the proposed development is not for an extension to an existing building. Accordingly, parts d)

and g) are considered relevant, meaning that the baseline set for the consideration of the impact to the openness to the green belt is the existing building (including extensions), not the original building (without the existing extensions).

The proposed development would demolish the existing building and replace it with a two storey property, measuring 7.3 metres at its highest point, 14 metres at its deepest point and 29.1 metres at its widest point.

#### Comparison of Existing and Proposed by Footprint

In terms of footprint, the proposed development would demolish the existing house and garden building and build a property measuring approximately 325 square metres in area. For comparison, the existing house measures approximately 230 square metres in footprint and the existing garden building measures 98 square metres in footprint, totalling 328 square metres in developed footprint. The proposed development therefore reduces the overall developed footprint by approximately 3 square metres, equivalent to a 1% reduction.

#### Comparison of Existing and Proposed by GEA

In terms of gross external area (GEA), the proposed development would provide approximately 325 square metres at ground floor and 109 square metres at first floor, totalling 434 square metres GEA. In comparison, the existing house provides approximately 230 square metres at ground floor and 165 square metres at first floor and the garden building provides 98 square metres at ground floor, totalling 493 square metres GEA. The proposed development therefore reduces the GEA by approximately 59 square metres, equivalent to a 11.97% decrease in GEA.

#### Comparison of Existing and Proposed by Volume

In terms of volume, the proposed development would measure approximately 1,463 cubic metres in volume. In comparison, the existing house measures approximately 1,128 cubic metres in volume and the garden building measures approximately 283 cubic metres in volume, totalling 1,411 cubic metres in built volume. The proposed development therefore increases the volume of development on-site by approximately 52 cubic metres, equivalent to a 3.7% increase.

#### Summary

Given that the proposed development involves the demolition of both the existing house and garden building, the proposed building would actually represent a decrease in developed footprint and GEA on the application site. Although the cubic volume of development on site would increase, it is not considered to be such that the development would impact on the openness of the Green Belt. As such, the proposed development is considered to constitute appropriate development in accordance with paragraph 149 part g) of the NPPF (2021). In view of this, the proposed development is not considered contrary to Policy EM2 of the Local Plan: Part 1 (2012), Policy DMEI 4 of the Hillingdon Local Plan: Part 2 (2020), Policy G2 of the London Plan (2021) and the NPPF (2021).

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

Policy BE 1 of the Hillingdon Local Plan: Part 1 (2012) requires all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (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 by taking into account the surrounding:
  - scale of development, considering the height, mass and bulk of adjacent structures;
  - building plot sizes and widths, plot coverage and established street patterns;
  - building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure;
  - architectural composition and quality of detailing;
  - local topography, views both from and to the site; and
  - impact on neighbouring open spaces and their environment.
- 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 un-designated, and their settings; and
- v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

The existing building reflects the character of the former farm buildings, in terms of its low massing, traditional roof forms, materiality and window and door openings. The proposed development would demolish the existing two storey house sited on the north-eastern corner of the site and the single storey garden building sited on the southern boundary and erect a replacement dwelling within the centre of the plot. The proposed building would comprise a chalet bungalow with habitable accommodation in the roof space. It would utilise an Arts and Crafts aesthetic, with hipped roof forms varying in height between 5 metres and 7.3 metres. The proposed footprint would measure 14 metres at its deepest point and 29.1 metres at its widest point.

Following the receipt of revised plans, the proposed building would no longer incorporate a crown roof. This is supported and weighs in favour of the proposed development.

Due to the location of nos. 1 to 6 The Cottages on the frontage of The Drive, the proposed property would not be readily visible from the street scene. Due to the boundary treatment towards the end of the gardens serving nos. 1 to 6 The Cottages, the proposed development would be, in part, screened from the view of neighbouring properties. The proposed building is also set further away from these properties than the existing building, therefore providing more visual relief than the existing circumstance.

Given the above considerations, the proposed development would not be considered contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020).

The detail of the proposed materials would be secured by planning condition.

## **7.08 Impact on neighbours**

Part B) of Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020) states that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

Paragraph 5.38 of the Hillingdon Local Plan: Part 2 (2020) states:

"The Council will aim to ensure that there is sufficient privacy for residents and it will resist proposals where there is an unreasonable level of overlooking between habitable rooms of adjacent residential properties, schools or onto private open spaces. A minimum of 21 metres separation distance between windows of habitable rooms will be required to maintain levels of privacy and to prevent the possibility of overlooking. In some locations where there is a significant difference in ground levels between dwellings, a greater

separation distance may be necessary."

Paragraph 5.40 of the Hillingdon Local Plan: Part 2 (2020) states:

"For the purposes of this policy, outlook is defined as the visual amenity enjoyed by occupants when looking out of their windows or from their garden. 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."

Paragraph 5.41 of the Hillingdon Local Plan: Part 2 (2020) states:

"The Council will aim to minimise the impact of the loss of daylight and sunlight and unacceptable overshadowing caused by new development on habitable rooms, amenity space and public open space. The Council will also seek to ensure that the design of new development optimises the levels of daylight and sunlight. The Council will expect the impact of the development to be assessed following the methodology set out in the most recent version of the Building Research Establishments (BRE) "Site layout planning for daylight and sunlight: A guide to good practice".

The proposed building would be two stories in height, measuring 7.3 metres at its highest point, 14 metres at its deepest point and 29.1 metres at its widest point. The nearest neighbouring residential properties are located to the east and north of the application site. Nos 1 to 4 The Cottages are set at least 25 metres from the proposed building to the east and no. 6 The Cottages is set at least 21 metres from the proposed building to the north. Accordingly, the proposed building would be set a sufficient distance away from neighbouring properties to ensure that the development does not significantly compromise neighbour amenity in terms of privacy, light, outlook and overdominance.

Given the above considerations, the proposed development is not considered contrary to part B) of Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020).

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

### **LIVING CONDITIONS FOR FUTURE OCCUPIERS**

Policy DMHB 16 of the Hillingdon Local Plan: Part 2 (2020) states that all housing development should have an adequate provision of internal space in order to provide an appropriate living environment. To achieve this, all residential development or conversions should meet or exceed the most up to date internal space standards.

Table 3.1 of Policy D6 of the London Plan (2021) states that a 2 storey dwelling with 4 bedrooms and 8 occupants should provide at least 124 square metres internal floorspace.

The plans submitted indicate that the proposed dwelling would provide 4 bedrooms for 8 occupants, would measure approximately 430 square meters in internal floorspace and would provide floor to ceiling heights of at least 2.5 metres. The bedrooms would also meet the minimum floorspace requirements. Accordingly, the proposed development is considered to provide sufficient accommodation for its purposes and complies with Policy DMHB 16 of the Hillingdon Local Plan: Part 2 (2020) and Policy D6 of the London Plan (2021).

A planning condition is recommended to ensure that the basement room is not utilised as a habitable space.

### **PRIVATE AMENITY SPACE**

Generally, private outdoor amenity space needs to be well located, well designed and usable for the private enjoyment of the occupier. In assessing the quality of all amenity



space in development proposals, consideration will be given to the shape and position and whether the layout has regard to matters such as daylight and sunlight, noise, enclosure and privacy. Outdoor amenity space will be required to provide an appropriate mix of hard and soft landscaping, including grass, shrubs and trees.

Policy DMHB 18 of the Hillingdon Local Plan: Part 2 (2020) states that all new residential development and conversions will be required to provide good quality and useable private outdoor amenity space. Accordingly, Table 5.3 states that:

- 4 bedroom dwellings should be provided with access to at least 100 square metres of private amenity space.

The proposed development would provide well in excess of the 100 square metre requirement and would therefore comply with Policy DMHB 18 of the Hillingdon Local Plan: Part 2 (2020).

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

Policy DMT 1 of the Hillingdon Local Plan: Part 2 (2020) states that development proposals are required to meet the transport needs of the development and address its transport impacts in a sustainable manner.

Policy DMT 2 of the Hillingdon Local Plan: Part 2 (2020) states that proposals must ensure that safe and efficient vehicular access to the highway network is provided, schemes do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents. Also that impacts on local amenity and congestion are minimised and there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing and committed roads.

Policy DMT 6 of the Hillingdon Local Plan: Part 2 (2020) requires that proposals comply with the Council's parking standards in order to facilitate sustainable development and address issues relating to congestion and amenity.

The National Planning Policy Framework (NPPF) (2021) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. This is supported by Policy T4 of the London Plan (2021).

##### **Parking Provision**

In conjunction with Policy DMT 6, Appendix C of the Hillingdon Local Plan: Part 2 (2020) requires up to 2 car parking spaces per dwelling. The plans submitted indicate that this would be achieved.

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

Policy T6.1 of the London Plan (2021) states that all residential car parking spaces must provide infrastructure for electric or Ultra-Low Emission vehicles. At least 20 per cent of spaces should have active charging facilities, with passive provision for all remaining spaces. In the case of the current proposal, it is recommended that one active charging point is provided, with passive electric vehicle charging infrastructure provided for the remaining spaces. This would be secured by planning condition.

##### **Cycle Parking Provision**

In conjunction with Policy DMT 6, Appendix C of the Hillingdon Local Plan: Part 2 (2020) requires the provision of 2 cycle spaces be provided per 3+ bedroom unit. Parking for

bicycles must be located in a safe, secure and accessible location. Covered parking should be provided where possible. Cycle parking provision would be secured by planning condition.

#### Vehicular Access Provision

The existing crossing is to remain unaltered and is considered fit for purpose.

#### Vehicular Trip Generation

There will be no discernible difference in vehicle bound activity as compared to the scale and single tenure of the existing dwelling. Accordingly, any generated activity can therefore be absorbed within the local road network without notable detriment to traffic congestion and road safety.

#### Operational Refuse Requirements

The Council's 'waste collection' maximum distance collection parameter is 10 metres. No specific detail is shown, however it is acknowledged that collections occur at present and that there is ample space to satisfy the above parameter. Suitable refuse and recycling provision would be secured by planning condition.

#### 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 Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part 2 (2020) and Policies T4, T5 and T6 of the London Plan (2021).

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

#### URBAN DESIGN

Please see Section 07.07 of the report.

#### ACCESS

Please see Section 07.12 of the report.

### **7.12 Disabled access**

Policy D5 of the London Plan (2021) states that development should achieve the highest standards of accessible and inclusive design. Specifically, it should be convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment.

Policy D7 of the London Plan (2021) also requires that development must provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children. Residential development must ensure that:

- 1) at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(3) 'wheelchair user dwellings';
- 2) all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

Planning conditions would ensure that step free access is provided via the principal

private entrance and that the dwelling is 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. Subject to such conditions, the proposal would accord with Policies D5 and D7 of the London Plan (2021).

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

Not applicable to the consideration of this application.

#### **7.14 Trees, landscaping and Ecology**

##### TREES AND LANDSCAPING

Policy G1 of the London Plan (2021) states that development proposals should incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (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 (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.

The application site does not form part of a Conservation Area but is subject to a Tree Preservation Order (TPO 236). According to the TPO schedule, there are three protected trees including T7 *Gleditsia triacanthus*, T8 *Sorbus aucuparia* and T9 *Parrotia persica*. The western edge of the site is covered in woodland which is protected by the order, Woodland W1 on the schedule. The woodland order protects yews, oaks, beech, Turkey oak and sycamore.

An Arboricultural Method Statement confirms that five trees will be removed to facilitate the development. One of the trees to be removed is a B grade yew (T27 on the schedule). The others are C grade, of lower value and life expectancy. This report provides full tree protection measures including protective fencing and a working method statement for the management of the demolition and construction work. As stated by the Council's Trees and Landscaping Officer, there is no objection to the loss of the five trees but they should be replaced as part of a comprehensive landscape plan. If planning permission is granted, this would be secured by planning condition. Subject to such a condition, the proposed development would accord with Policy G1 of the London Plan (2021) and Policies DMHB 11 and DMHB 14 of the Hillingdon Local Plan: Part 2 (2020).

##### ECOLOGY

Paragraph 174 of the NPPF (2021) states that planning decisions should contribute to and enhance the natural and local environment by: d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. This is supported by Policy G6 of the London Plan (2021) and Policy DMEI 7 of the Hillingdon Local Plan: Part 2 (2020).

For contextual purposes, it should be highlighted that the application site is located to the east of a Nature Conservation Site of Borough Grade II or Local Importance. Bat Emergence and Re-entry Surveys have been undertaken at the application site and these

have confirmed that there are bat roosts in the loose tiles on the western and eastern elevations. Accordingly, a European Protected Species Mitigation Licence (EPSML) will be required from Natural England prior to the commencement of works.

The proposed development will destroy the bat roosts identified within the building and it is important that measures are followed to prevent bats from being injured or killed. Notably, this would be a criminal offence. As such, the following measures are proposed:

- Two woodcrete crevice bat boxes to be erected on site prior to commencement of works;
- Bat boxes are to be positioned 3-5m above ground level facing in a south/south-westerly direction with a clear flight path to and from the entrance;
- Any bats located during the pre-works inspection and destructive search will be carefully captured by hand and transported to an appropriate bat box by the Licence Named Ecologist or their Accredited Agent;
- Permanent replacement roosting provision will be incorporated into the new building; and
- Low impact lighting strategies will be adopted from the guidance outlined in the new Bats and Lighting Publication produced by the Institution of Lighting Professionals and the Bat Conservation Trust "Guidance Note 08/18 Bats and artificial lighting in the UK Bats and the Built Environment series".

Natural England have been consulted as part of the planning application process and have raised no objection to the proposal. Separate from the planning process, it is understood that Natural England will not provide written advice regarding the issuing of a licence until planning permission has been granted. They have, however, advised that it is possible to grant planning permission subject to a condition to obtain a protected species licence.

The applicant's Ecologist advises that there is a very low level of bat activity and that the works can be completed under a Natural England Bat Mitigation Class Licence (Low Impact). Given the low impact, it is considered likely that a licence will be issued by Natural England. Nevertheless, if the licence is not approved by Natural England, a planning condition would ensure that the development cannot be commenced or implemented.

Subject to conditions, including the securement of an ecological enhancement plan, the proposal is considered to accord with the NPPF (2021), Policy G6 of the London Plan (2021) and Policy DMEI 7 of the Hillingdon Local Plan: Part 2 (2020).

#### **7.15 Sustainable waste management**

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020) states that:

D) Development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

Details pertaining to bin storage would be secured by planning condition. Accordingly, the proposed development is considered to accord with part D) of Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020).

#### **7.16 Renewable energy / Sustainability**

There are no specific energy requirements for a minor scale form of development. The development would, however, incorporate energy efficiency measures including insulation.

#### **7.17 Flooding or Drainage Issues**

##### **FLOOD AND WATER MANAGEMENT**

Policy SI 12 of the London Plan (2021) requires that development proposals ensure that

flood risk is minimised and mitigated. Policy SI 13 of the London Plan (2021) also requires that development proposals utilise sustainable urban drainage systems (SuDS) unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. This is supported by Policy EM6 of the Hillingdon Local Plan: Part 1 (2012) and Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 (2020). Notably, proposals that fail to make appropriate provision of flood risk and surface water flooding mitigation will be refused.

The application site is located within Flood Zone 1 and does not form part of a Critical Drainage Area, although one is sited approximately 30 metres to the east of the site. A planning condition has been recommended to secure the detail of a sustainable water management scheme. Subject to such a condition, the proposal would accord with Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 (2020), Policy EM6 of the Hillingdon Local Plan: Part 1 (2012) and Policies SI 12 and SI 13 of the London Plan (2021).

## BASEMENT DEVELOPMENT

Policy DMHD 3 of the Hillingdon Local Plan: Part 2 (2020) states:

A) When determining proposals for basement and other underground development, the Council require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability. The Council will only permit basement and other underground development that does not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability. Developers will be required to demonstrate by methodologies appropriate to the site that their proposals:

- i) avoid adversely affecting drainage and run-off or causing other damage to the water environment;
- ii) avoid cumulative impacts upon structural stability or the water environment in the local area;

B) Schemes should ensure that they:

- i) do not harm the amenity of neighbours;
- ii) do not lead to the loss of trees of townscape or amenity value;
- iii) do provide satisfactory landscaping, including adequate soil depth;
- iv) do not harm the appearance or setting of the property or the established character of the surrounding area, for example through the introduction of front lightwells; and
- v) do protect important archaeological remains.

C) The Council will not permit basement schemes which include habitable rooms and other sensitive uses in areas prone to flooding.

D) The Council will not permit basement schemes in Listed Buildings and will not permit them in Conservation Area locations where their introduction would harm the special architectural or historic character of the area.

Where a basement is proposed but does not extend the full width of the site, allowing space for groundwater to move around the site without increasing risk to the surrounding properties, there is no objection in principle in terms of drainage. However an appropriate survey should be undertaken to determine the presence of groundwater to ensure that any appropriate mitigation can be put in place to ease the passage of groundwater round the building should that be necessary and inform the utilisation of sustainable drainage. Given the location of the dwelling, situated well away from neighbouring properties, a Basement Impact Assessment can be appropriately secured by planning condition in this particular case. In relation to this, it is noted that the Council's Flood Risk Officer has reviewed the planning application and raises no objection to the proposal. Subject to the

aforementioned condition, the proposal would accord with Policy DMHD 3 of the Hillingdon Local Plan: Part 2 (2020).

#### **7.18 Noise or Air Quality Issues**

##### **NOISE**

The proposed development would continue to utilise the application site for residential purposes. As such, noise is not considered to be an issue with the proposed development.

##### **AIR QUALITY**

The application site is not located within an Air Quality Focus Area but does form part of the Hillingdon Air Quality Management Area. Given the small scale nature of the proposal, the development is not considered to be an issue with regard to air quality.

#### **7.19 Comments on Public Consultations**

Please see Section 06.1 of the report.

#### **7.20 Planning obligations**

Policy DMCI 7 of the Hillingdon Local Plan: Part 2 (2020) states:

A) To ensure development is sustainable, planning permission will only be granted for development that clearly demonstrates there will be sufficient infrastructure of all types to support it. Infrastructure requirements will be predominantly addressed through the Council's Community Infrastructure Levy (CIL).

B) Planning obligations will be sought on a scheme-by-scheme basis:

i) to secure the provision of affordable housing in relation to residential development schemes;

ii) where a development has infrastructure needs that are not addressed through CIL; and  
iii) to ensure that development proposals provide or fund improvements to mitigate site specific impacts made necessary by the proposal.

C) Applications that fail to secure an appropriate Planning Obligation to make the proposal acceptable will be refused.

The Community Infrastructure Levy Regulation 2010 (Regulations issued Pursuant to the 2008 Act) and the NPPF have put three tests on the use of planning obligations into law. It is unlawful (since 6th April 2010) to request planning obligations that do not meet the following tests:

i. necessary to make the development acceptable in planning terms;

ii. directly related to the development; and

iii. fairly and reasonable related in scale and kind to the development.

The effect of the Regulations is that the Council must apply the tests much more strictly and is only to ask for planning obligations that are genuinely necessary and directly related to a development. Should planning obligations be requested that do not meet the policy tests the Council would have acted unlawfully and could be subject to a High Court challenge.

On the basis of the NPPF and the Community Infrastructure Levy Regulation 2010, no planning obligations are to be secured via a Section 106 legal agreement.

##### **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 square metre.

The proposal produces a net decrease of 17 square metres gross internal floorspace. If the application was approved, it would be liable to the following.

Hillingdon CIL £0

London Mayoral CIL £0

Total CIL £0

#### **7.21 Expediency of enforcement action**

Not applicable.

#### **7.22 Other Issues**

##### **CONTAMINATED LAND**

Policy DMEI 12 of the Hillingdon Local Plan: Part 2 (2020) states that:

A) Proposals for development on potentially contaminated sites will be expected to be accompanied by at least an initial study of the likely contaminants. The Council will support planning permission for any development of land which is affected by contamination where it can be demonstrated that contamination issues have been adequately assessed and the site can be safely remediated so that the development can be made suitable for the proposed use.

B) Conditions will be imposed where planning permission is given for development on land affected by contamination to ensure all the necessary remedial works are implemented, prior to commencement of development.

C) Where initial studies reveal potentially harmful levels of contamination, either to human health or controlled waters and other environmental features, full intrusive ground investigations and remediation proposals will be expected prior to any approvals.

D) In some instances, where remedial works relate to an agreed set of measures such as the management of ongoing remedial systems, or remediation of adjoining or other affected land, a S106 planning obligation will be sought.

A planning condition is required to secure the details of a scheme to deal with contamination, including a desk-top study, site investigation and remediation scheme. Subject to such a condition, the proposal is not considered contrary to Policy DMEI 12 of the Hillingdon Local Plan: Part 2 (2020).

#### **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 Probity 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**

In conclusion, the proposed replacement dwelling is considered to constitute appropriate development within the Green Belt and is not considered to compromise the setting of the Harefield Place Grade II Listed Building. Subject to planning conditions, the development would also be considered acceptable with regard to its impact on the character of the area, street scene, highway network, waste, landscaping, access, flooding and contaminated land.

Accordingly, the application is recommended for approval.



## 11. Reference Documents

National Planning Policy Framework (July 2021)

The London Plan (March 2021)

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)

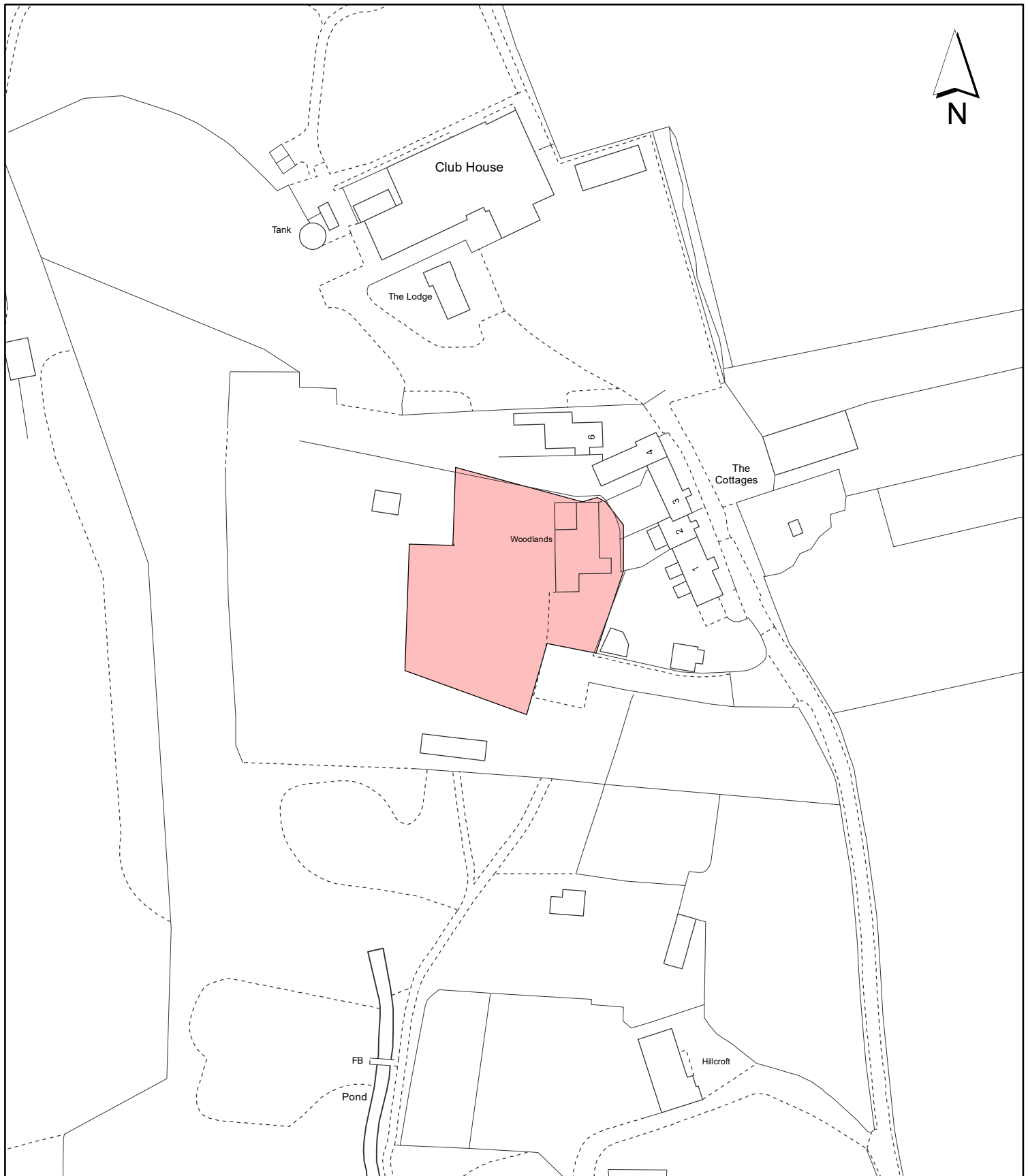
Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020)

Accessible Hillingdon Supplementary Planning Document (September 2017)

Planning Obligations Supplementary Planning Document (July 2014)

**Contact Officer:** Michael Briginshaw

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

For identification purposes only.  
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Site Address: **Woodlands  
 5 The Cottage  
 The Drive  
 Ickenham**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section  
 Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:  
**56190/APP/2021/2737**

Scale:  
**1:1,250**

Planning Committee:  
**BoroughPage 126**

Date:  
**February 2022**



# Plans for Borough Planning Committee

Tuesday 15th February 2022



**HILLINGDON**  
LONDON

[www.hillingdon.gov.uk](http://www.hillingdon.gov.uk)

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

**Address** 59 ELM AVENUE EASTCOTE

**Development:** Demolition of existing dwelling and erection a residential building housing 6 flats with associated bins and cycle provision. Removal of corner drop kerb and creation of new drop kerb and widening of front drop kerb (revised drawings received).

**LBH Ref Nos:** 60130/APP/2021/4249

**Date Plans Received:** 17/11/2021                      **Date(s) of Amendment(s):** 17/11/2021

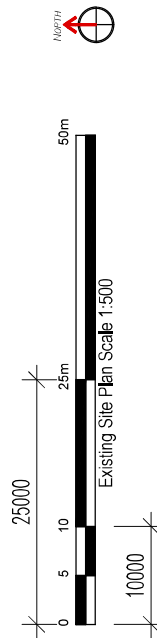
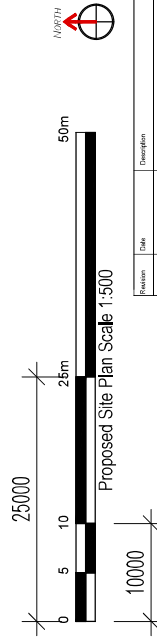
**Date Application Valid:** 17/11/2021

### 1. SUMMARY

The application seeks permission for the demolition of the existing dwelling and erection of a residential building housing 6 no. flats, including two x one-bedroom flats, three x two bedroom flats and 1 x three-bedroom flat with associated bins and cycle provision. Also, the proposal seeks the removal of the corner drop kerb and creation of a new drop kerb and the widening of the existing front drop kerb.

There is no objection, in principle, to the creation of additional residential units in land use terms. Since the dismissed Appeal Decision relating to planning application reference 60130/APP/2020/4166, the housing mix has been revised to include 1 x three-bedroom unit. Accordingly, one family unit would be provided to replace the existing family sized property that would be demolished to facilitate the proposed development.

Having regard to the Inspector's views in Appeal Decision reference APP/R5510/W/21/3273062, it is considered that this current proposal would not have such a harmful impact to the character and appearance of the area to warrant a ground for refusal on this basis. By virtue of its siting, size, scale and height, it is considered that the proposed development would not unduly impact on the residential amenities of

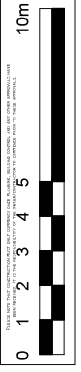
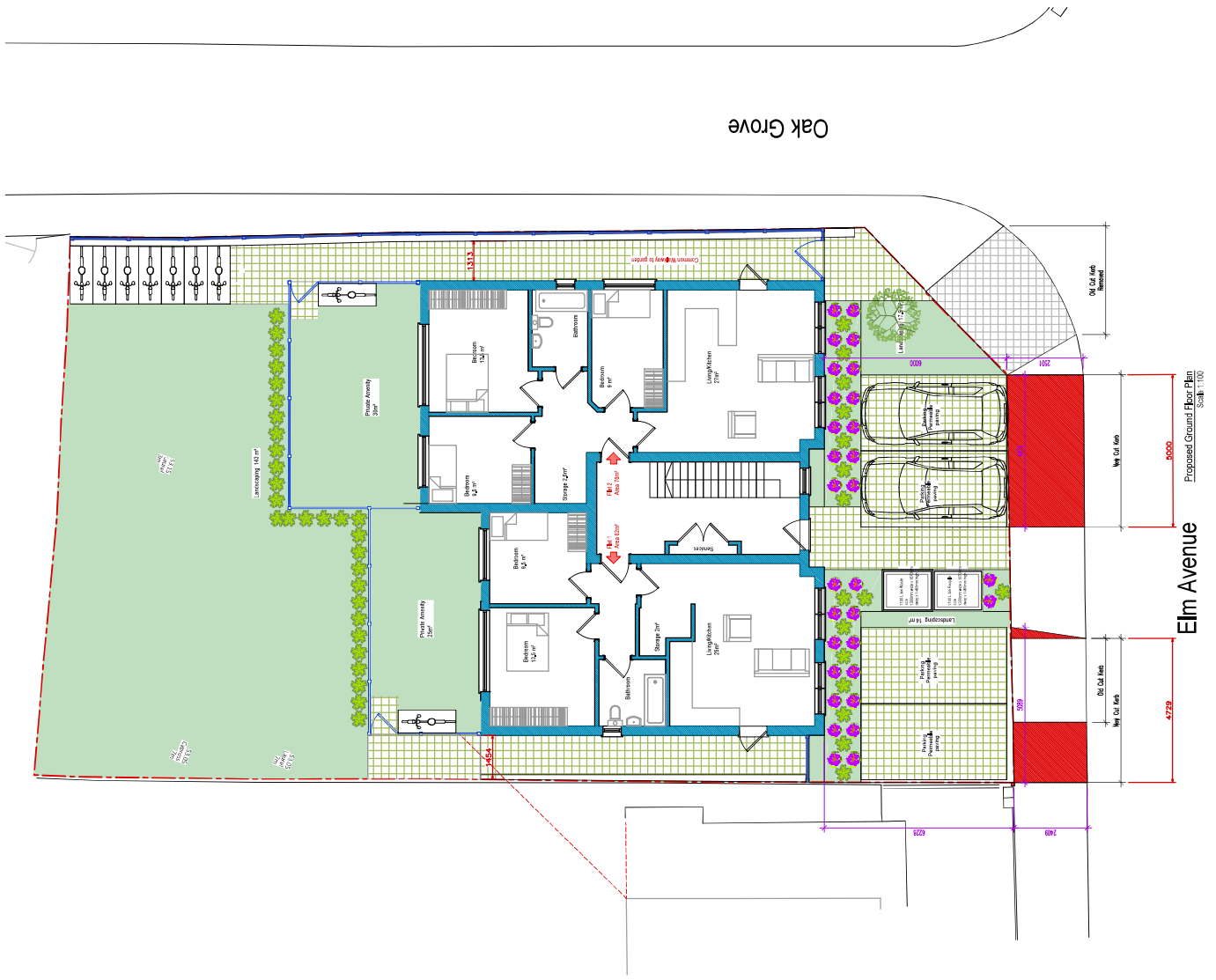


Revision	Date	Description

Project Size: **A3**

Proposed development: This drawing is a site plan showing the proposed development on the site. It is intended to provide a visual representation of the proposed development and is not intended to be used for any other purpose. The proposed development is shown in red on the site plan. The site plan is a technical drawing and should be read in conjunction with all relevant architectural, services, engineering, and planning documents.

Scale	1:500	<b>B-12 Development</b>	
Revision	1st	Architectural consultancy	
Date	Nov-21	Site Address	Existing & Proposed Site Plan
Drawn by	Ruship	59 Elm Ave	EA69-AP3-1002
Checked by	HAA BPE	Drawing Number	

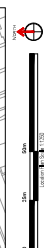
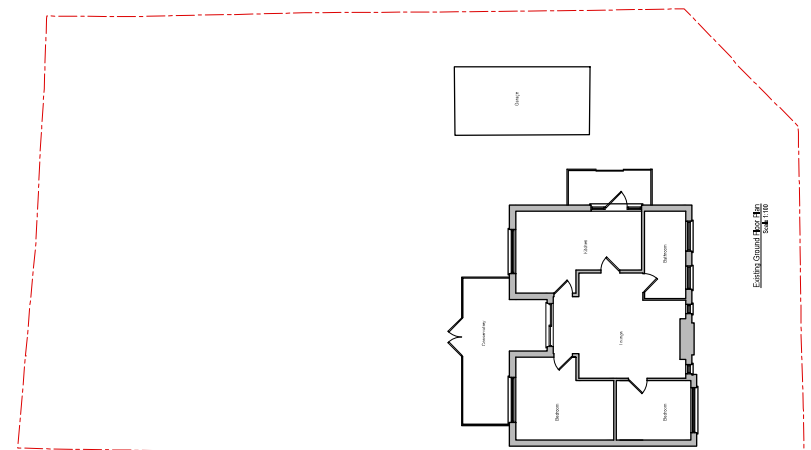
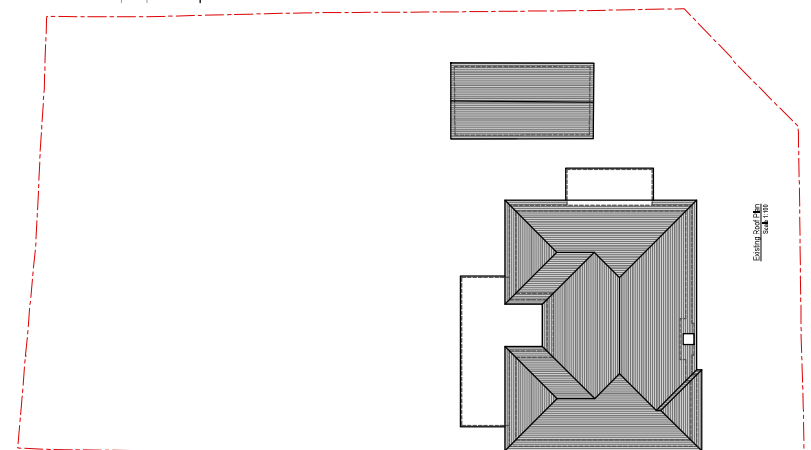
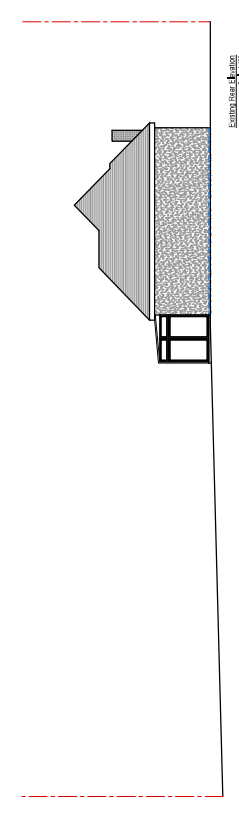
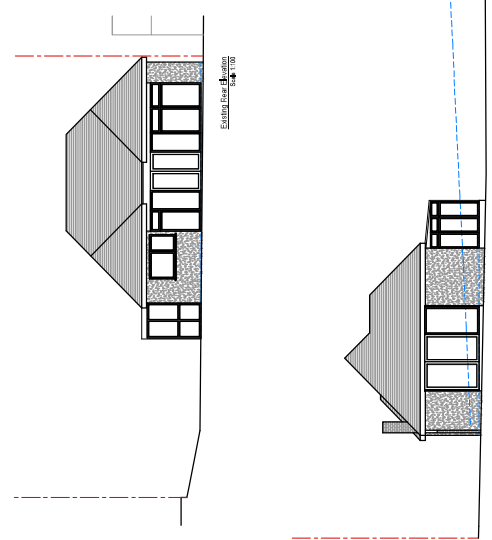
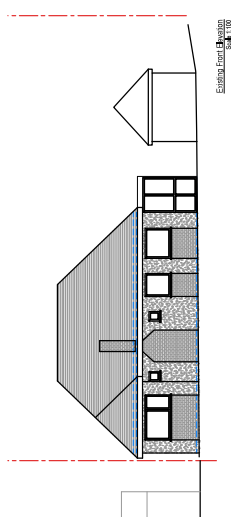


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Client	Baker Hill Shoring Vehicle Contractor		
Project No.	EA99-AP3-1009		

**A2**

Scale 1:100  
 Drawing Date: 12/12/2018  
 Drawing Title: B-12 Development - Architectural Consultancy - Novel1 - Block A - Sheet A2

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DRAWING NO: **B-12 Development**  
PROJECT NO: **B-12 Development**  
DATE: **2018/05/01**  
DRAWN BY: **ABUBAKAR A. ABDULLAHI**  
CHECKED BY: **ABUBAKAR A. ABDULLAHI**  
SCALE: **1:100**

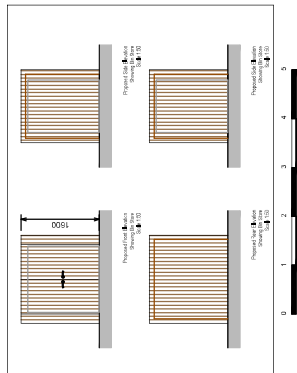
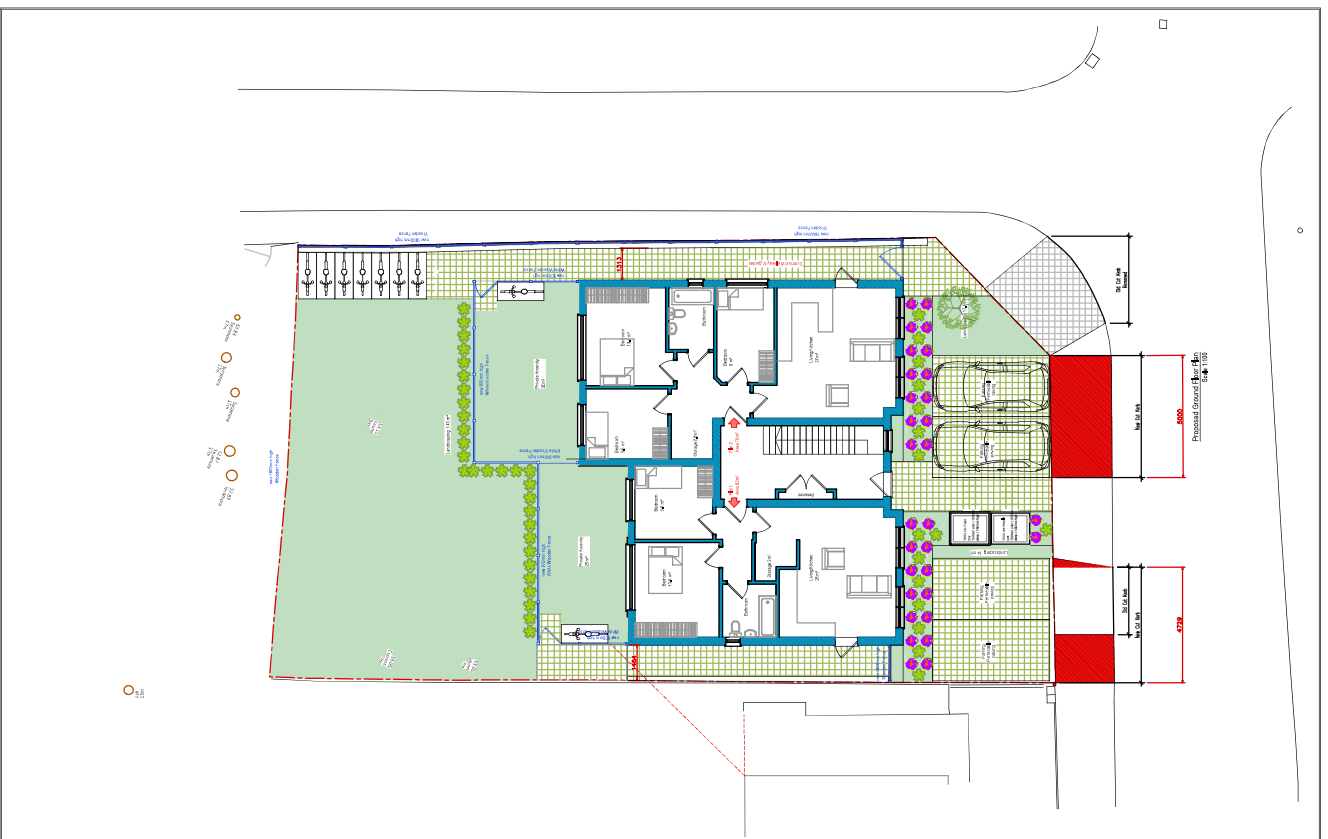
**10m**

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**0 100 200 300 400 500 600 700 800 900 1000**

**ABUBAKAR A. ABDULLAHI**  
ENGINEER  
REG. NO. **1018**  
ABUBAKAR A. ABDULLAHI



**broxap** **broxap** **broxap**

**General Information:** broxap is a leading provider of... broxap is a leading provider of... broxap is a leading provider of...

**Services:** broxap offers a wide range of services including... broxap offers a wide range of services including... broxap offers a wide range of services including...

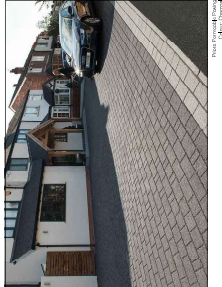
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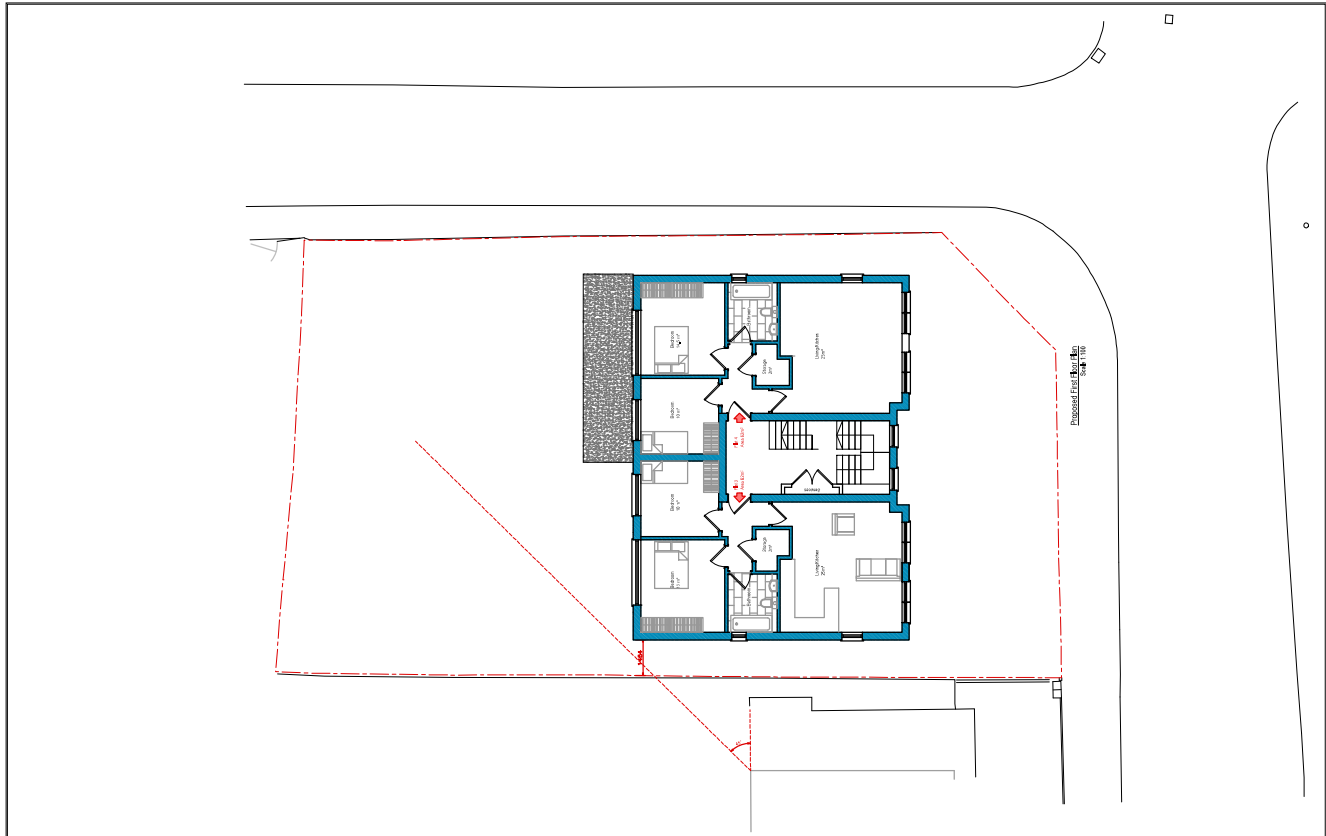
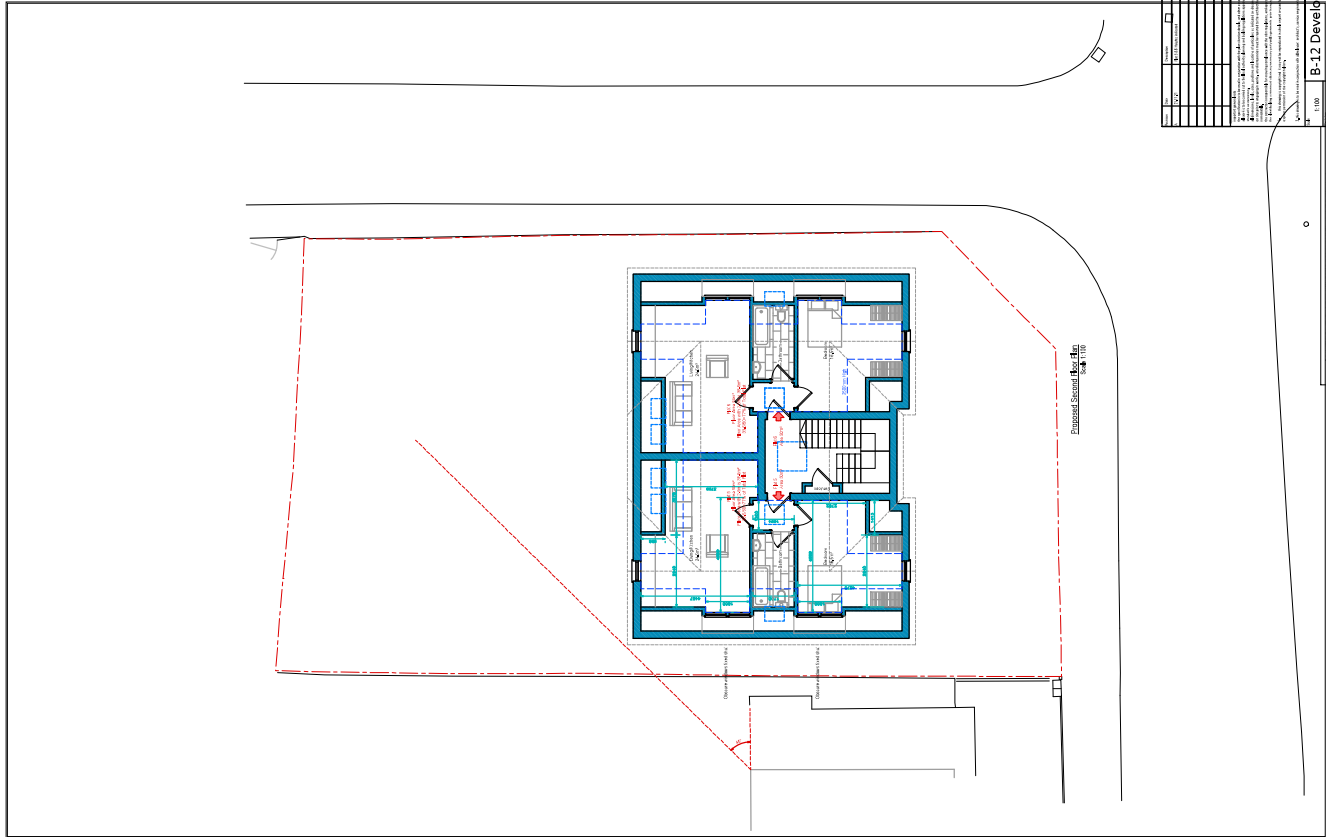
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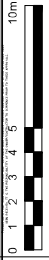


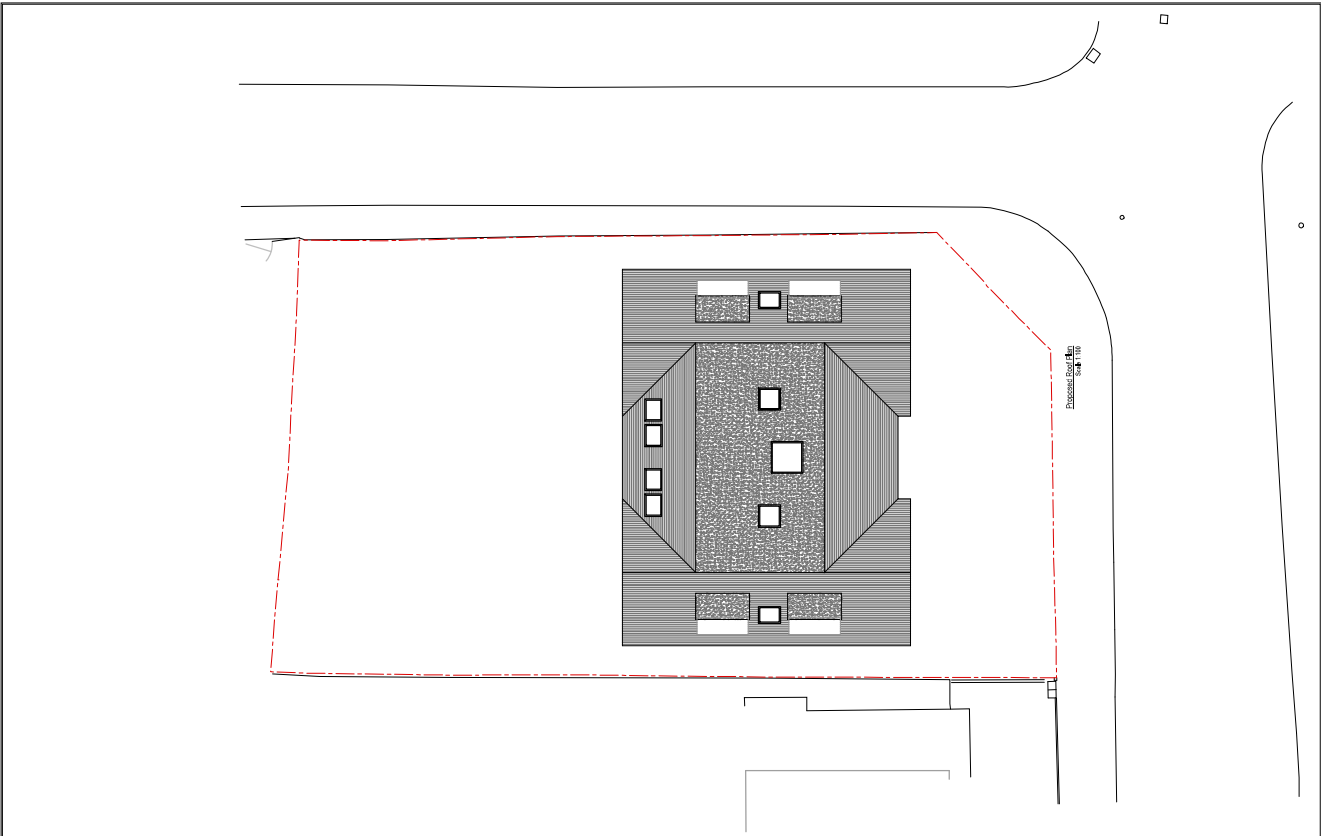
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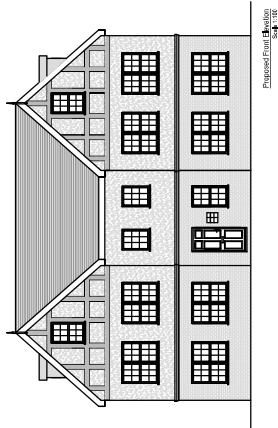
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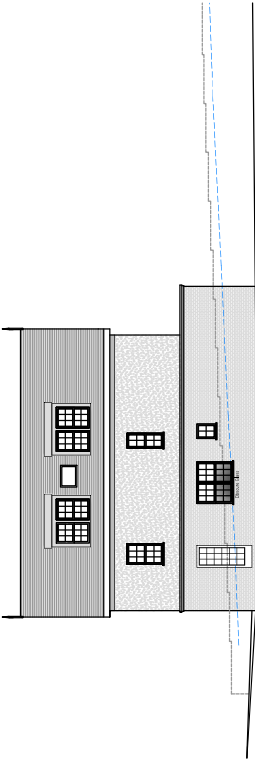


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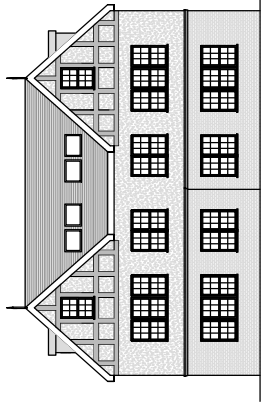
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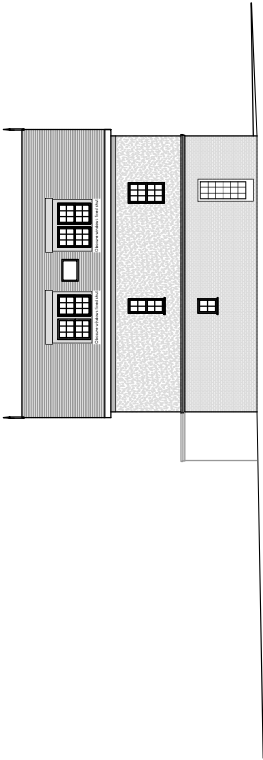
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Proposed Side Elevation  
100/100



Proposed Front Elevation  
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Proposed Side Elevation  
100/100

**100/100** **B-12 Development** **10m** **Proposed Features** **ES&MP-241108**

**100/100** **B-12 Development** **10m** **Proposed Features** **ES&MP-241108**

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**100/100** **B-12 Development** **10m** **Proposed Features** **ES&MP-241108**

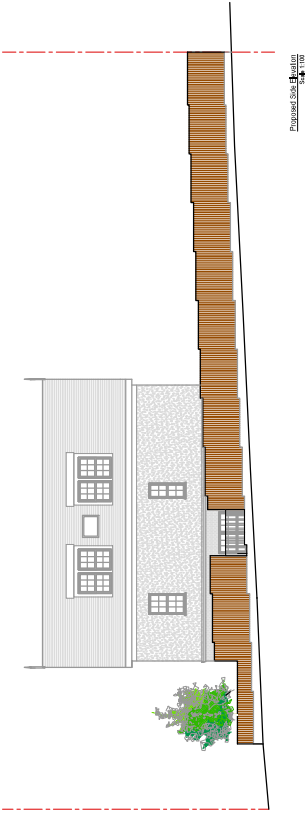
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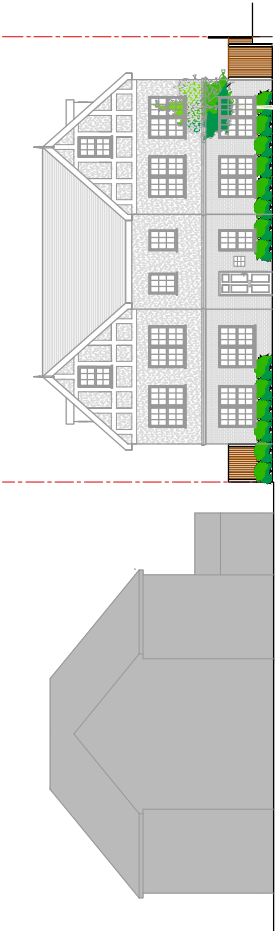
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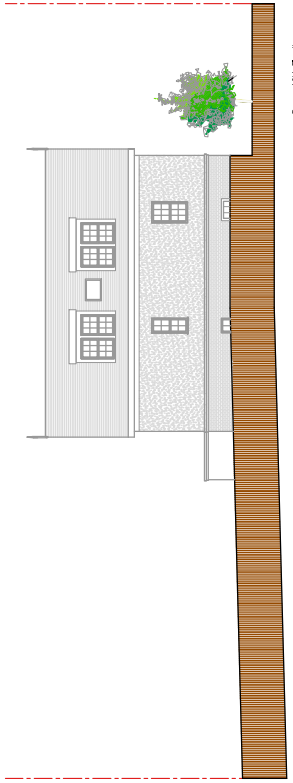
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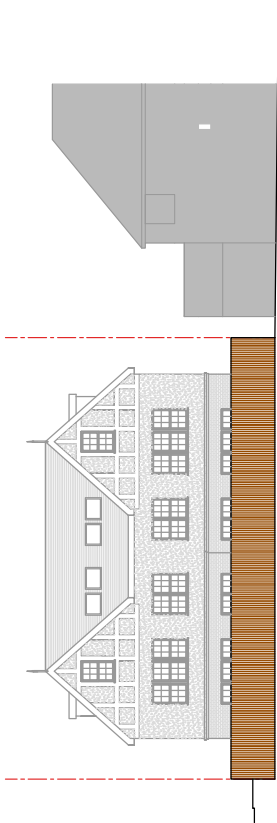
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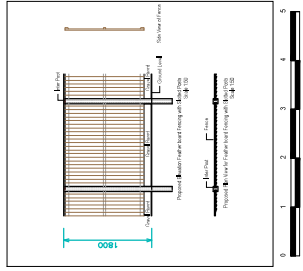
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Proposed Site  
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Proposed Site  
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Material Sample

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Client		Drawing Number	
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Author		Date	
Checker		Date	
Approver		Date	
Project Manager		Date	
Project Engineer		Date	
Project Architect		Date	
Project Designer		Date	
Project Drafter		Date	
Project Photographer		Date	
Project Printer		Date	
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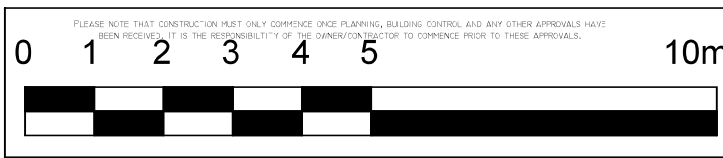


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Revision	Date	Description

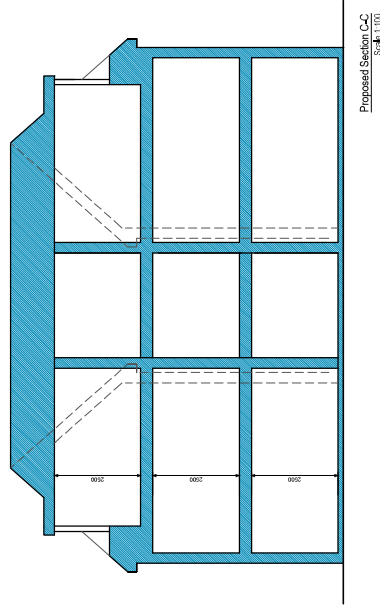
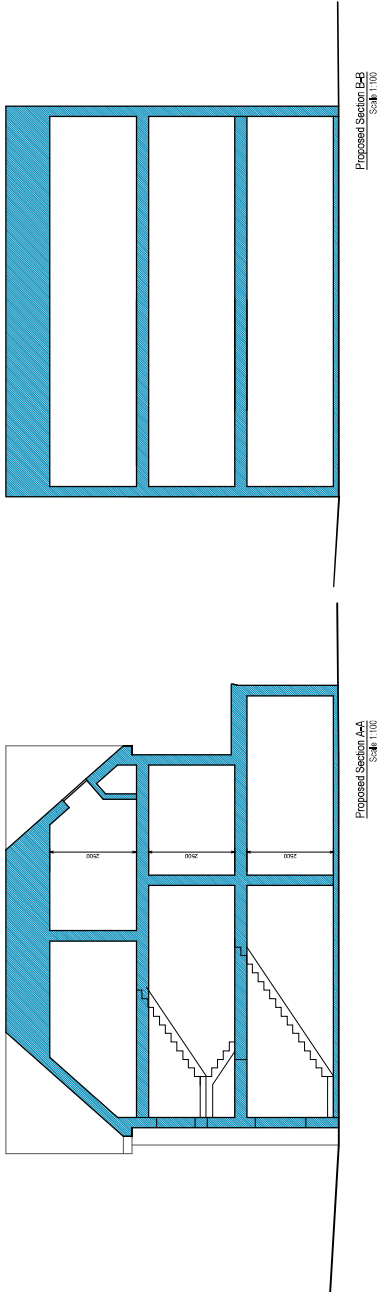
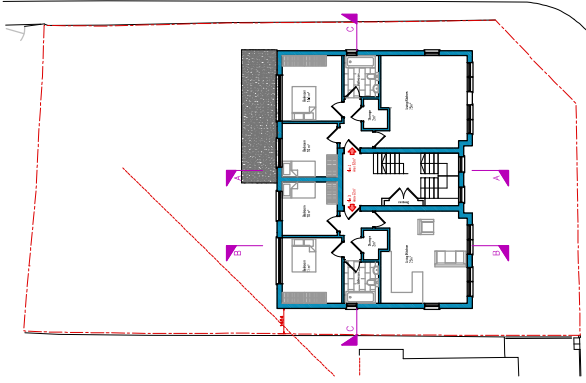
**Important general note**  
 The specification is to be read in conjunction with the **resection details**, and other associated structural details as may be provided, all work is to be carried out to the **local authority planning and building regulations approval**, and the codes of practice and British standards as necessary.  
 All dimensions, levels, sizes, positions and locations of particulars as indicated on drawings are to be verified by the appointed contractor on site prior to engaging in works, any discrepancies must be reported to the architect/surveyor/engineer or responsible person's immediately.  
 The contractor is responsible for ensuring compliance with the CDM regulations, and appropriate health & safety on site precautions, the contributing owner must obtain any necessary party wall agreements, prior to engaging in the works on site.  
 1. This drawing is copyright and it may not be reproduced in whole or part or used for the manufacture of any article without the express permission of the copyright holders.  
 2. This drawing is to be read in conjunction with all relevant architect's, service engineer's and drawings, and specifications.

Paper Size  
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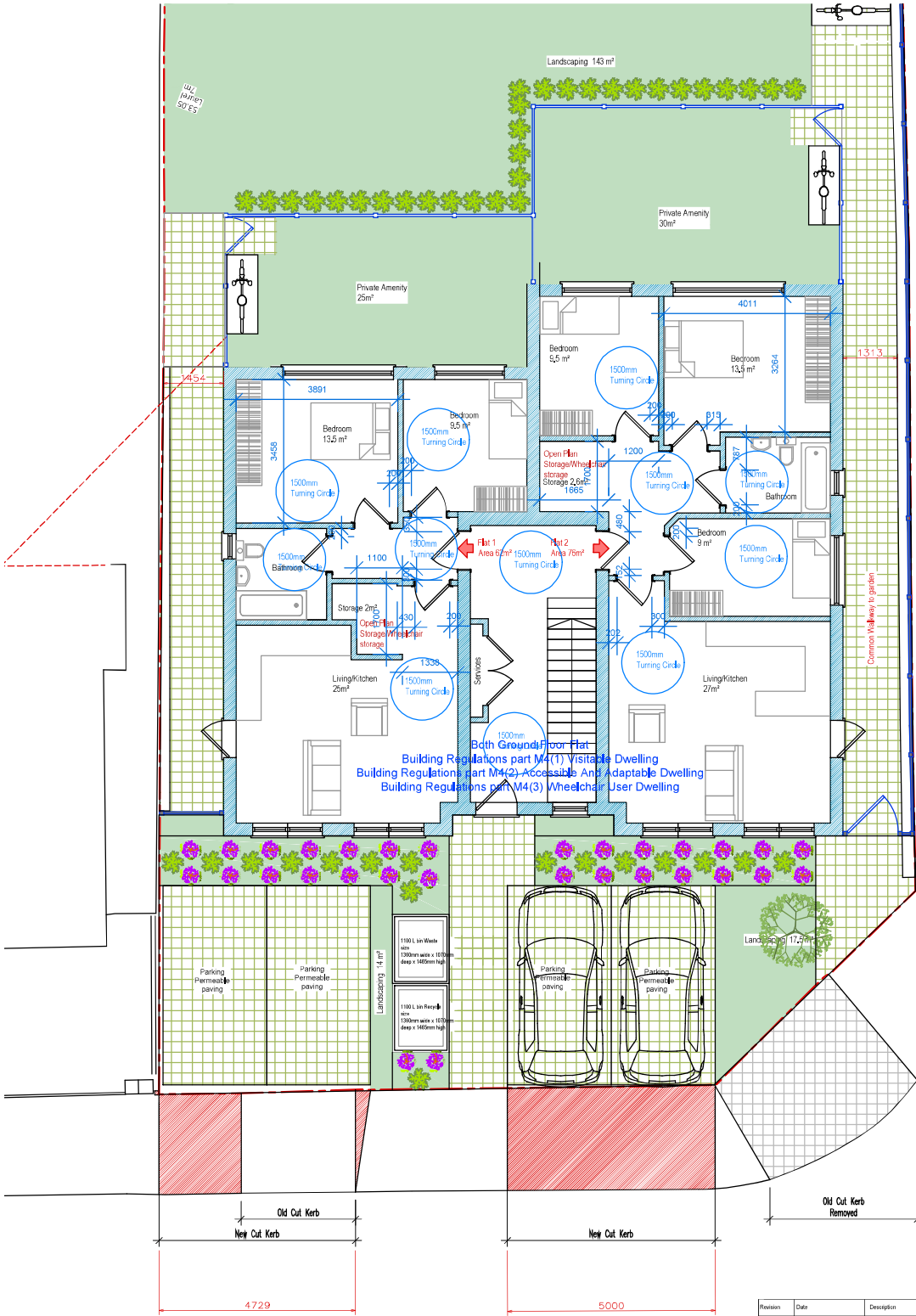


Scale 1:100	<b>B-12 Development</b>	
Revision 1st	Architectural consultancy	
Drawn By/Checked By Nov-21 ----	Site Address 59 Elm Ave Ruslip HA4 8PE	Proposed Elevation With Lift Overrun Drawing Number EA59-AP3-1010

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<p>1:100</p> <p>A</p> <p>Novel</p> <p>PROJECTS</p>		<p>10m</p> <p>0 1 2 3 4 5</p>	
<p>100%</p> <p>Architectural consultancy</p> <p>59 Elm Ave Dulwich HA4 8PE</p> <p>Proposed Siteworks EA:99-AP3-1007</p>		<p>100%</p> <p>Proposed Siteworks EA:99-AP3-1007</p>	
<p><b>A2</b></p> <p>NOTES</p> <p>1. This drawing is the property of B&amp;B Architects and should not be used for any other project without the written consent of B&amp;B Architects.</p> <p>2. This drawing is the property of B&amp;B Architects and should not be used for any other project without the written consent of B&amp;B Architects.</p> <p>3. This drawing is the property of B&amp;B Architects and should not be used for any other project without the written consent of B&amp;B Architects.</p> <p>4. This drawing is the property of B&amp;B Architects and should not be used for any other project without the written consent of B&amp;B Architects.</p> <p>5. This drawing is the property of B&amp;B Architects and should not be used for any other project without the written consent of B&amp;B Architects.</p> <p>6. This drawing is the property of B&amp;B Architects and should not be used for any other project without the written consent of B&amp;B Architects.</p> <p>7. This drawing is the property of B&amp;B Architects and should not be used for any other project without the written consent of B&amp;B Architects.</p>			

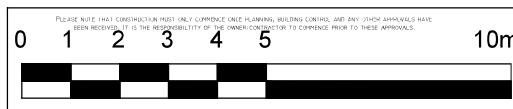


Proposed Ground Floor Plan  
Scale 1:100

Revision	Date	Description
A	21/11/21	Flat 5 & 6 Heights indicated
B	24/1/22	Wheelchair storage indicated

**Important general note:**  
The specification is to be read in conjunction with the construction details and other associated structural details as may be provided. All work is to be carried out in accordance with the Building Regulations approved and the codes of practice and British Standards as necessary.  
All drawings, specifications, schedules and details are to be verified by the appointed contractor on site prior to engaging in work, any discrepancies must be reported to the architect/surveyor/engineer or responsible persons immediately.  
The contractor is responsible for ensuring compliance with the safety regulations, and appropriate health & safety on site procedures, the building owner must obtain any necessary party wall agreements, prior to engaging in the works on site.  
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This drawing is to be read in conjunction with all relevant architect, service engineer's and drawings and specifications.

Sheet Size  
**A3**



Scale: 1:100

Revision: A

Date: Jan-22

Drawn By/Checked By: ---

**B-12 Development**  
Architectural consultancy

Site Address: 59 Elm Ave, Ruslip, HA4 8PE

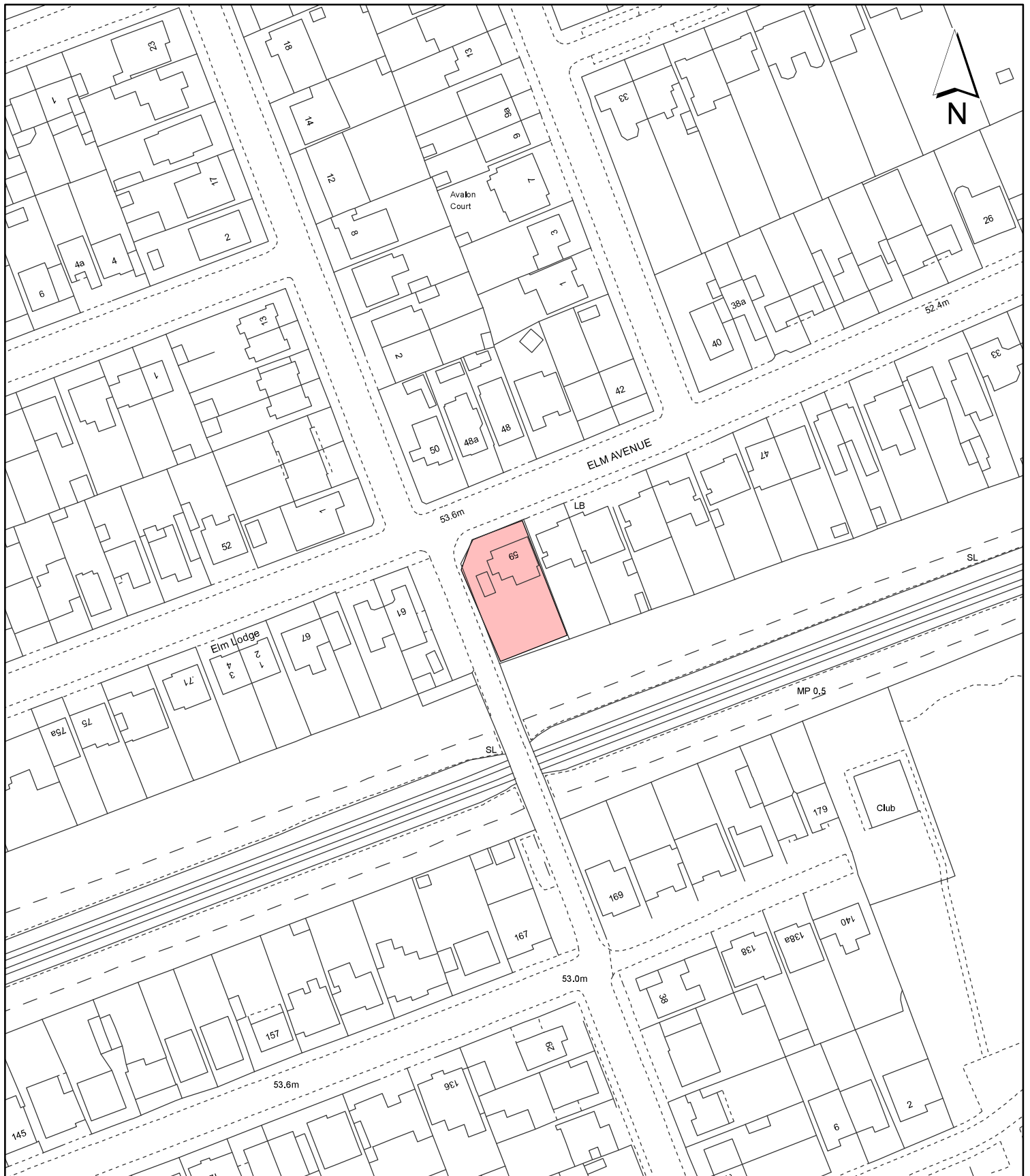
Part M(2) and M(4)

Drawing Number: EA59-AP3-1011

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**Notes:**

 Site boundary

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Site Address:

**59 Elm Avenue**

**LONDON BOROUGH OF HILLINGDON**  
 Residents Services  
 Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:  
**60130/APP/2021/4249**

Scale:  
**1:1,250**

Planning Committee:  
**BoroughPage 141**

Date:  
**February 2022**



**HILLINGDON**  
 LONDON

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

**Address** WYLDEWOODE 25 THE AVENUE NORTHWOOD  
**Development:** Four x 2 storey semi-detached dwellings with associated amenity space, parking and 4 x vehicular crossovers.  
**LBH Ref Nos:** 13305/APP/2021/1007

**Date Plans Received:** 15/03/2021                      **Date(s) of Amendment(s):** 15/03/2021  
**Date Application Valid:** 24/03/2021                      05/01/2022

### 1. SUMMARY

The application seeks planning permission for four x 2 storey semi-detached dwellings with associated amenity space, parking and vehicular crossovers. The application seeks to address the 3 x reasons for refusal for a recent application for a terrace of four dwellings on site (ref. 13305/APP/2020/2670). It is considered that the reasons for refusal relating to impact on character and appearance of the area, neighbouring residential amenity and frontage landscaping have, on balance, been addressed and the application is therefore recommended for approval.

### 2. RECOMMENDATION

**APPROVAL subject to the following:**

#### 1 RES3 Time Limit

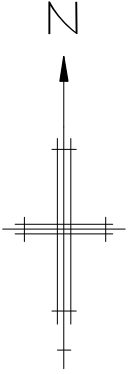
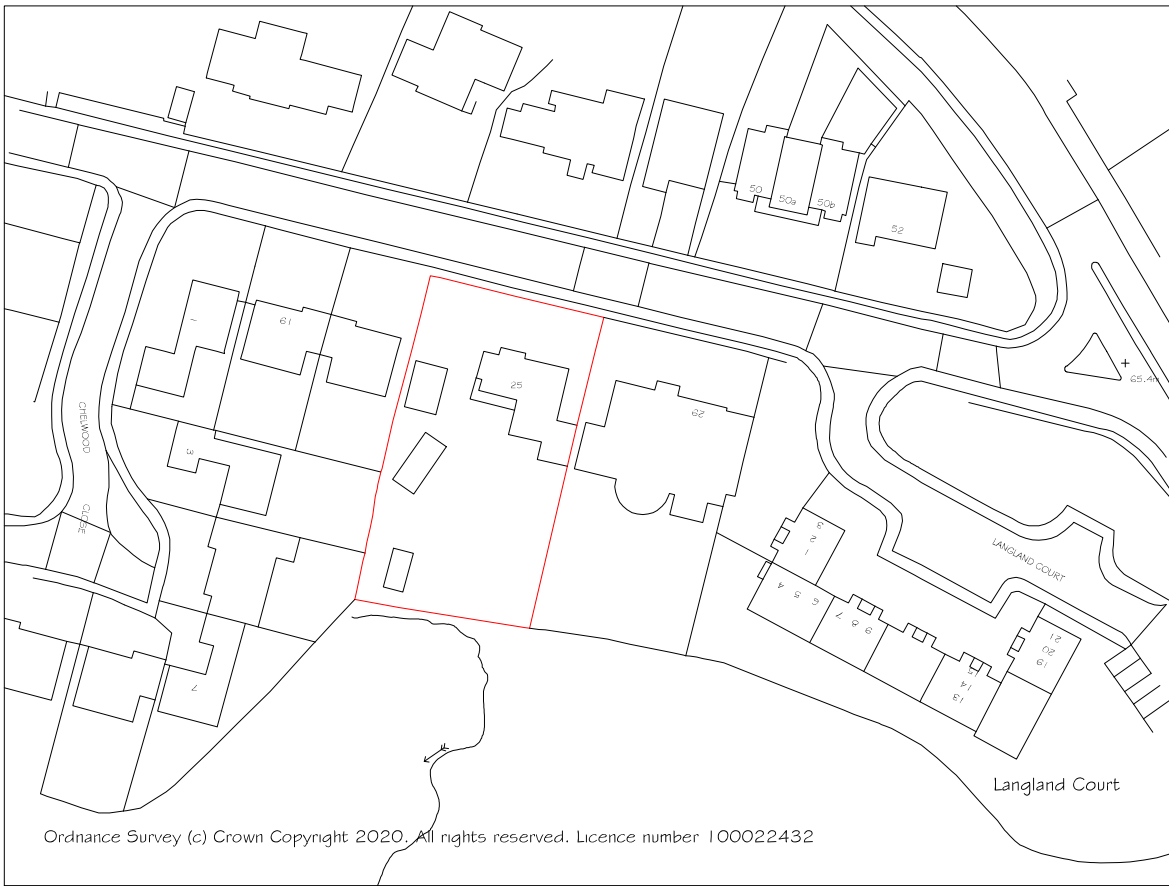
The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

#### 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 5802-A101A; 5802-A102A; 5802-A105B; 5802-A100B, 5802- A106 and 5802-A103 and shall thereafter be retained/maintained for as long as the development remains in existence.



125m

LOCATION PLAN ~ 1:1250

100

75

50

25

0

0

25

50

75

100

125m

SCALE BAR ~ 1:1250

CONTRACT NO.		DATE	
1	10000001	10/05/2018	10/05/2018
2	10000002	10/05/2018	10/05/2018
3	10000003	10/05/2018	10/05/2018
4	10000004	10/05/2018	10/05/2018
5	10000005	10/05/2018	10/05/2018
6	10000006	10/05/2018	10/05/2018
7	10000007	10/05/2018	10/05/2018
8	10000008	10/05/2018	10/05/2018
9	10000009	10/05/2018	10/05/2018
10	10000010	10/05/2018	10/05/2018



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**KEY**

Survey point	△ 5
Level	—
Boundary	—
Other	—
... (other symbols) ...	...

**ABBREVIATIONS**  
A.L. Allotment, A.S. Area, B.L. Boundary Line, C.L. Centre Line, D.L. Drainage Line, E.L. Elevation, F.L. Footing Line, G.L. Ground Level, H.L. Height, I.L. Internal Line, K.L. Kerb Line, L.L. Level Line, M.L. Main Line, N.L. North Line, O.L. Offset Line, P.L. Plot Line, R.L. Road Line, S.L. Section Line, T.L. Trench Line, U.L. Utility Line, V.L. Vertical Line, W.L. Wall Line, X.L. Extension Line, Y.L. Yield Line, Z.L. Zone Line.

**CLIENT**  
MONTAGONE ESTATES (UK) LTD

**PROJECT**  
26 THE AVENUE, NORTHWOOD, HA8 2JH

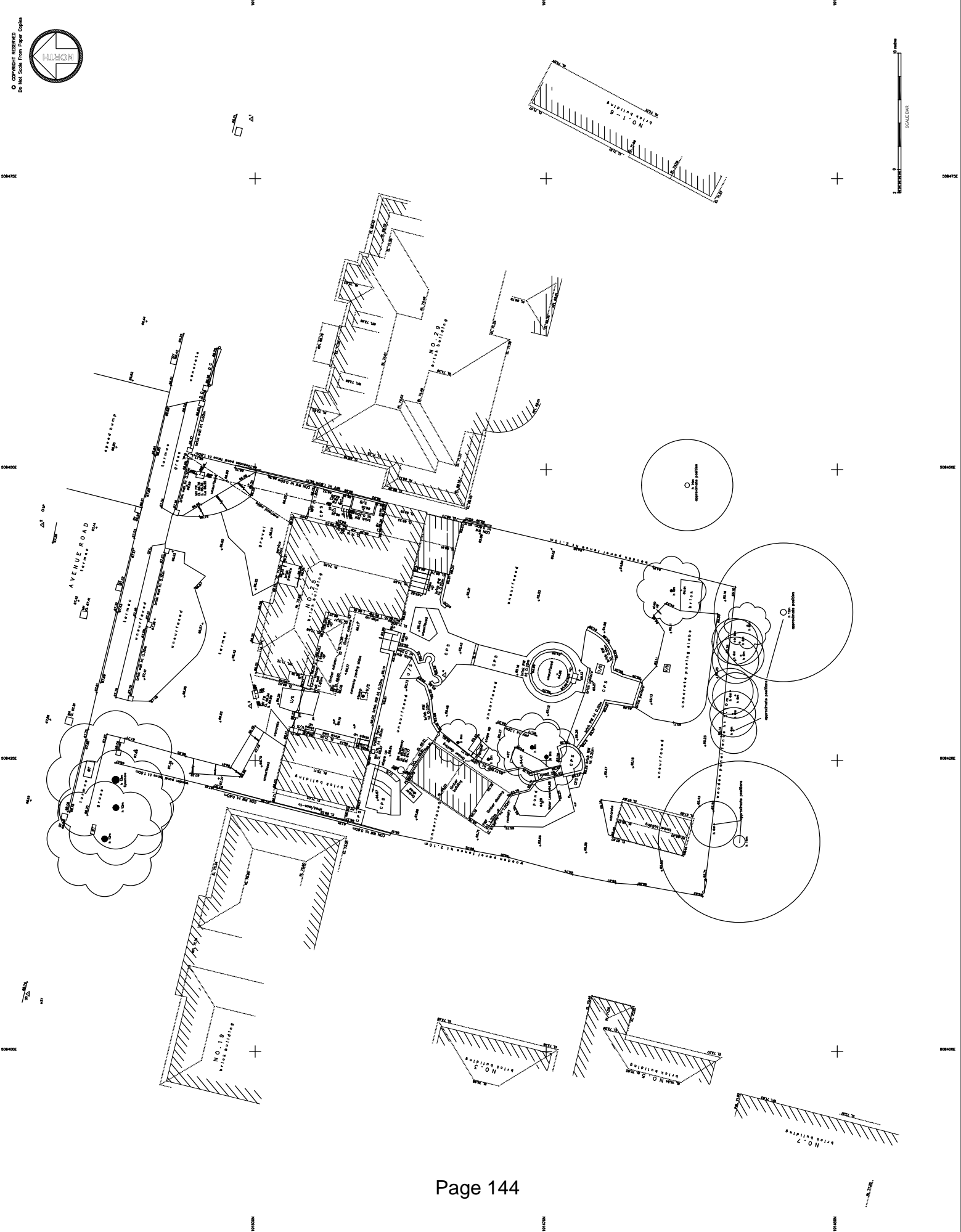
**TITLE**  
TOPOGRAPHICAL SURVEY

**PROXY NUMBER**  
TSP-188-1

**DATE**  
11/10/2018

**BY**  
[Signature]

**DATE**  
11/10/2018



**ICES**  
INSTITUTION OF CHARTERED SURVEYORS

**THE SURVEYING SOCIETY**

**CHAS**  
CONSTRUCTION HIRE ASSOCIATION

**Construction Skills**

**Construction Skills Councils**

**Construction Skills Councils**

Rev	Description	Issued by	Date
A	Plan Files, Elevations and Parking	PG	23.05.21
B	Crossover amended	PG	29.07.21

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Project  
**25 The Avenue, Northwood,  
 HA6 2NU**

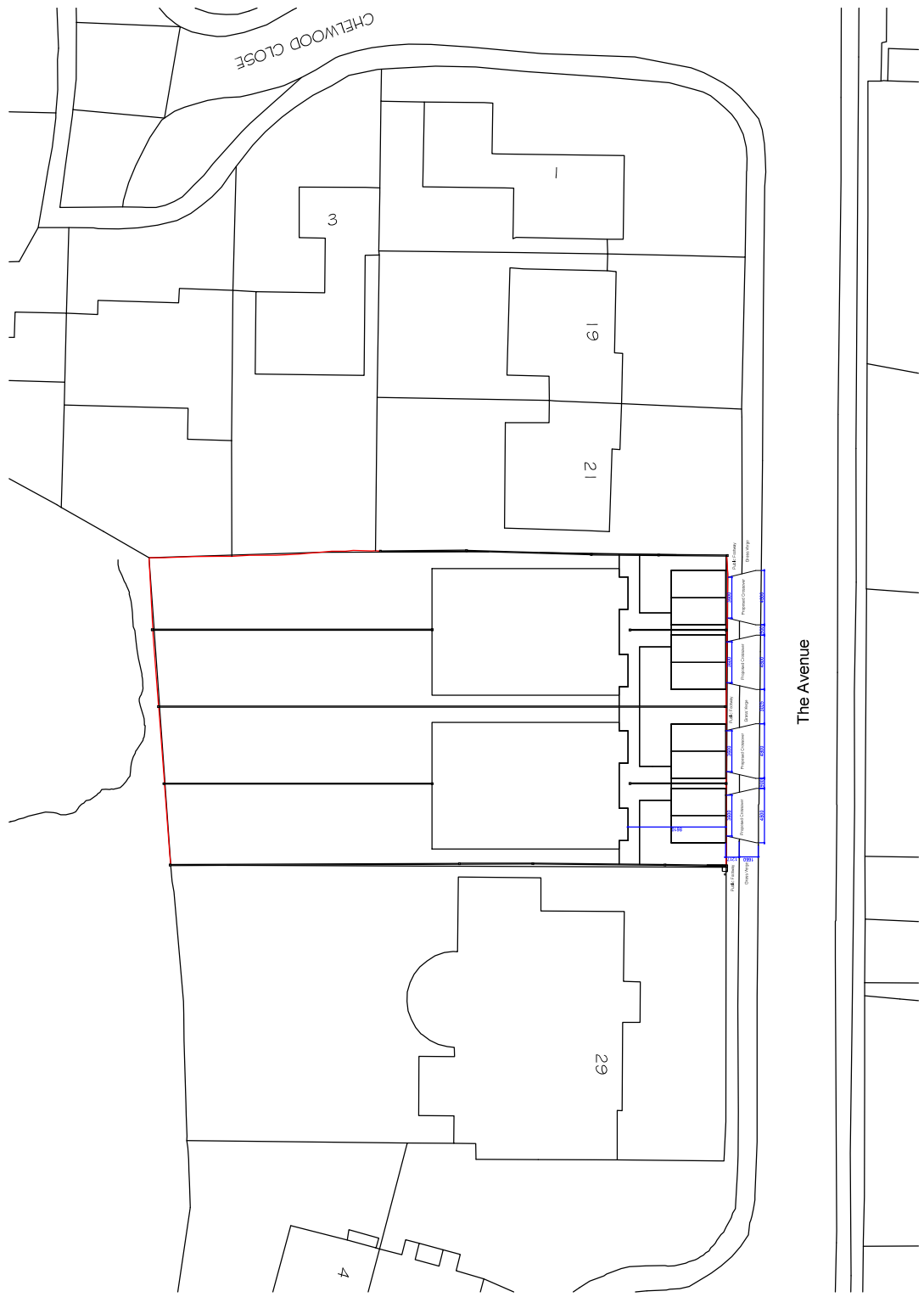
Drawing  
**BLOCK PLAN SHOWING  
 VEHICULAR CROSSOVER**

**SEABROOK  
 ARCHITECTS**  
 CHARTERED ARCHITECTS

Unit 17, Chiltern Court, Abercrombie Road, Chesham,  
 Bucks, HP8 3PX.  
 Tel: 0494 473333  
 e-mail: info@seabrookarchitects.co.uk

Drawn By	PG	Date	03/24/21
Checked By	JS	Date	02/08/2021 14:53:08
Approved By	JS	Date	02/08/2021 14:53:08

Drawing No.  
**5802-A105**  
 Rev.  
**B**



Rev	Description	Date	Issued by
A	Final Plans, Elevations and Parking Arrangements	23.03.21	PG
B	Crosshair amended	23.07.21	PG

Current Front Landscape Area per Unit	
Total:	65.96 m <sup>2</sup> 710.0 ft <sup>2</sup> 100%
Hardscape:	39.59 m <sup>2</sup> 415.3 ft <sup>2</sup> 58.5%
Softscape:	27.37 m <sup>2</sup> 294.8 ft <sup>2</sup> 41.5%

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Project  
**25 The Avenue, Northwood,  
 HA6 2NU**

Drawing  
**PROPOSED SITE PLAN**

**SEABROOK  
 ARCHITECTS**  
 CHARTERED ARCHITECTS

Unit 17, Chiltern Court, Abingdon Road, Chesham,  
 Buckinghamshire, HP8 3PX.  
 Telephone: 01494 453554  
 e-mail: info@seabrookarchitects.co.uk

Drawn By:	PG	Date:	02/10/21
Checked By:	JS	Date:	02/08/2021 14:53:54
Approved By:	JS	Date:	02/08/2021 14:53:54
Drawing No:	<b>5802-A100</b>		
Rev:	<b>B</b>		



Amendments/Notes		Issued by
Rev.	Description	Date
A	Floor Plans, Elevations and Parking (Amended)	23.05.21 PG

**Current GIA's per Floor**  
 GF : 82.18 m<sup>2</sup> 884.5 ft<sup>2</sup>  
 FF : 72.33 m<sup>2</sup> 778.5 ft<sup>2</sup>  
 SF : 42.70 m<sup>2</sup> 459.6 ft<sup>2</sup>  
 TO: 197.21 m<sup>2</sup> 2122.6 ft<sup>2</sup>

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Project  
**25 The Avenue, Northwood,  
 HA6 2NU**

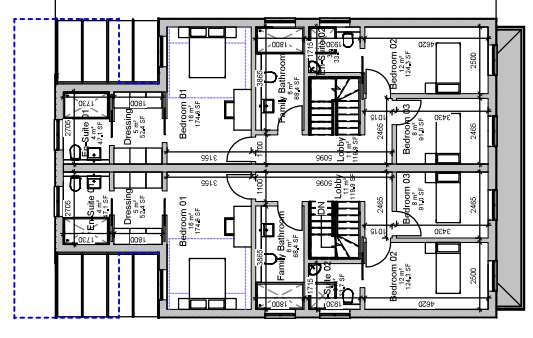
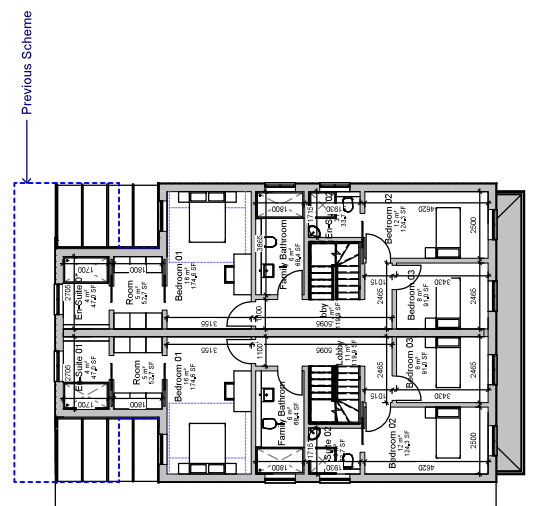
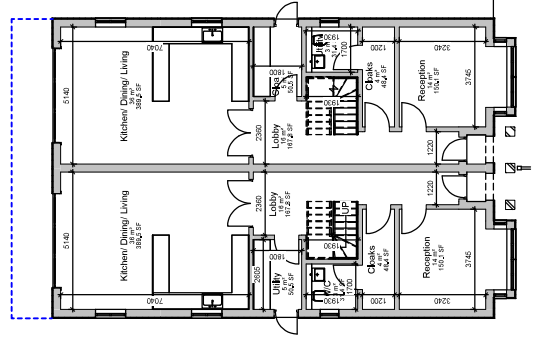
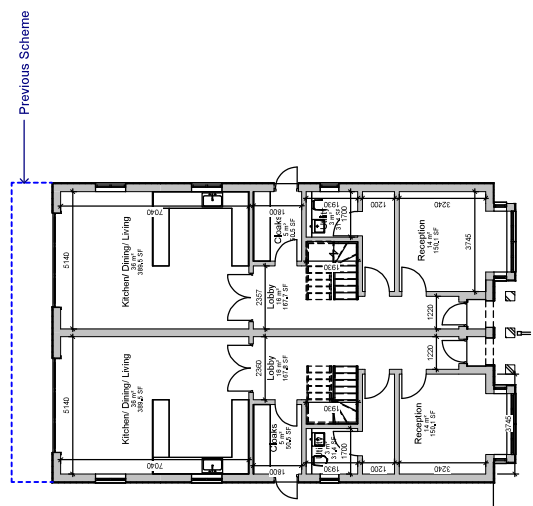
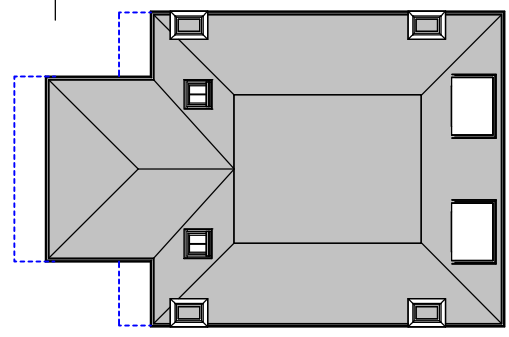
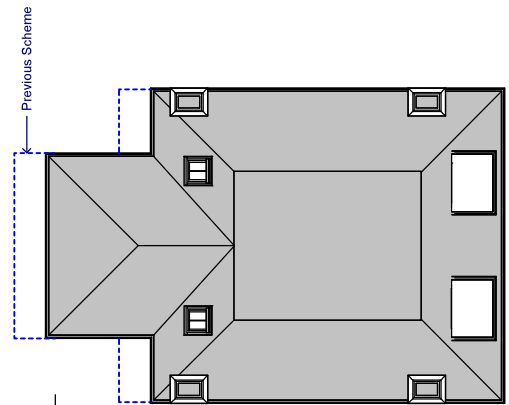
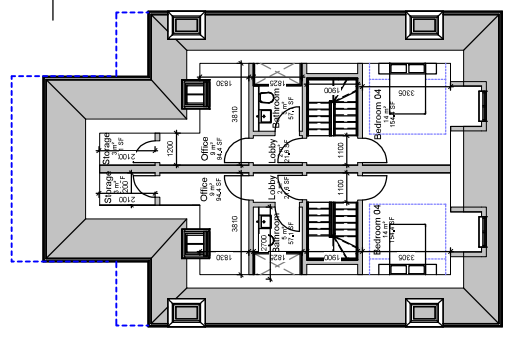
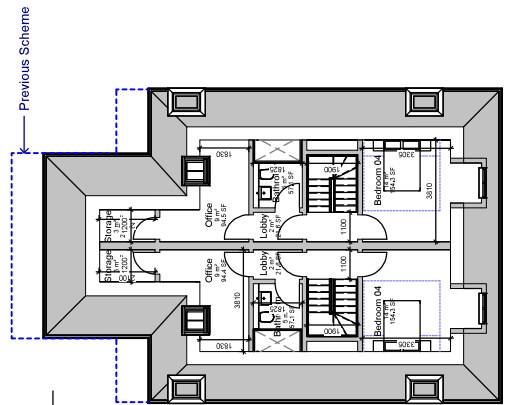
PROPOSED PLANS

**SEABROOK  
 ARCHITECTS**

CHARTERED ARCHITECTS  
 Unit 17, Chiltern Court, Abingdon Road, Chesham,  
 Buckinghamshire, HP8 3PX.  
 e-mail: info@seabrookarchitects.co.uk

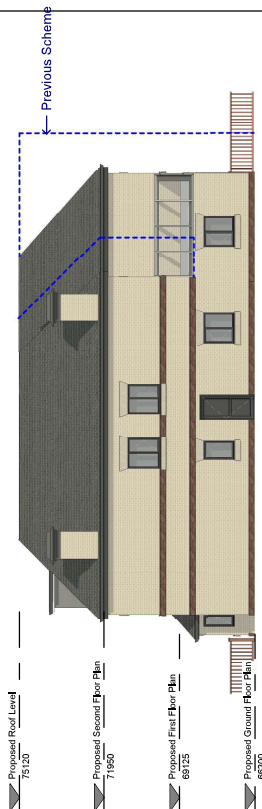
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 Checked By: JS Date: 23/06/2021 11:32:47  
 Approved By: JS Date: 23/06/2021 11:32:47

Drawing No:  
**5802-A101**  
 Rev. A





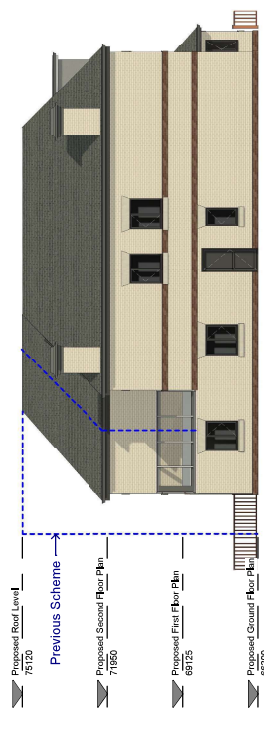
Amendments/Notes	
Rev.	Issued by
A	PG
Description	
Floor Plans, Elevations and Parking (Northwood)	
Date	23.05.21



Proposed Side 01 Elevation  
1:100



Proposed Front Elevation  
1:100



Proposed Side 02 Elevation  
1:100



Proposed Rear Elevation  
1:100

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Project  
25 The Avenue, Northwood,  
HA6 2NU

Drawing  
PROPOSED ELEVATIONS

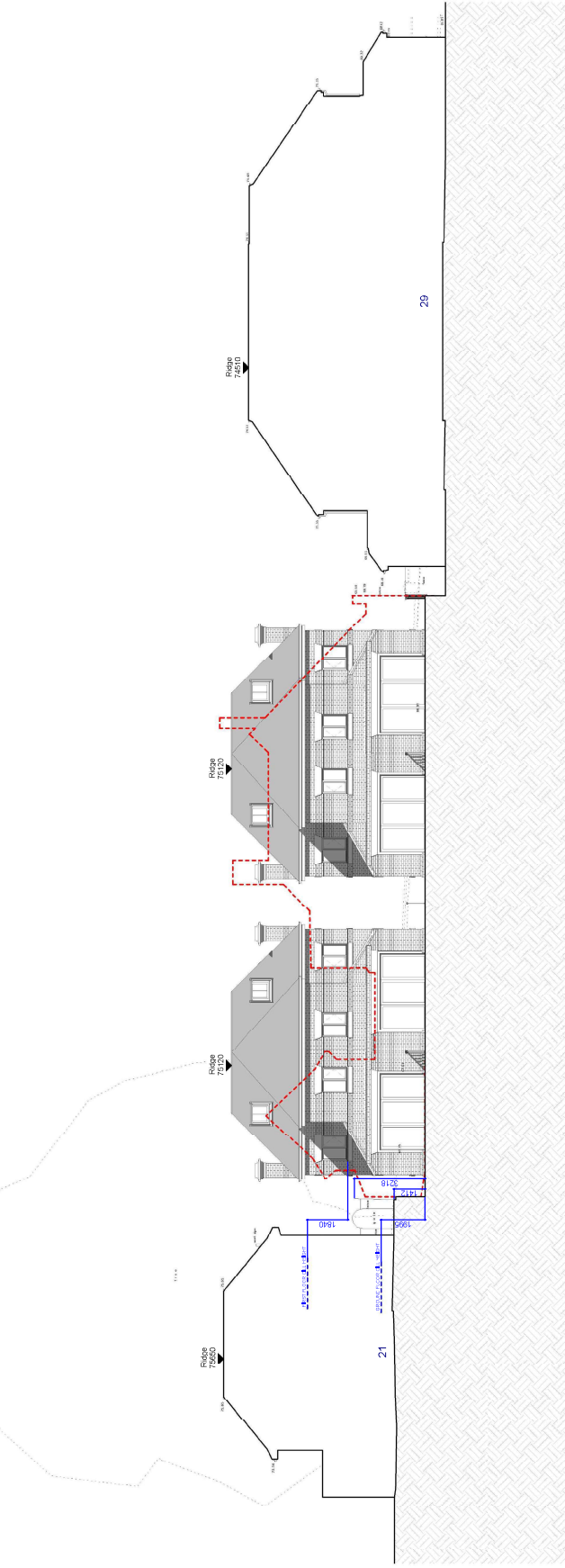
SEABROOK ARCHITECTS  
CHARTERED ARCHITECTS  
Unit 17, Chiltern Court, Abingdon Road, Chestnut, Bicester, Oxfordshire, OX9 3PX.  
Tel: 01235 832222  
e-mail: info@seabrookarchitects.co.uk

Drawn By: PG Date: 02/16/21  
Checked By: JS Date: 23/06/2021 11:30:07  
Approved By: JS Date: 23/06/2021 11:30:07

Drawing No. 5802-A102  
Rev. A



Amendments/Notes		
Rev	Description	Issued By



Proposed Rear Sectional Elevation  
1:100

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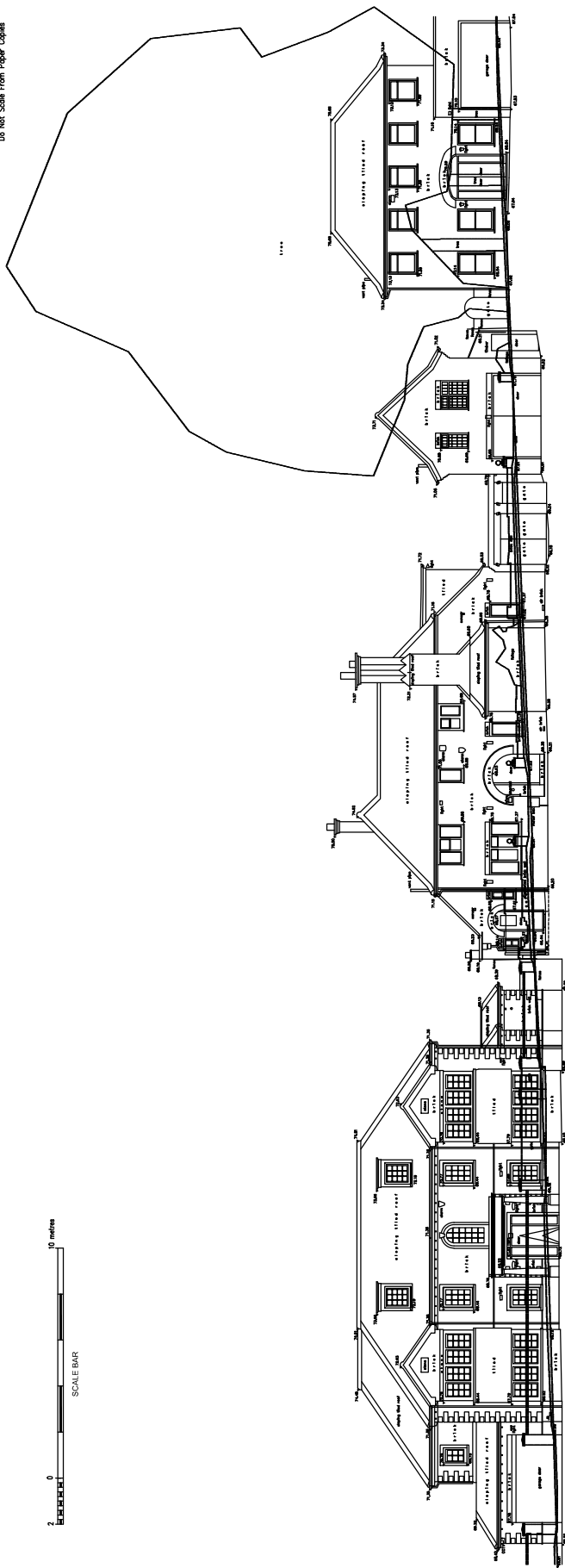
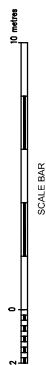
Project  
**25 The Avenue, Northwood,  
HA6 2NU**

Drawing  
**PROPOSED REAR  
SECTIONAL ELEVATION**

**SEABROOK  
ARCHITECTS**  
CHARTERED ARCHITECTS  
Unit 17, Chalfont Court, Ashridge Road, Chesham,  
Buckinghamshire HP8 4PX  
www.seabrookarchitects.co.uk  
email: info@seabrookarchitects.co.uk

Drawn By: PG	Date: 01/05/22
Checked By: JS	Date: 05/01/2022 17:05:09
Approved By: JS	Date: 05/01/2022 17:05:09
Project No: <b>5802- A106</b>	Rev:



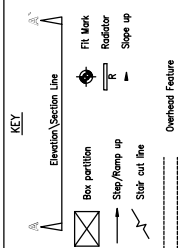


NO. 29

NO. 25

THE AVENUE STREET SCENE ELEVATION

Scale: 1:1000



**ABBREVIATIONS**

- RL = Right Level
- SL = Sill Height
- h = Head Height
- b = Beam Height
- sp = Spring Point Height
- st = Structure Height
- sf = Soffit Height
- AB = Air Brick
- AV = Air Vent
- CB = Cupboard
- EL = Eaves Level
- RF = Roof Level
- TH = Threshold Level
- FL = Finished Floor Level
- GL = Ground Level
- SL = Structure Level
- EL = Elevation level
- JB = Junction Box
- AV = Air Vent
- ST = Stair
- WT = Worktop

Client  
**MONTAGUE ESTATES (UK) LTD**

Project  
**25 THE AVENUE, NORTHWOOD,  
HAG 2NJ**

Title  
**ELEVATION**

Drawing Number  
**TS18-466-2**

Scale  
**1:1000A1**

Drawn by  
**HB**

Checked by  
**GK**

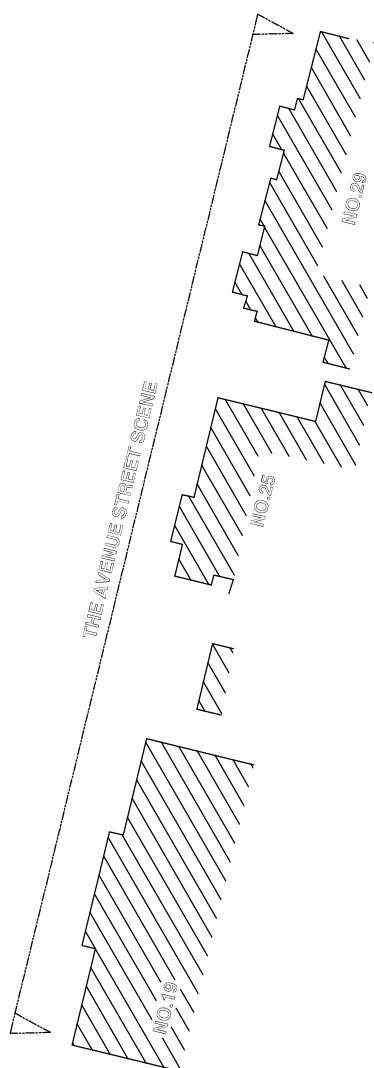
Date of Survey  
**NOV 2019**



Tel 01438 841000  
enquiries@terrairways.co.uk  
www.terrairways.co.uk



LOCATION PLAN



Amendments/Notes	
Rev.	Description



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All works on site are to be carried out fully in accordance with the Building Regulations, British Standards and Codes of Practice as appropriate.

Project  
**25 The Avenue, Northwood,  
 HA6 2NU**

Drawing  
**PROPOSED STREET  
 ELEVATION**

**SEABROOK  
 ARCHITECTS**  
 CHARTERED ARCHITECTS

The Studio, Bury Farm, Courtyard, Poshor Road,  
 Chesham, Bucks HP8 3JG Tel: 01494 77918 Fax:  
 Seabrook Architects LLP e-mail:  
 info@seabrookarchitects.co.uk

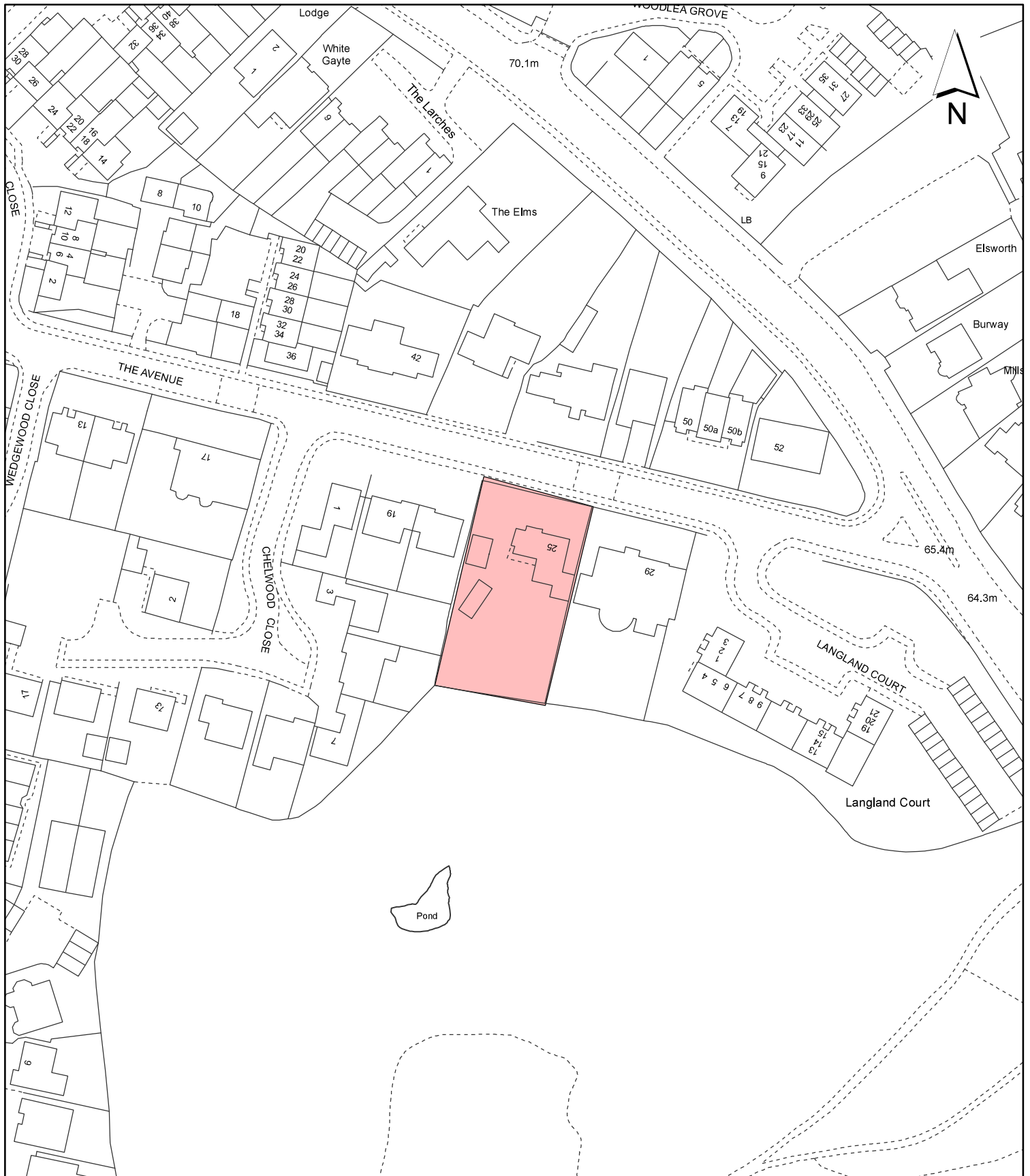
Drawn By	Author	Date:	02/16/21
Checked By	Checker	Date:	16/03/2021 10:26:14
Approved By	Approver	Date:	15/03/2021 10:26:14

Drawing No.  
**5802-A103**

Rev.

Proposed Street Elevation  
 1:100

A1:208  
 1000  
 0000



**Notes:**

 Site boundary

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Site Address:

**Wyldewoode  
25 The Avenue**

**LONDON BOROUGH  
OF HILLINGDON**  
Residents Services  
Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW  
Telephone No.: Uxbridge 01895 250111

Planning Application Ref:

**13305/APP/2021/1007**

Scale:

**1:1,250**

Planning Committee:

**Borough** Page 152

Date:

**February 2022**



**HILLINGDON**  
LONDON

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

**Address** 22 FRINGEWOOD CLOSE NORTHWOOD

**Development:** Erection of a single storey annexe for ancillary residential use with glazed link between the annexe and the existing house.

**LBH Ref Nos:** 42066/APP/2021/4244

**Date Plans Received:** 17/11/2021 **Date(s) of Amendment(s):**

**Date Application Valid:** 10/12/2021

### 2. RECOMMENDATION

#### REFUSAL for the following reasons:

##### 1 NON2 Non Standard reason for refusal

The proposed annexe, by reason of its provision of facilities required for day-to-day private domestic existence and the availability of independent access to it, would result in the creation of a self-contained residential unit in a backland position where such a dwelling would be unacceptable, due to the requirements of external amenity space for future occupiers, and its detrimental impact on the character and appearance of the area and on the living conditions of neighbouring occupiers. The proposal would therefore conflict with Policies DMH 6, DMHD 1, DMHD 2, DMHB 11, DMHB 12, DMHB 16, DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D1, D3, D4, D6 and D8 of the London Plan (2021) and the National Planning Policy Framework (2021).

##### 2 NON2 Non Standard reason for refusal

By virtue of its substantial size, scale, footprint, height, and prominent location, the proposed self-contained residential unit would result in an incongruous and cramped form of development that would be detrimental to the character, appearance and visual amenities of the street scene and the surrounding area. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMH 6, DMHB 11, DMHB 12, DMHD1 and DMHD 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D1, D3, D4 and D8 of the London Plan (2021) and the National Planning Policy Framework (2021).

##### 3 NON2 Non Standard reason for refusal



**General Notes**  
Please refer to the drawings and the scale bar when  
measuring dimensions. All dimensions are in millimetres unless  
otherwise stated. All dimensions are to the centreline of  
roads and to the outer edge of footpaths. All dimensions  
are to the outer edge of the building unless otherwise stated.  
All dimensions are to the outer edge of the building unless  
otherwise stated. All dimensions are to the outer edge of the  
building unless otherwise stated. All dimensions are to the  
outer edge of the building unless otherwise stated.

Scale 1:500 @ A1  
0 5m 10m 20m 30m 40m

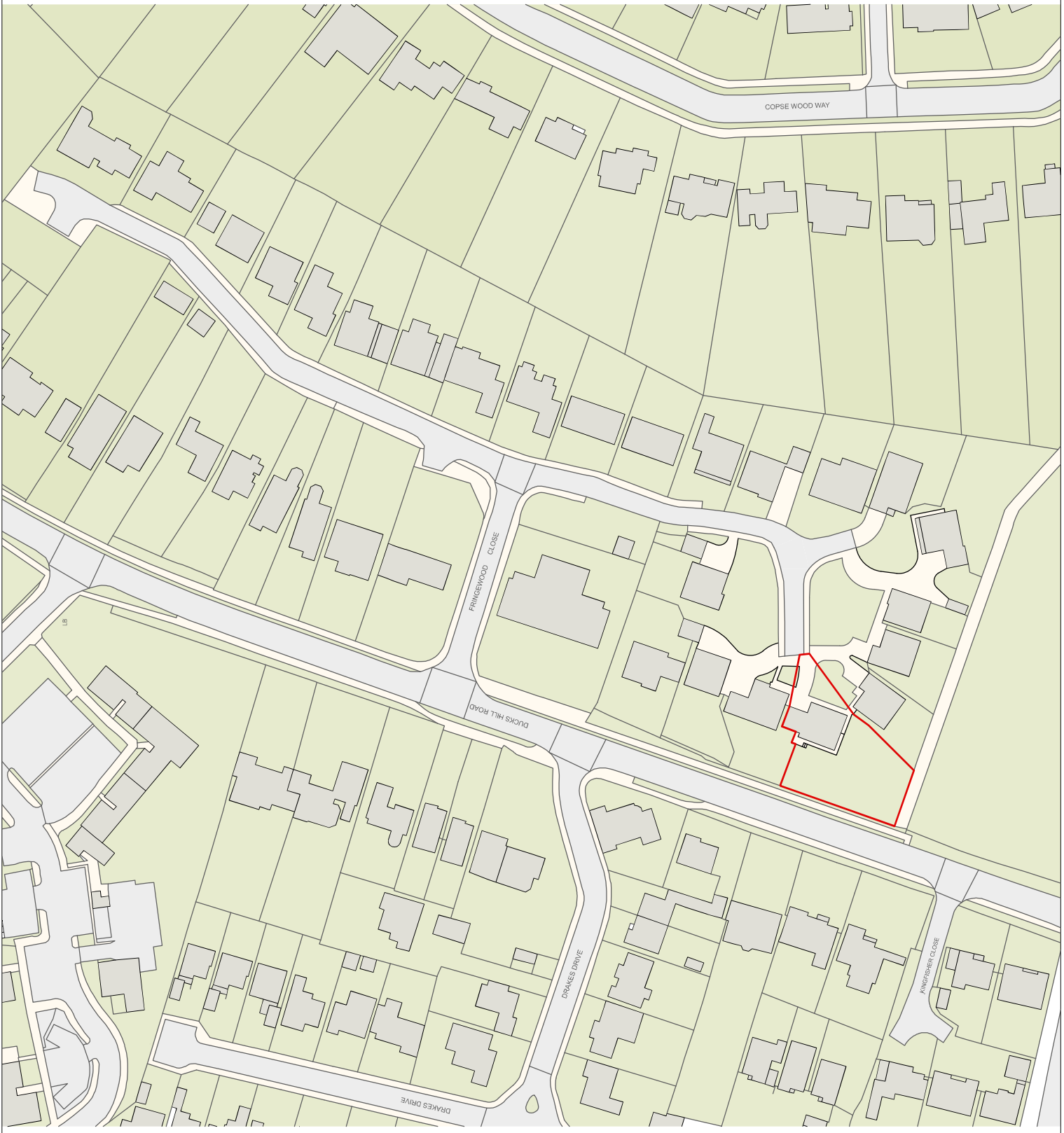
Issue Record By Chk Date

NO.	ISSUE	ISSUED	BY	CHK	DATE
1	ISSUED FOR STAGE APPROVAL	14/06/2024	PT	PT	14/06/2024
2	REVISION	14/06/2024	PT	PT	14/06/2024

Title Site location plan

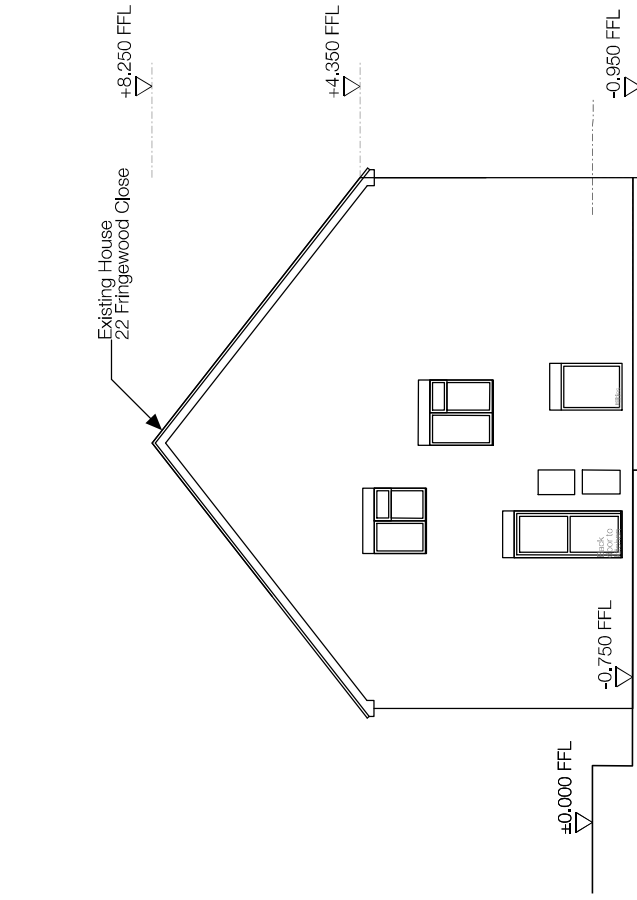
Project 22 Fringewood Close  
Scale 1:500 @ A1 1:1000 @ A3  
Status S4 - Suitable for stage approval  
Drawing Number 475-PTA-ZZ-RF-DR-A-1003 P04  
Revision

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+44 (0)20 7278 2023  
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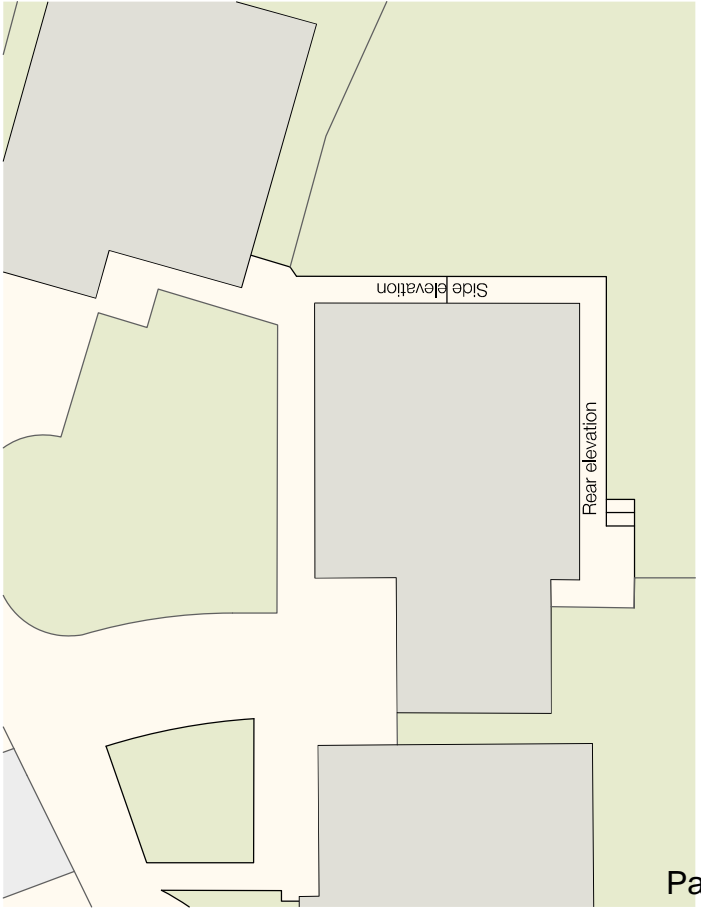




**General Notes**  
 Plans of work from the drawing are to be used for construction. All materials, methods, etc. shall be in accordance with the approved drawings. It is the responsibility of the contractor to ensure that the drawings are used for the purposes intended and that the work is carried out in accordance with the drawings. The contractor shall be responsible for obtaining all necessary permissions and approvals for the work. All parties must ensure that any changes or deviations are noted on the drawings and approved by the architect in writing. All parties must ensure that the drawings are used for the purposes intended and that the work is carried out in accordance with the drawings. The contractor shall be responsible for obtaining all necessary permissions and approvals for the work. All parties must ensure that any changes or deviations are noted on the drawings and approved by the architect in writing.



01 Side Elevation



02 Rear elevation



Issue Record By: CHK Date

Project: 22 Fringewood Close

Title: Host Dwelling Existing alterations

Scale: 1:50 @ A1

Status: S4 - Suitable for stage approval

Drawing Number: 475-PTA-ZZ-XX-DR-A-1301

Revision: P01

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22 Fringewood Close

24 Fringewood Close

02 Rear elevation



**General Notes**  
Plotted on this drawing using the scale bar shown.  
All measurements are to the centre of the road.  
All measurements are to the centre of the road.  
Approved drawings are for the use of the client only.  
This drawing is for the use of the client only.  
The client is responsible for ensuring that the drawings are used in accordance with the terms of the contract.  
The client is responsible for ensuring that the drawings are used in accordance with the terms of the contract.  
The client is responsible for ensuring that the drawings are used in accordance with the terms of the contract.

**Scale 1:500 @ A1**  
0 5m 10m 20m 30m 40m

**Issue Record** By: **CHK** Date:

NO.	ISSUE	DATE	BY	STATUS
1	ISSUED	20/05/2024	CHK	ISSUED
2	REVISION	20/05/2024	CHK	ISSUED
3	REVISION	20/05/2024	CHK	ISSUED

**Title**  
Proposed site location plan

**Project**  
22 Fringewood Close

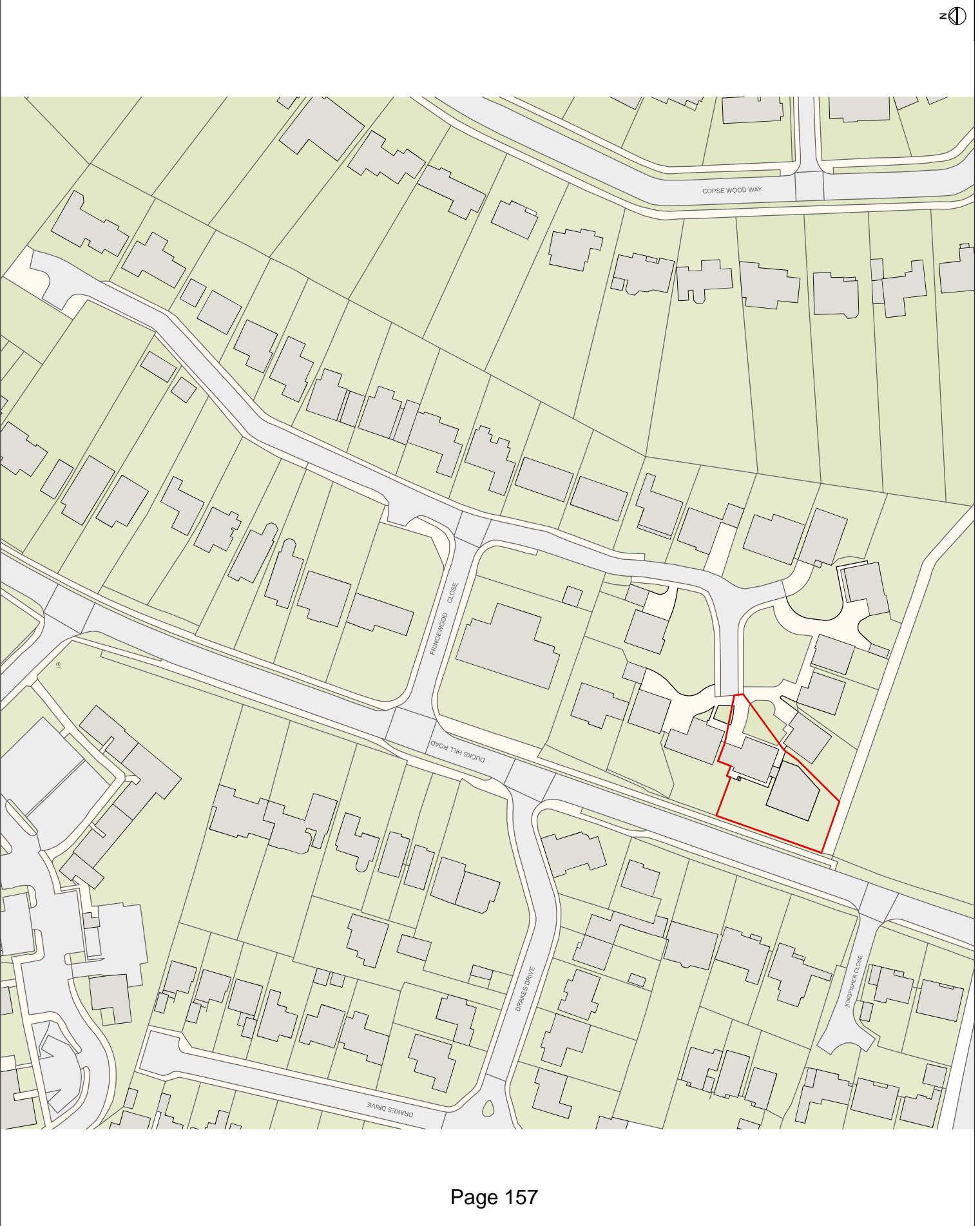
**Scale**  
1:500 @ A1 1:1000 @ A3

**Status**  
S4 - Suitable for stage approval

**Drawing Number**  
475-PTA-ZZ-RF-DR-A-1003

**Revision**  
P03

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**General Notes**

Please refer to the drawings and specifications for the proposed works. All materials and workmanship shall conform to the relevant British Standards and specifications. All materials and workmanship shall be subject to inspection and approval by the relevant authorities. All materials and workmanship shall be subject to inspection and approval by the relevant authorities. All materials and workmanship shall be subject to inspection and approval by the relevant authorities.

Scale 1:100 @ A1  
 0 1m 2m 3m 4m 5m 6m 7m 8m 9m 10m

Issue Record By Chk Date

Rev	By	Chk	Date
01	PT	PT	12/01/2024
02	PT	PT	12/01/2024
03	PT	PT	12/01/2024
04	PT	PT	12/01/2024
05	PT	PT	12/01/2024

Title  
 Proposed site plan  
 Ground floor

Project  
 22 Fringewood Close

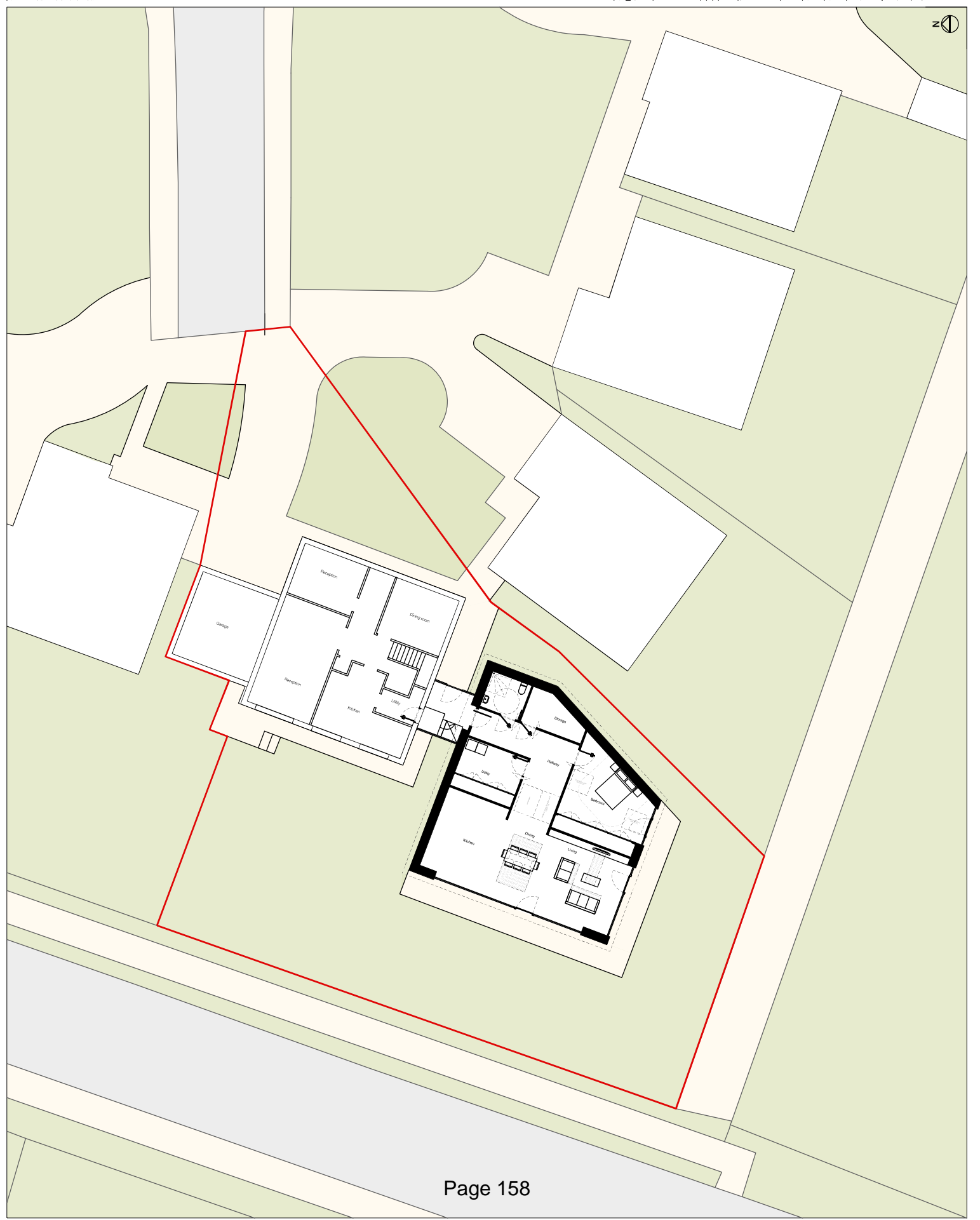
Scale  
 1:100 @ A1 1:200 @ A3

Status  
 S4 - Suitable for stage approval

Drawing Number  
 475-PTA-ZZ-00-DR-A-2000

Revision  
 P04

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**General Notes**  
Please refer to the main drawing for the site plan. All dimensions are given in meters. All drawings are subject to change without notice. All drawings are subject to the latest specifications and standards. The drawings are intended for information only and should not be used for construction. The drawings are intended for information only and should not be used for construction.



<b>Scale 1:100 @ A1</b>	
0	1m 1.5m 2m 2.5m
1cm = 1m	
<b>Issue Record</b>	
<b>By</b>	<b>Chk. Date</b>

NO.	DATE	DESCRIPTION
01	15/10/20	ISSUED FOR APPROVAL
02	16/10/20	REVISED PER COMMENTS
03	17/10/20	REVISED PER COMMENTS
04	18/10/20	REVISED PER COMMENTS

**Title**  
Proposed site plan  
Floor plan

**Project**  
22 Fringingwood Close

**Scale**  
1:100 @ A1 1:200 @ A3

**Status**  
S4 - Suitable for stage approval

**Drawing Number**  
475-PTA-ZZ-RF-DR-A-2001 P04

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**General Notes**

Please refer to the drawings and specifications for details. All dimensions are in millimeters unless otherwise stated. All materials and workmanship shall conform to the relevant British Standards. The contractor shall be responsible for obtaining all necessary permissions and approvals from the relevant authorities. The drawings are for information only and do not constitute an offer. The contractor shall be responsible for checking the accuracy of the drawings and specifications before construction. All work shall be carried out in accordance with the relevant Building Regulations and Approved Documents. The contractor shall be responsible for ensuring that the work is completed to the satisfaction of the client and the relevant authorities.



Issue Record By: [Blank] Date: [Blank]

NO.	REV.	DATE	BY	DESCRIPTION
01	1	15/10/2024	PTA	ISSUED FOR PERMIT
02	1	15/10/2024	PTA	ISSUED FOR PERMIT
03	1	15/10/2024	PTA	ISSUED FOR PERMIT
04	1	15/10/2024	PTA	ISSUED FOR PERMIT
05	1	15/10/2024	PTA	ISSUED FOR PERMIT
06	1	15/10/2024	PTA	ISSUED FOR PERMIT
07	1	15/10/2024	PTA	ISSUED FOR PERMIT
08	1	15/10/2024	PTA	ISSUED FOR PERMIT
09	1	15/10/2024	PTA	ISSUED FOR PERMIT
10	1	15/10/2024	PTA	ISSUED FOR PERMIT
11	1	15/10/2024	PTA	ISSUED FOR PERMIT
12	1	15/10/2024	PTA	ISSUED FOR PERMIT
13	1	15/10/2024	PTA	ISSUED FOR PERMIT
14	1	15/10/2024	PTA	ISSUED FOR PERMIT
15	1	15/10/2024	PTA	ISSUED FOR PERMIT
16	1	15/10/2024	PTA	ISSUED FOR PERMIT
17	1	15/10/2024	PTA	ISSUED FOR PERMIT
18	1	15/10/2024	PTA	ISSUED FOR PERMIT
19	1	15/10/2024	PTA	ISSUED FOR PERMIT
20	1	15/10/2024	PTA	ISSUED FOR PERMIT

Title: Proposed drawings Ground floor

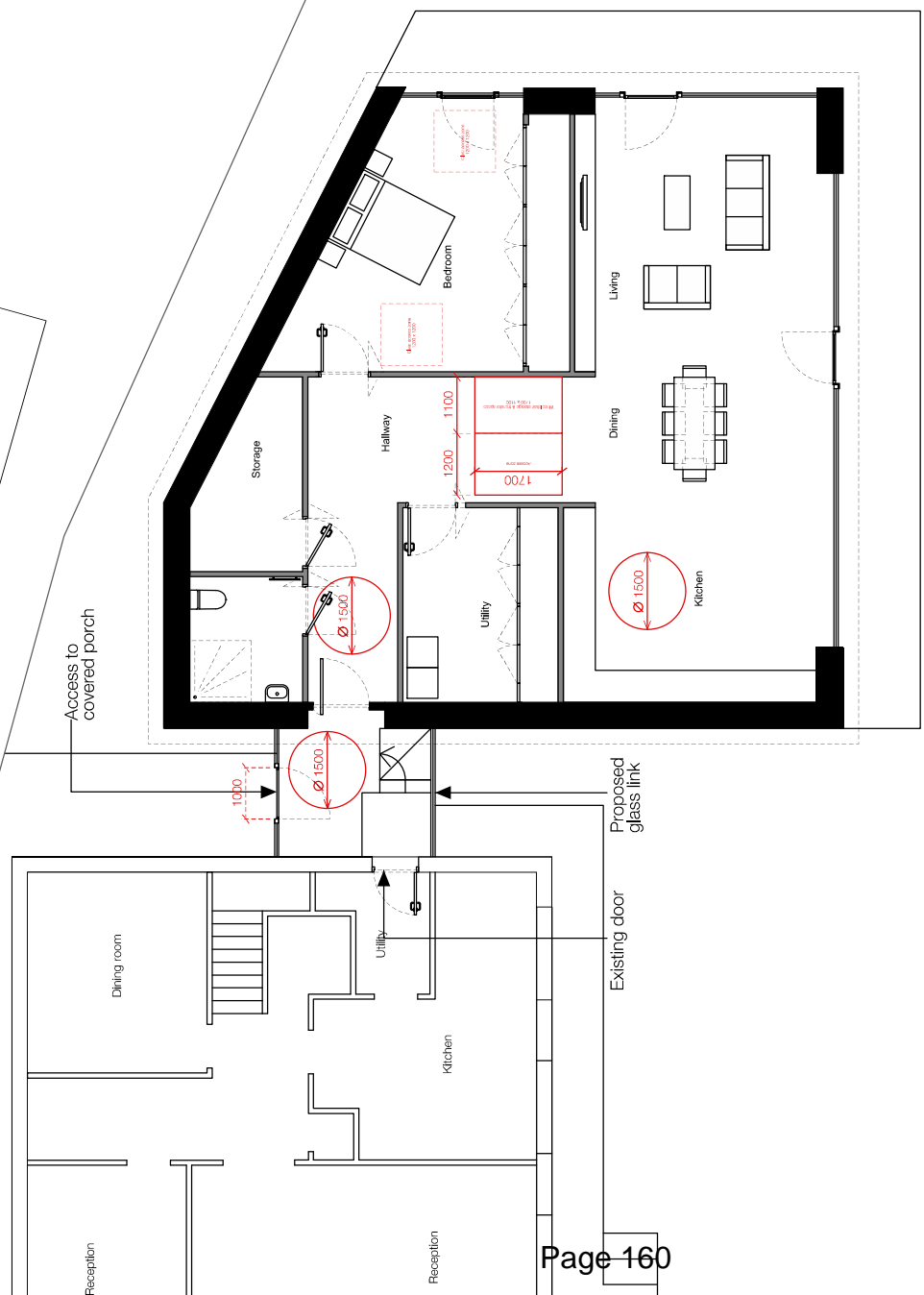
Project: 22 Fillingwood Close

Scale: 1:50 @ A1 1:100 @ A3

Status: SA - Suitable for stage approval

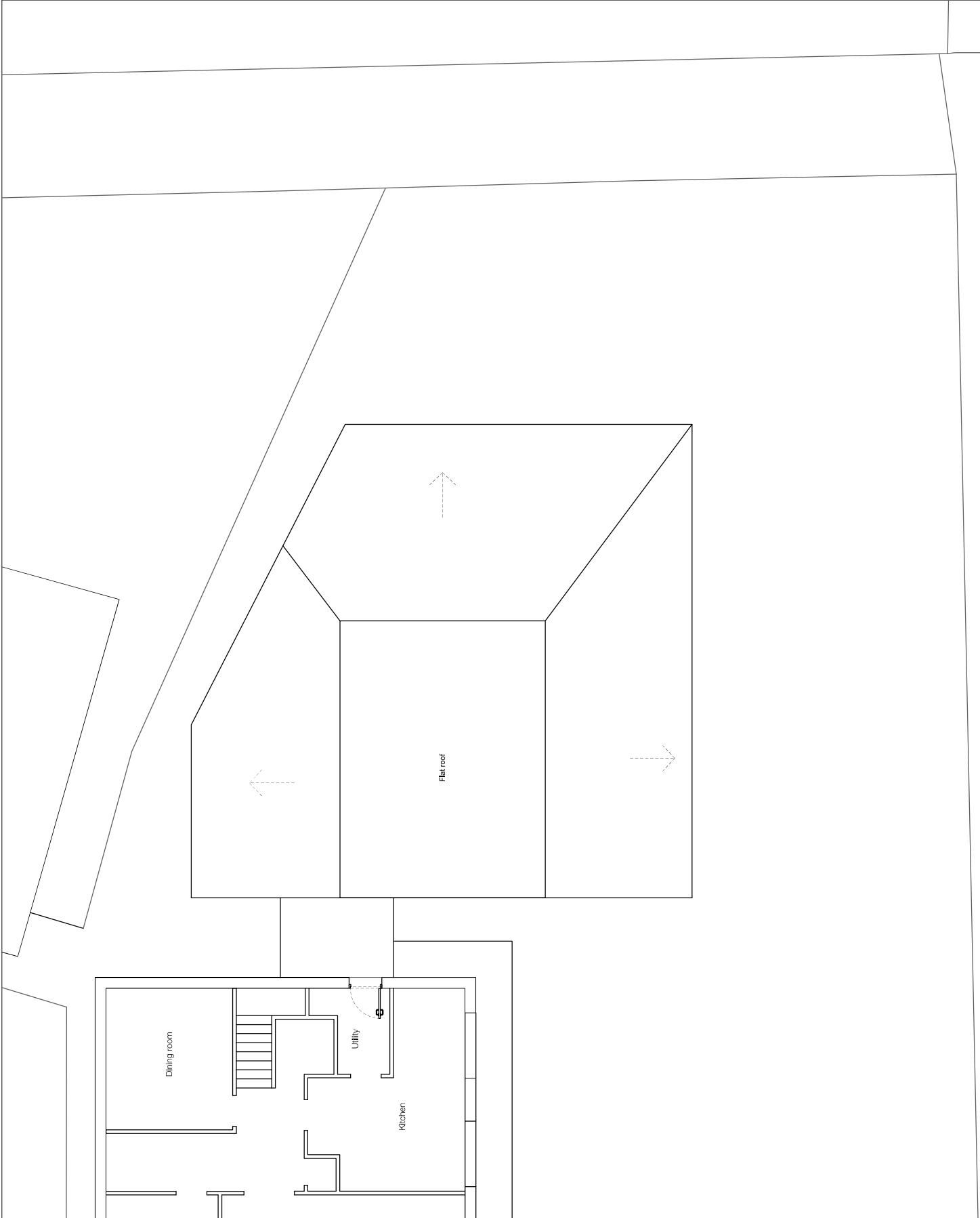
Drawing Number: 475-PTA-ZZ-00-DR-A-2100 P04

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Scale 1:50 @ A1  
 0 0.5m 1m 2m 4m  
 Issue Record By: CHK Date:

NO.	REV.	DATE	BY	DESCRIPTION
01	1	12/11/2024	PT	ISSUED FOR PERMIT
02	1	12/11/2024	PT	ISSUED FOR PERMIT
03	1	12/11/2024	PT	ISSUED FOR PERMIT

**Title**  
 Proposed drawings  
 Roof plan

**Project**  
 22 Fillingwood Close

**Scale**  
 1:50 @ A1

**Status**  
 S4 - Suitable for stage approval

**Drawing Number**  
 475-PTA-ZZ-RF-DR-A-2102

**Revision**  
 P04

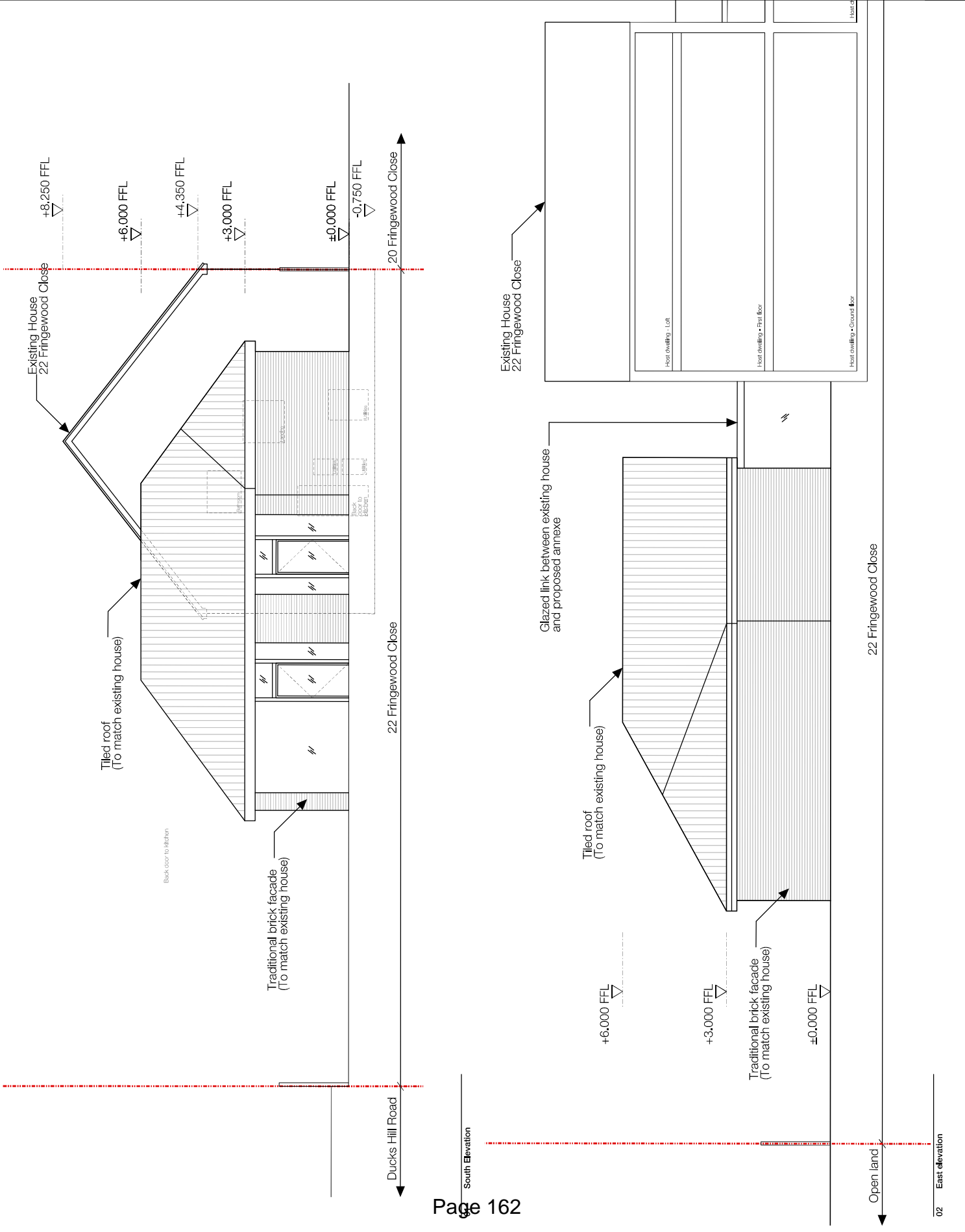
**Patel Taylor**  
 48 Rawstone Street  
 London EC1V 7ND  
 T: +44 (0)20 7728 2323  
 www.patel-taylor.co.uk



**General Notes**

Please refer to the drawings and specifications for the work. All materials and workmanship shall conform to the standards specified in the drawings and specifications. All materials and workmanship shall be of a quality and standard approved by the Engineer. All materials and workmanship shall be of a quality and standard approved by the Engineer. All materials and workmanship shall be of a quality and standard approved by the Engineer.

**Key Plan**



Scale 1:50 @ A1  
0 0.5m 1m 2m 4m

Issue Record By: CHK Date:

NO.	DATE	DESCRIPTION
01	15/03/2024	ISSUED FOR PERMIT
02	15/03/2024	ISSUED FOR PERMIT
03	15/03/2024	ISSUED FOR PERMIT
04	15/03/2024	ISSUED FOR PERMIT
05	15/03/2024	ISSUED FOR PERMIT

**Title**  
Proposed drawings  
Elevation  
South and East

**Project**  
22 Fringewood Close

**Scale**  
1:50 @ A1 1:100 @ A3

**Status**  
S4 - Suitable for stage approval

**Drawing Number**  
475-PTA-ZZ-XX-DR-A-2301  
**Revision**  
P04

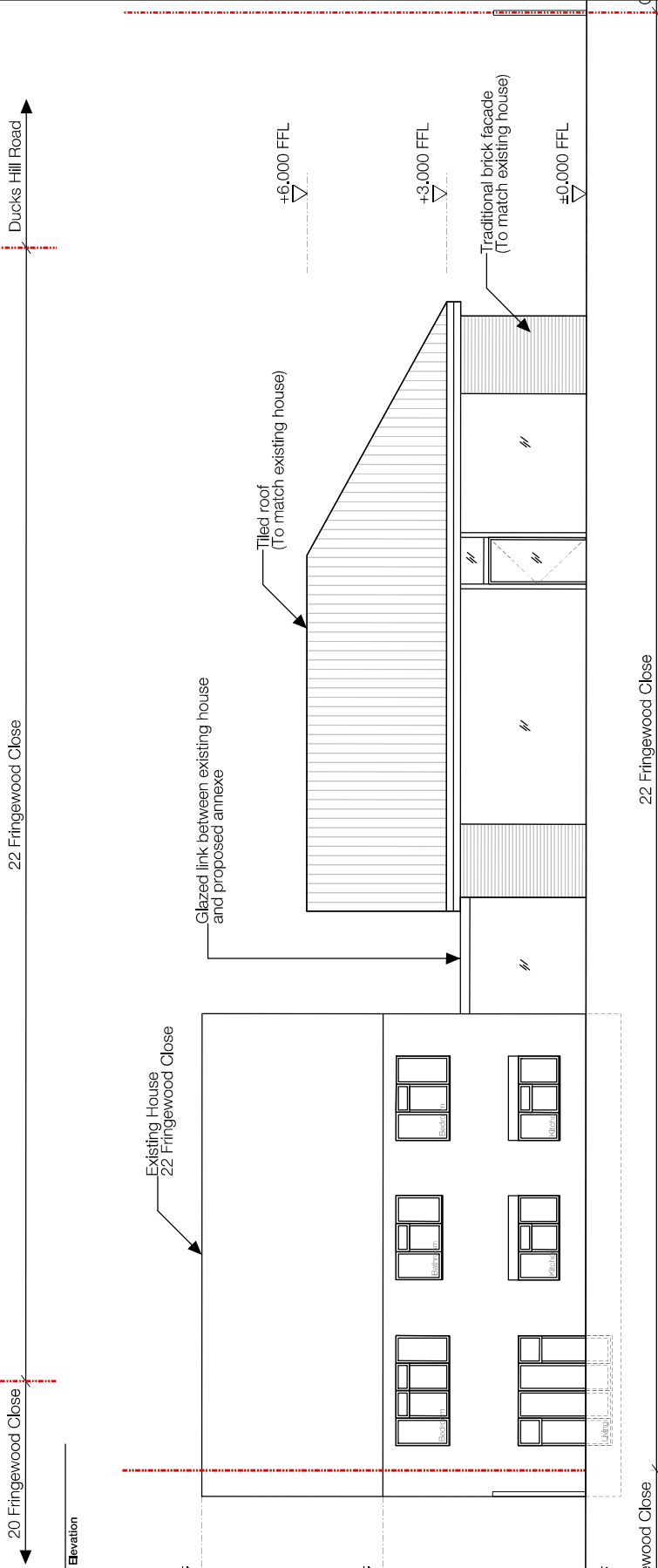
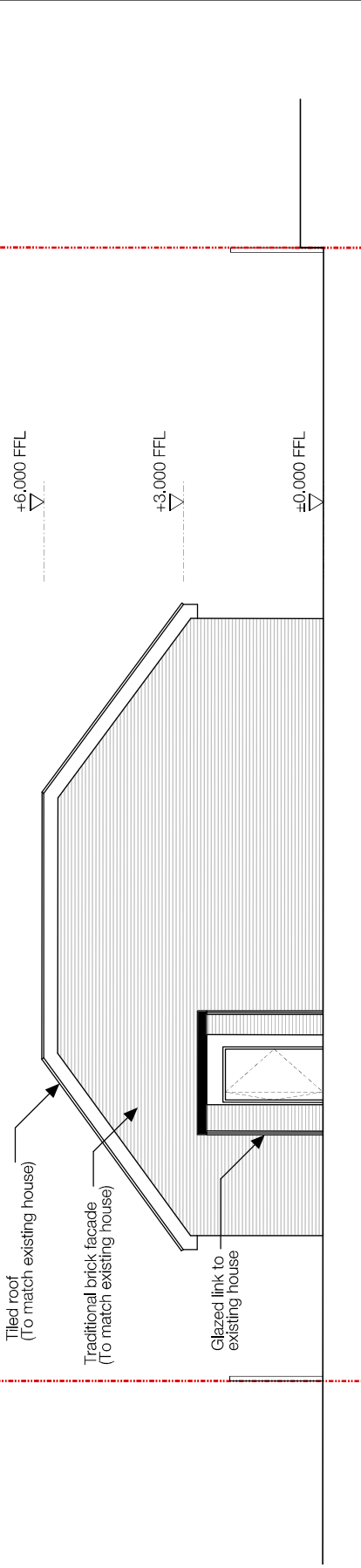
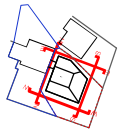
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**General Notes**

Please refer to the planning and building regulations. All materials and methods shall be in accordance with the current Building Regulations and approved in writing. All rights to use the drawings are reserved to the architect. The drawings are intended for the proposed construction only. The architect does not accept any liability for any errors or omissions in the drawings. The drawings are not to be used for any other purpose without the written consent of the architect. All parties must ensure that any proposed changes and modifications noted on these drawings are indicated on a separate sheet to ensure that the final construction is correct.

Key Plan



20 Fringewood Close

22 Fringewood Close

Ducks Hill Road

24 Fringewood Close

22 Fringewood Close



Scale 1:50 @ A1

Issue Record

NO.	DATE	DESCRIPTION	BY	CHK	DATE
01	15/03/2024	ISSUE FOR PERMIT	PT	PT	15/03/2024
02	15/03/2024	ISSUE FOR PERMIT	PT	PT	15/03/2024
03	15/03/2024	ISSUE FOR PERMIT	PT	PT	15/03/2024

Project

22 Fringewood Close North and West

Tile

Proposed drawings

Scale

1:50 @ A1

Status

S4 - Suitable for stage approval

Drawing Number

475-PTA-ZZ-XX-DR-A-2301

Revision

P04

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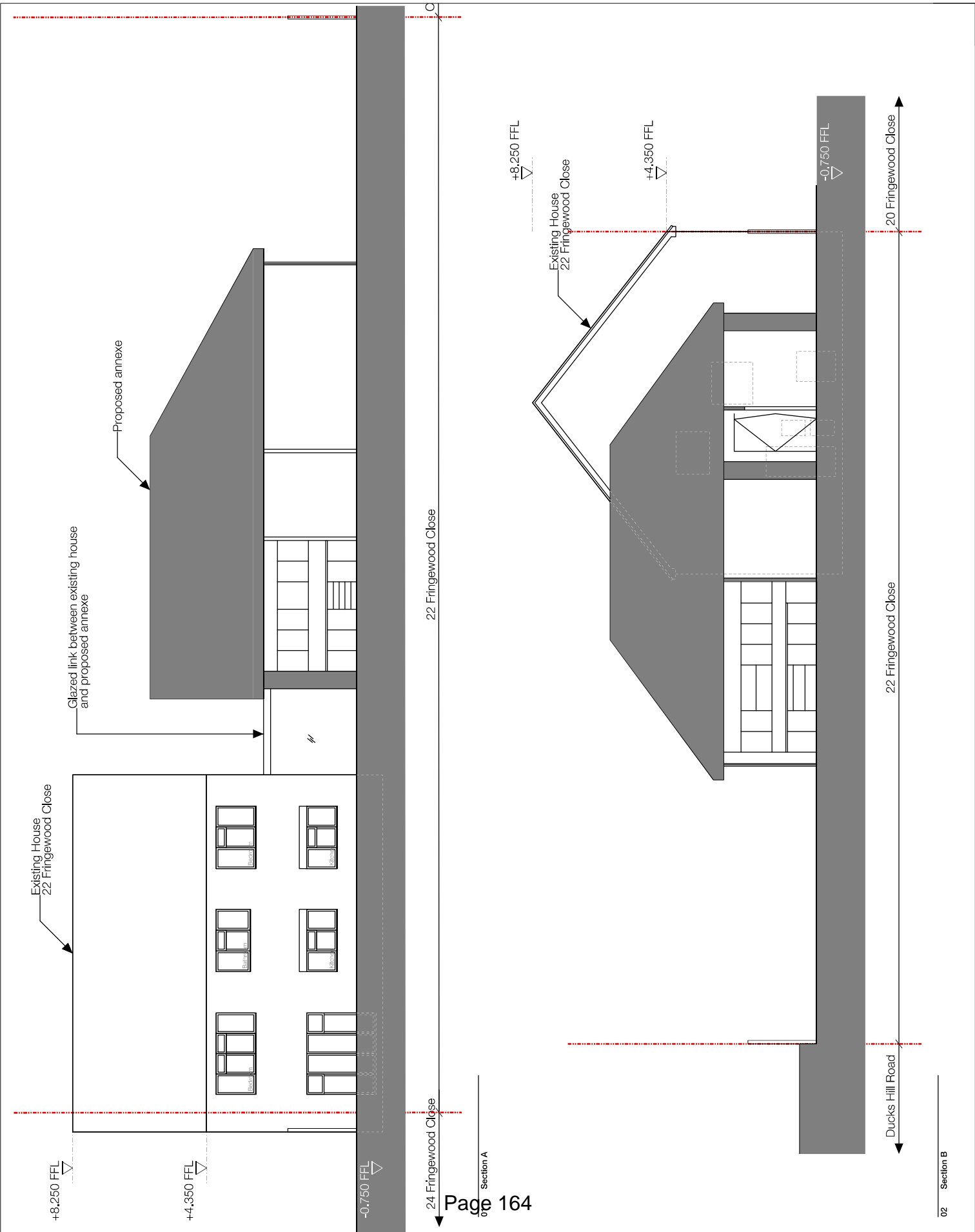
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**General Notes**

Please refer to the drawings and specifications for all materials, finishes, and fixtures. All materials and finishes shall be of a quality and standard approved by the architect. All work shall be in accordance with the latest editions of the British Standards Institution (BSI) specifications. The architect shall be responsible for the design and construction of the building. The architect shall be responsible for the design and construction of the building. The architect shall be responsible for the design and construction of the building.



Issue Record By Chk. Date

Rev.	Date	By	Check	Description
01	10/10/2024	PT	AT	Issue for approval
02	10/10/2024	PT	AT	Issue for approval
03	10/10/2024	PT	AT	Issue for approval
04	10/10/2024	PT	AT	Issue for approval
05	10/10/2024	PT	AT	Issue for approval
06	10/10/2024	PT	AT	Issue for approval
07	10/10/2024	PT	AT	Issue for approval
08	10/10/2024	PT	AT	Issue for approval
09	10/10/2024	PT	AT	Issue for approval
10	10/10/2024	PT	AT	Issue for approval

Title  
Proposed drawings  
Sections

Project  
22 Fringewood Close

Scale  
1:50 @ A1

Status  
S4 - Suitable for stage approval

Drawing Number  
475-PTA-ZZ-XX-0R-A-2201

Revision  
P04

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**General Notes**

Please refer to the drawing and schedule for the work. All materials and methods shall be as specified in the contract documents. All work shall be done in accordance with the contract documents. All work shall be done in accordance with the contract documents. All work shall be done in accordance with the contract documents.

All work shall be done in accordance with the contract documents. All work shall be done in accordance with the contract documents. All work shall be done in accordance with the contract documents.



Issue Record By: [ ] Date: [ ]

PTA 10/10/2019

**Title:** Relationship of proposed annex and existing property at 45 degree angle

**Project:** 22 Friarwood Close

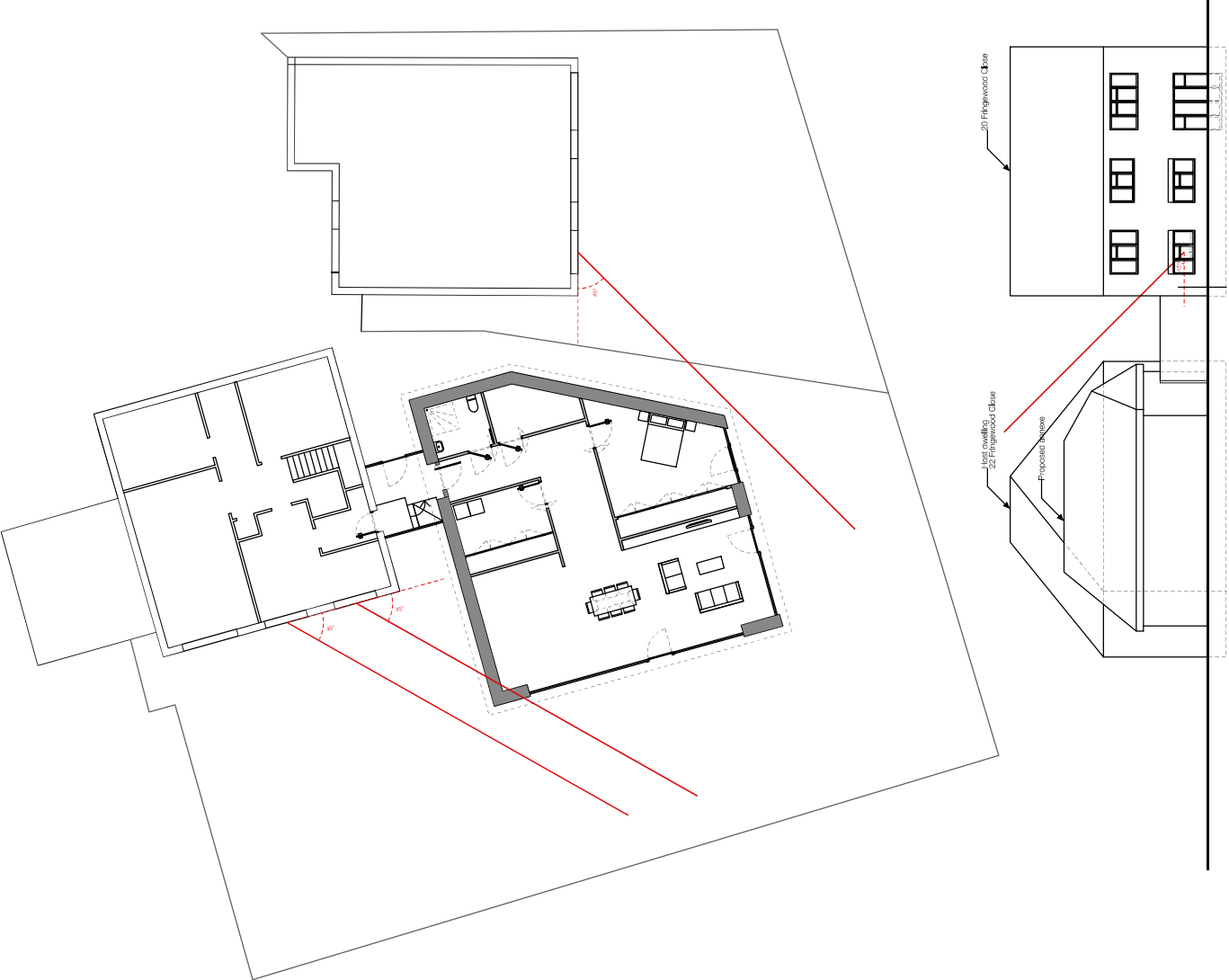
**Scale:** 1:100 @ A1 1:200 @ A3

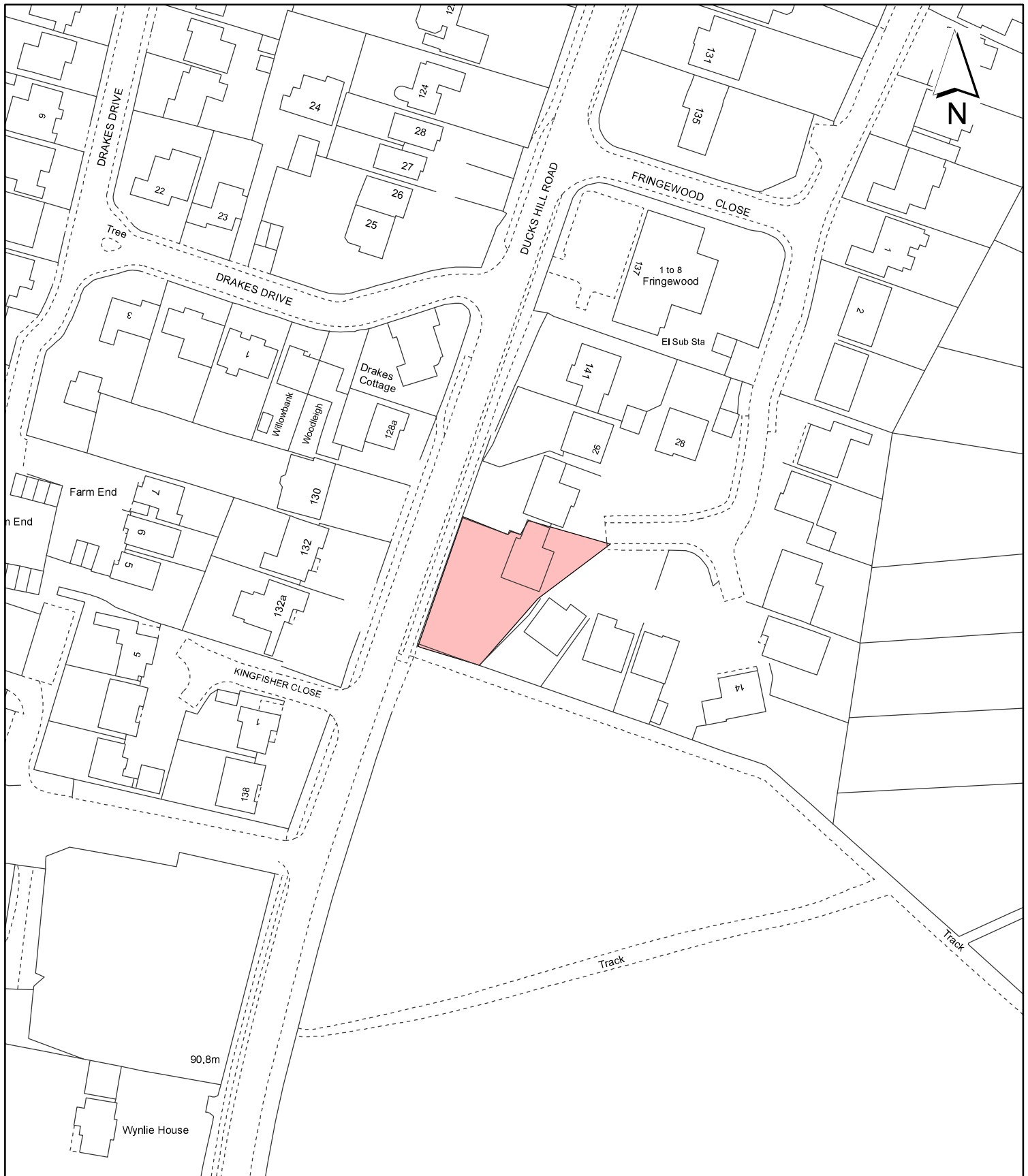
**Status:** SA - Suitable for stage approval



**Drawing Number:** 475-PTA-ZZ-RF-DR-A-2401

**Revision:** P01

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<p><b>Notes:</b></p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2020 Ordnance Survey 100019283</p>	<p>Site Address:</p> <p><b>22 Fringewood Close</b></p>		<p><b>LONDON BOROUGH OF HILLINGDON</b></p> <p>Residents Services Planning Section</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 01895 250111</p>  <p><b>HILLINGDON</b> LONDON</p>
	<p>Planning Application Ref:</p> <p><b>42066/APP/2021/4244</b></p>	<p>Scale:</p> <p><b>1:1,250</b></p>	
	<p>Planning Committee:</p> <p><b>BoroughPage 166</b></p>	<p>Date:</p> <p><b>February 2022</b></p>	

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

**Address** WOODLANDS 5 THE COTTAGES THE DRIVE ICKENHAM

**Development:** Erection of a replacement two storey dwelling with basement involving the demolition of the existing house and garden building.

**LBH Ref Nos:** 56190/APP/2021/2737

**Date Plans Received:** 12/07/2021      **Date(s) of Amendment(s):** 21/01/2022  
**Date Application Valid:** 12/07/2021      10/08/2021  
12/07/2021

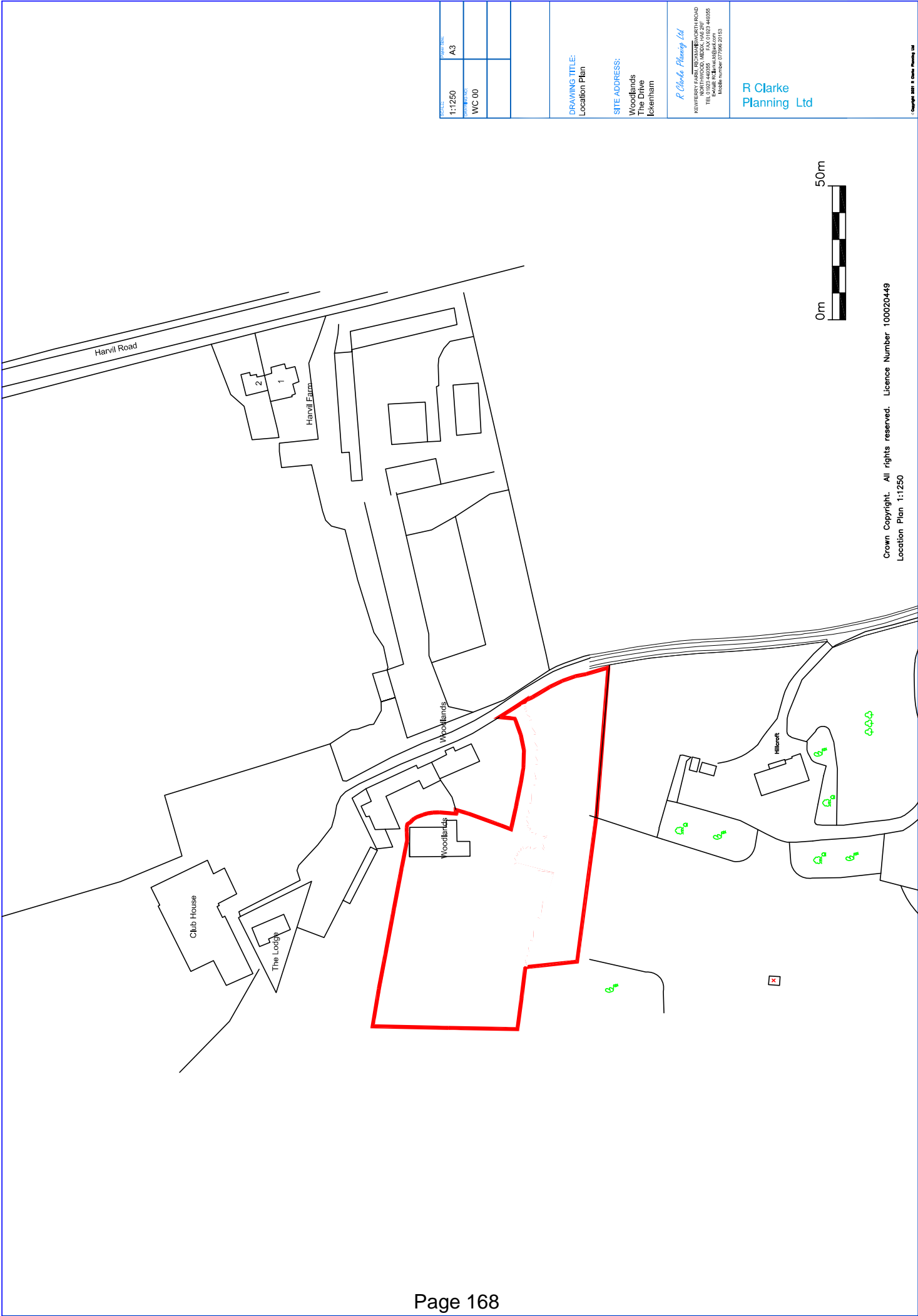
### 1. SUMMARY

This application seeks permission for the demolition of the existing two storey dwelling and garden building and erection of a replacement two storey dwelling. This is considered to constitute appropriate development within the Green Belt and is not considered to compromise the setting of the Harefield Place Grade II Listed Building. Subject to planning conditions, the development would also be considered acceptable with regard to its impact on the character of the area, street scene, highway network, waste, landscaping, access, flooding and contaminated land.

Accordingly, the application is recommended for approval.

### 2. RECOMMENDATION

**APPROVAL subject to the following:**



SCALE:	1:1250
PROJECT:	A3
WORK NO.:	WC 00

**DRAWING TITLE:**  
Location Plan

**SITE ADDRESS:**  
Woodlands  
The Drive  
Ickenham

*R Clarke Planning Ltd*  
NEWBERRY FARM, ICKENHAM, WORTH ROAD  
NORTHWOOD, MIDDLESEX, HA6 2RF  
TEL: 0181 606 4400 FAX: 0181 606 4405  
EMAIL: RCL@rcl.co.uk  
Mobile number: 07759620153

**R Clarke  
Planning Ltd**

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Location Plan 1:1250

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SCALE:	1:500
PROJECT REF:	WC 10
DATE:	A3

**DRAWING TITLE:**  
Existing Site Plan

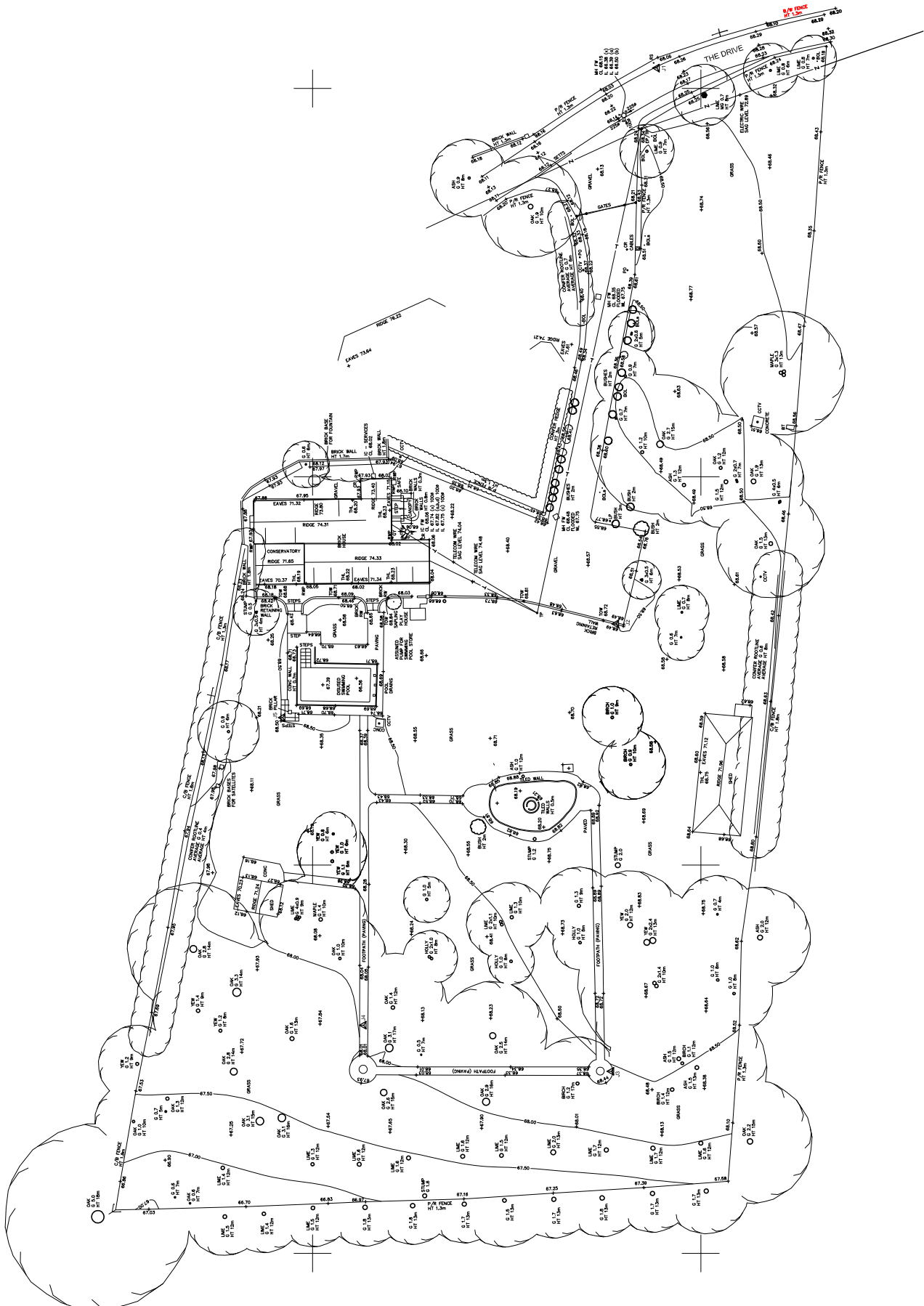
**SITE ADDRESS:**  
Woodlands  
The Drive  
Ickenham

*R. Clarke Planning Ltd*  
NEWBERRY FARM, ICKENHAM, WORTH ROAD  
NORTHWOOD, MIDDX., HA6 2RF  
TEL: 0181 841 4400 FAX: 0181 841 4405  
Mobile number 077596 20153

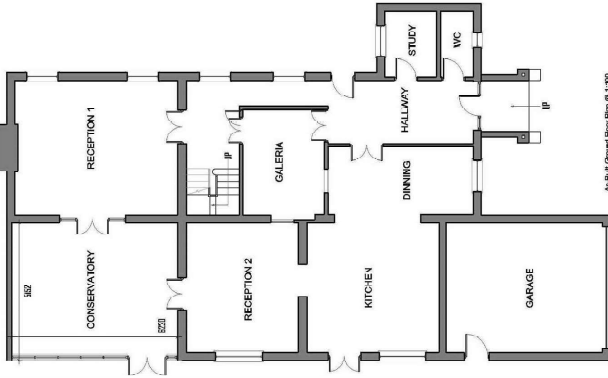
**R Clarke  
Planning Ltd**

0m 25m

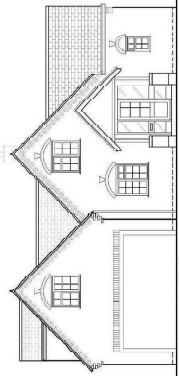
Copyright 2011 R. Clarke Planning Ltd



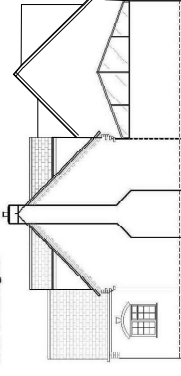
Ground Floor 235sqm GEA (211sqm GIA)



As-Built Ground Floor Plan @ 1:100

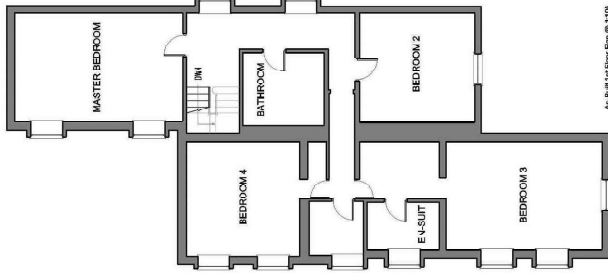


As-Built Front Elevation @ 1:100

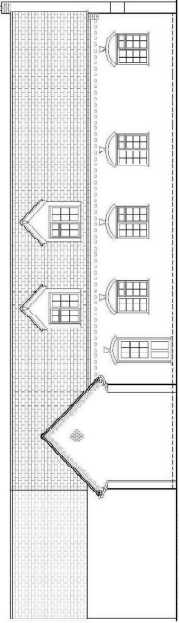


As-Built Rear Elevation @ 1:100

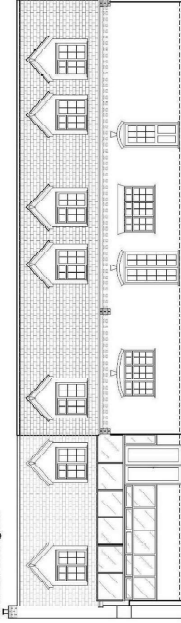
First Floor 167sqm GEA (145sqm GIA)



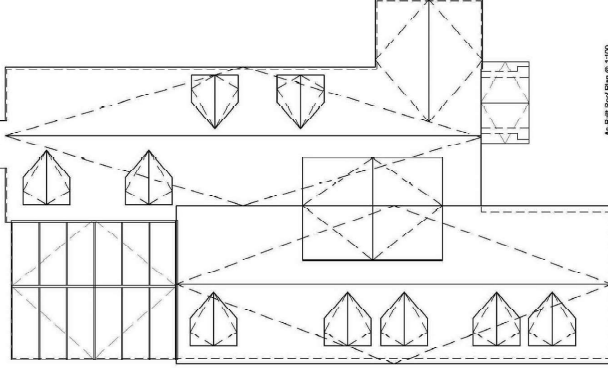
As-Built 1st Floor Plan @ 1:100



As-Built Side Elevation @ 1:100



As-Built Side Elevation @ 1:100



As-Built Roof Plan @ 1:100

1:100	A1
W/C: 1/16	

Drawings Title:  
Existing House Plans

By: **ARCHITECT**  
Woodgate  
Micklem

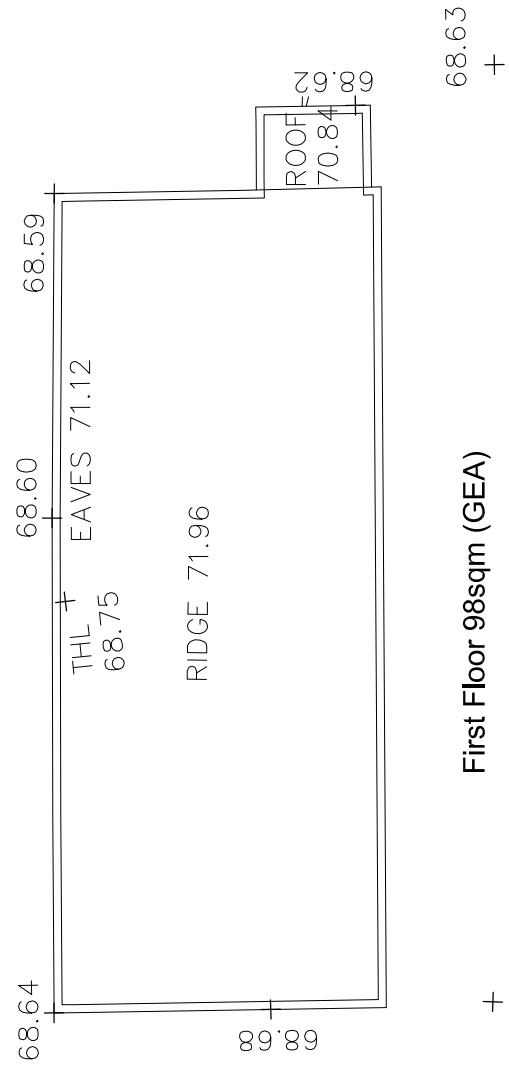
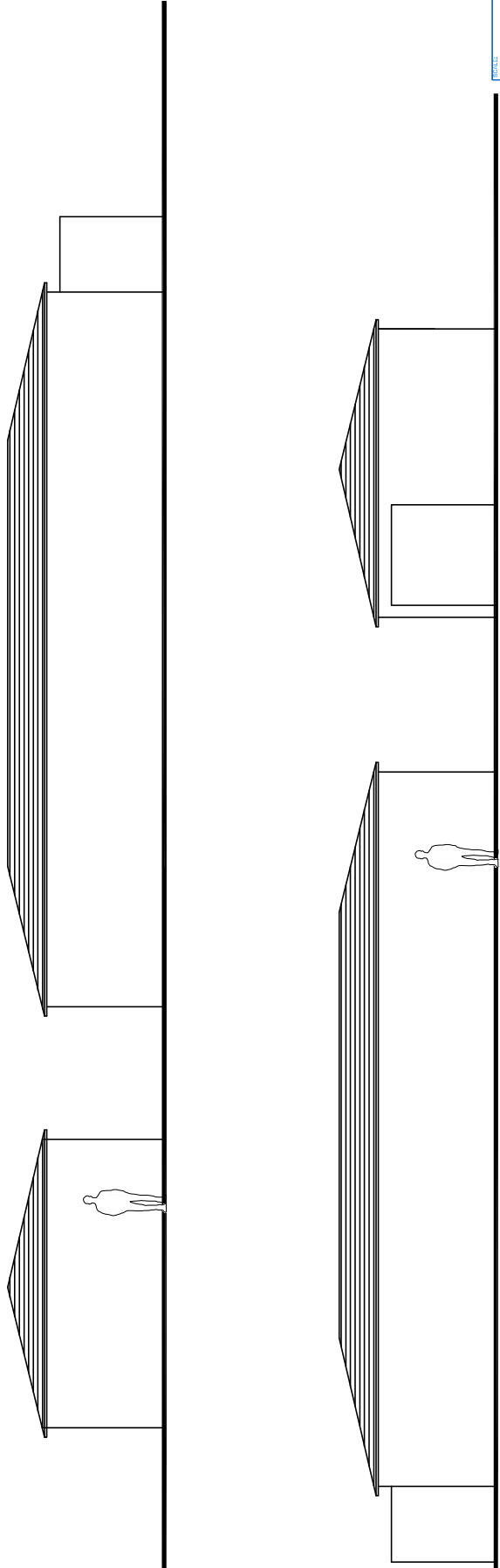
Client: **Client Name**  
123 Main Street  
London, EC1A 1AA  
Tel: 020 1234 5678  
Email: info@client.com

**R Clarke Planning Ltd**

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# Garden Building



SCALE:	1:100	PROJECT:	A3
DRAWN BY:	WC 12		

**DRAWING TITLE:**  
Existing garden building

**SITE ADDRESS:**  
Woodlands  
The Drive  
Ickenham

*R Clarke Planning Ltd*  
NEWBERRY FARM, KITCHINGWORTH ROAD  
KITCHINGWORTH, LEICESTER, LE12 0JF  
TEL: 01530 444444 FAX: 01530 444266  
EMAIL: R.Clark@rcplanning.com  
Mobile number: 07759620153

**R Clarke  
Planning Ltd**

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SCALE:	1:500
PROJECT:	A3
DRAWING NO.:	WC 01/D

**DRAWING TITLE:**  
Proposed Site Plan

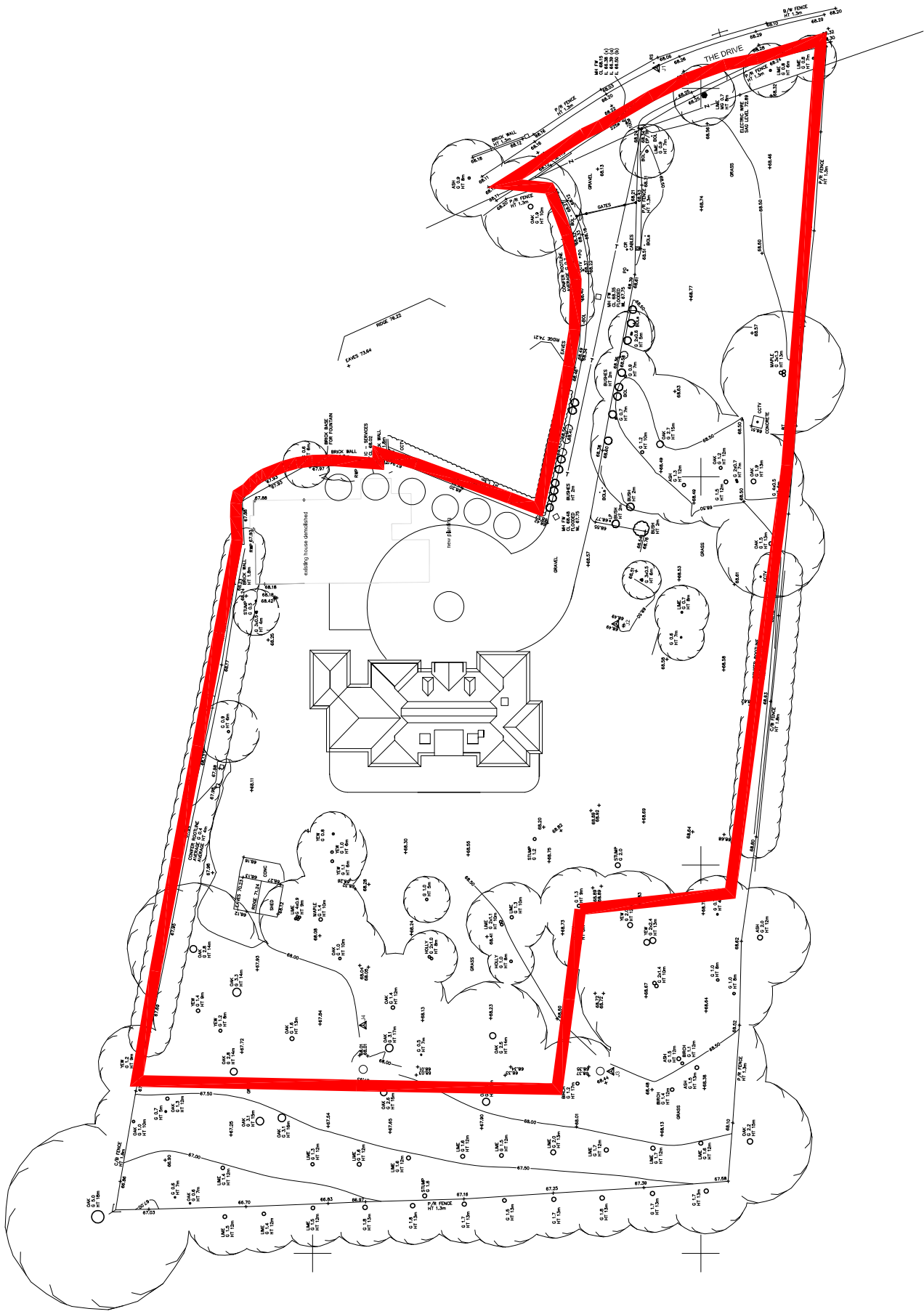
**SITE ADDRESS:**  
Woodlands  
The Drive  
Ickenham

*R Clarke Planning Ltd*  
NEWBERRY FARM, RICHMOND WORTH ROAD  
NORTHWOOD, MIDDLESEX, HA6 2RF  
TEL: 0181 848 4400 FAX: 0181 848 4405  
Mobile number: 077596 20153

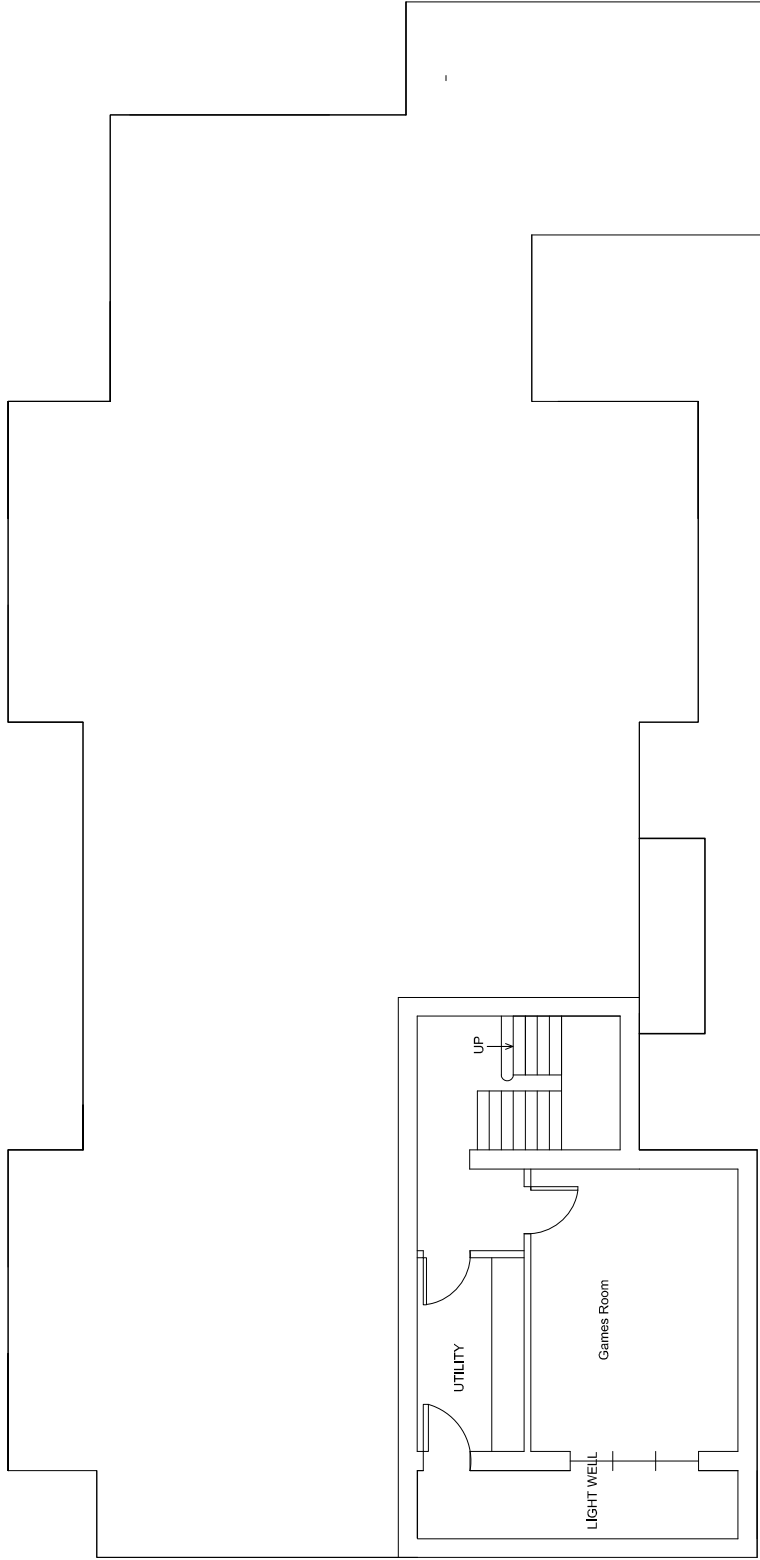
**R Clarke  
Planning Ltd**

0m 25m

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**Basement 53sqm (GEA) excluding  
light well**

**Basement 42sqm (GIA) excluding  
light well**



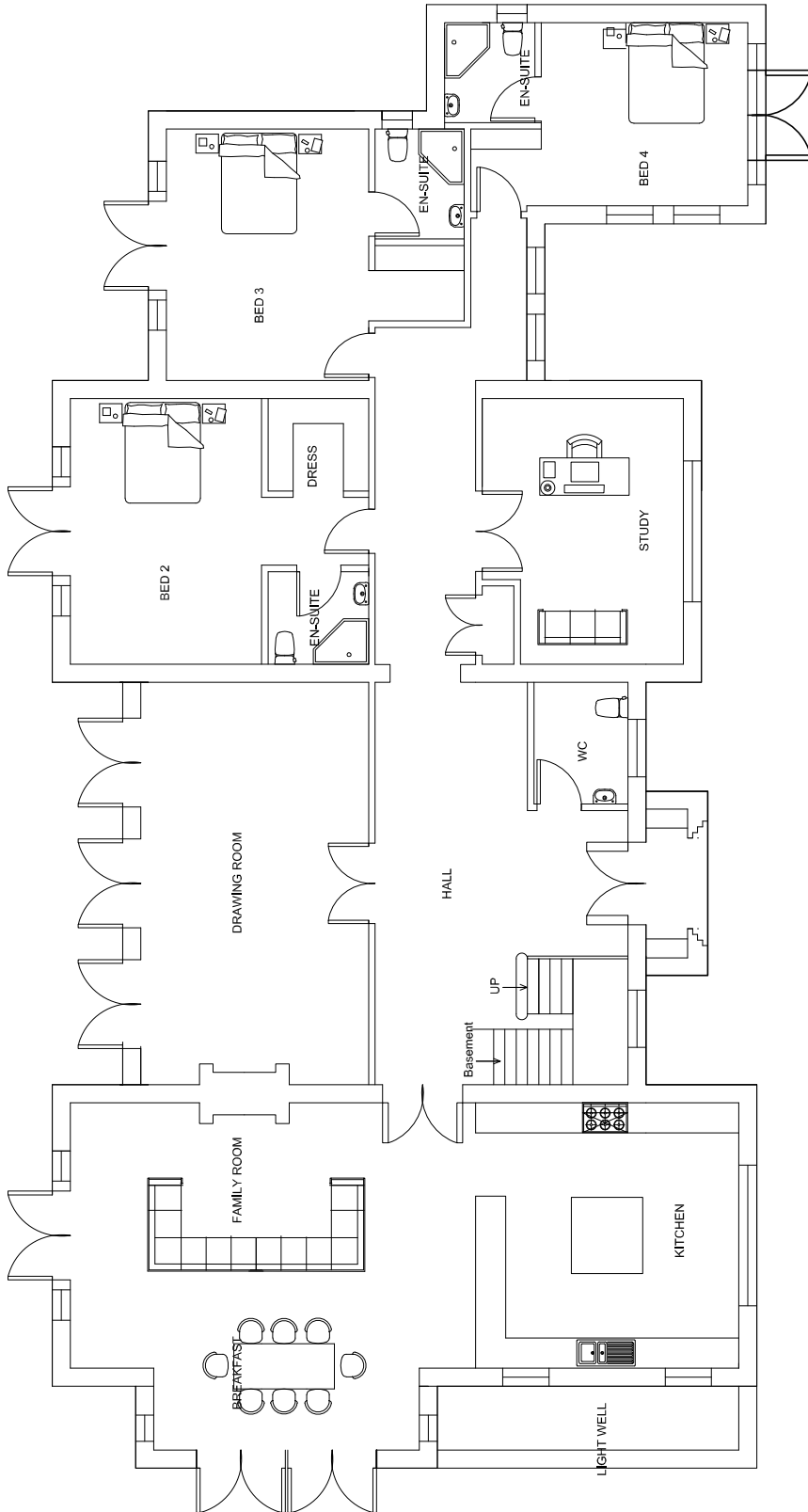
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WORKING:	WC 04/D		

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Proposed Plan

**SITE ADDRESS:**  
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The Drive  
Ickenham

*R Clarke Planning Ltd*  
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NORTHWOOD, WEDD, WOX 2RF  
TEL: 01452 444444 FAX: 01452 444222  
EMAIL: RCL@rclplanning.com  
Mobile number: 077596220153

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Ground Floor 325sqm (GEA)  
 Ground Floor 288sqm (GIA)



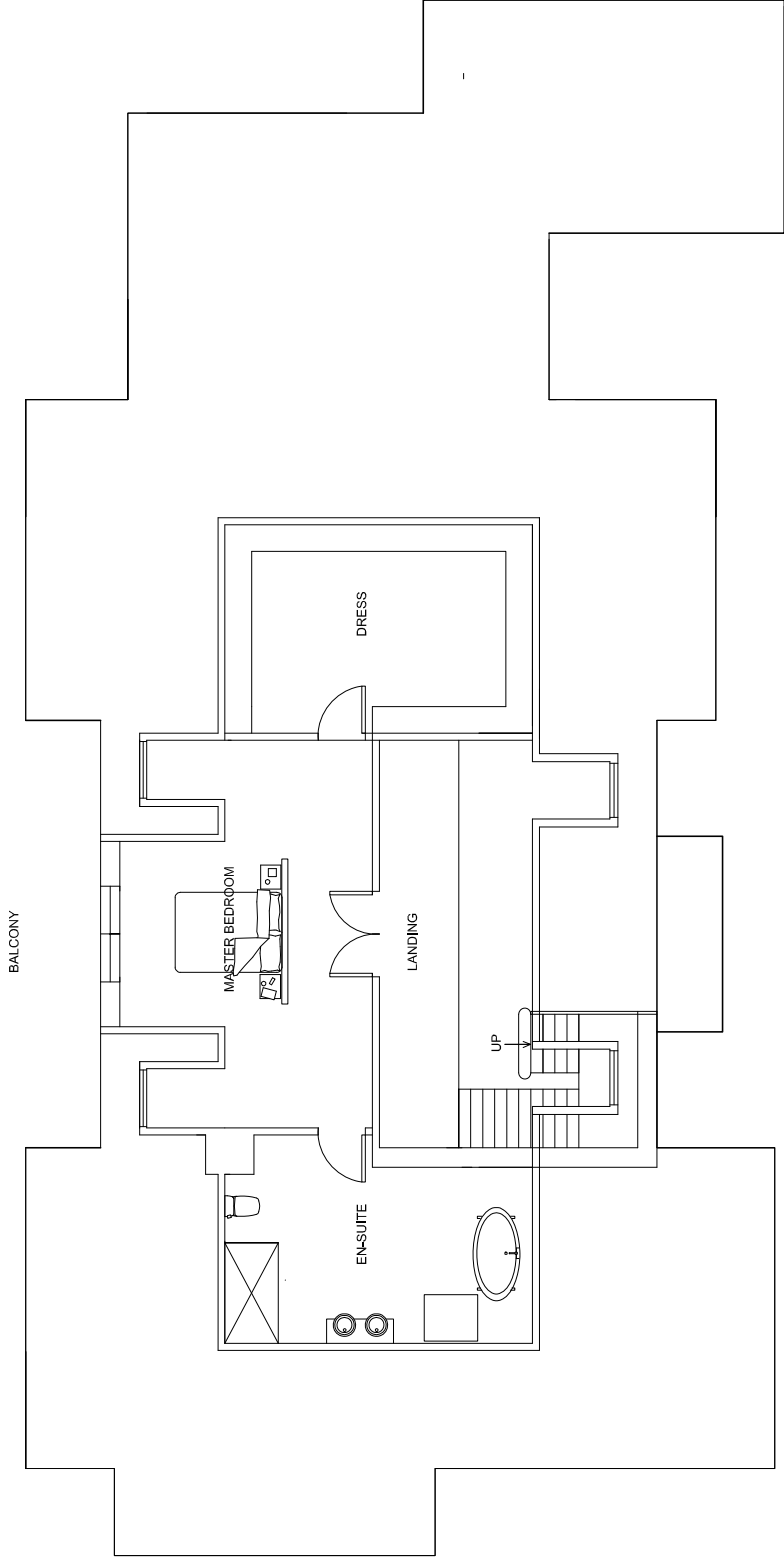
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DRAWN BY:	WC 02/C
<p><i>R Clarke Planning Ltd</i>          NEWBERRY FARM, KIDCOTE, WORTH ROAD          NORTHWOOD, MIDDX, HA6 2RF          TEL: 01844 814141          E-MAIL: RCL@rcl.co.uk          Mobile number: 07759620153</p>	

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First Floor 109sqm (GEA)  
 First Floor 100sqm (GIA)



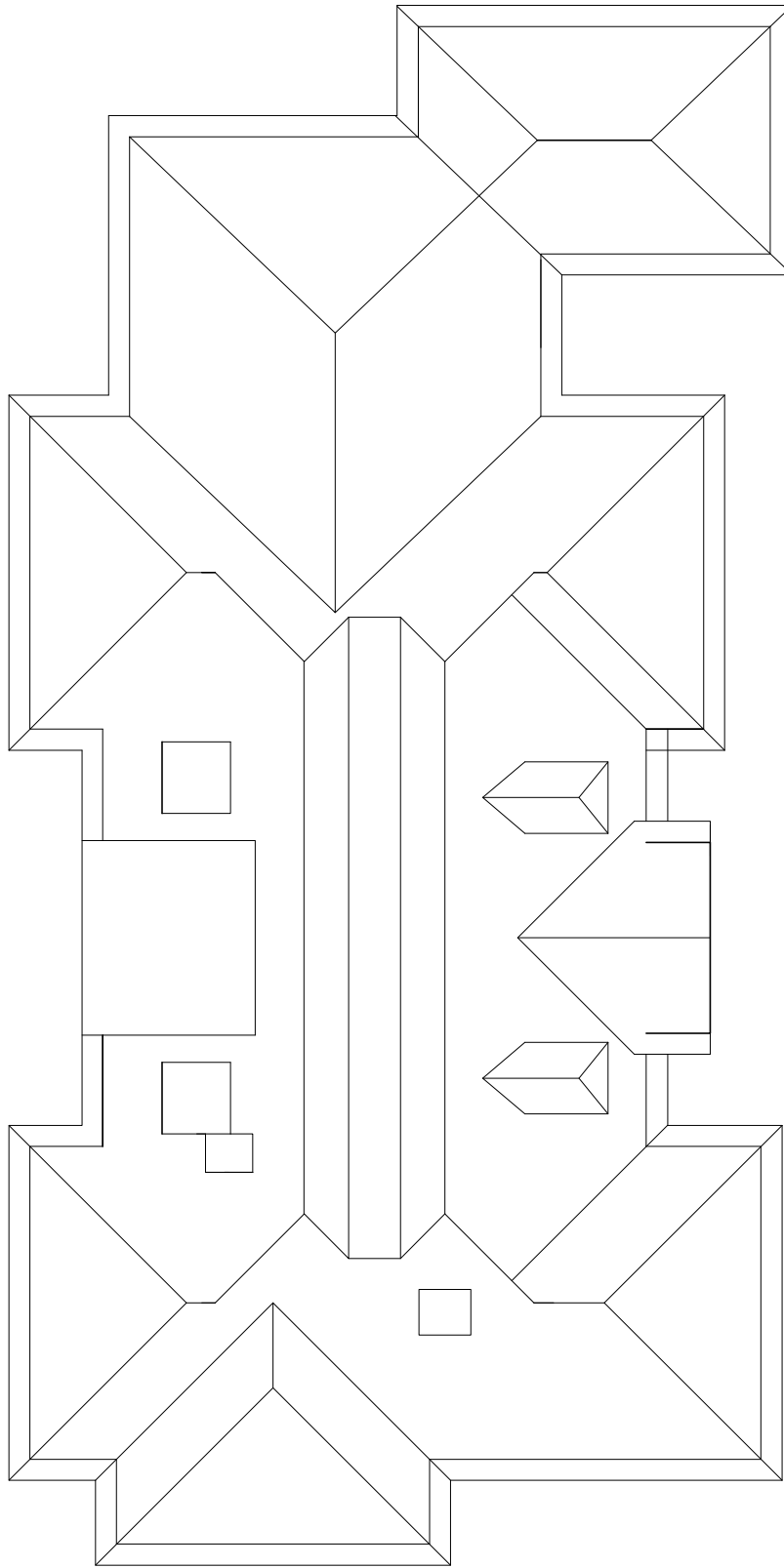
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Roof Plan



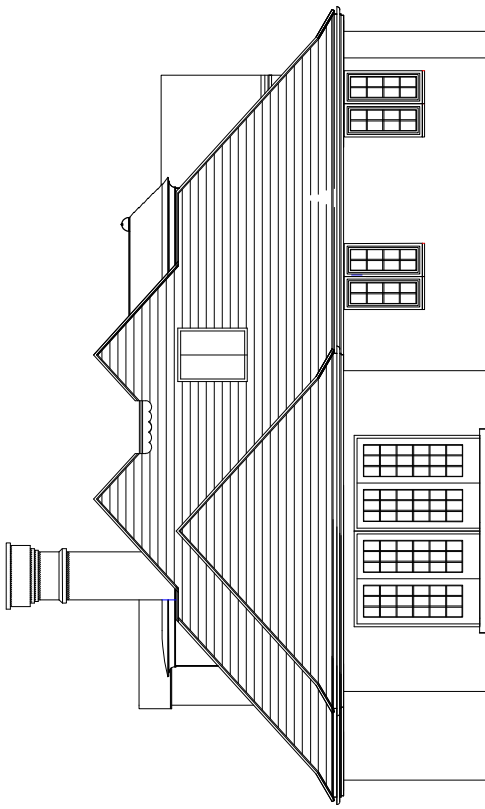
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PROJ. NO.:	WC 05/C

DRAWING TITLE:  
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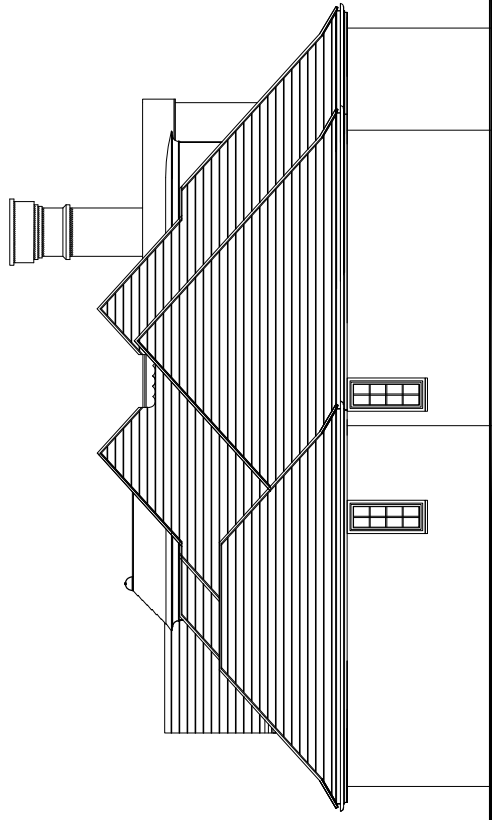
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Side Elevation



Side Elevation



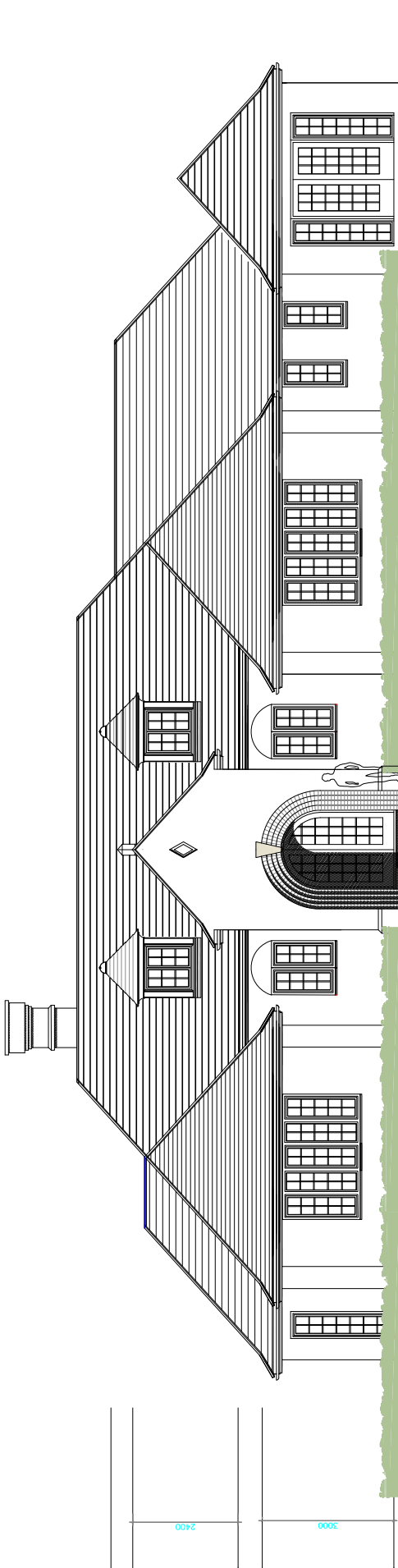
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SCALE:	1:100	PROJECT:	A3
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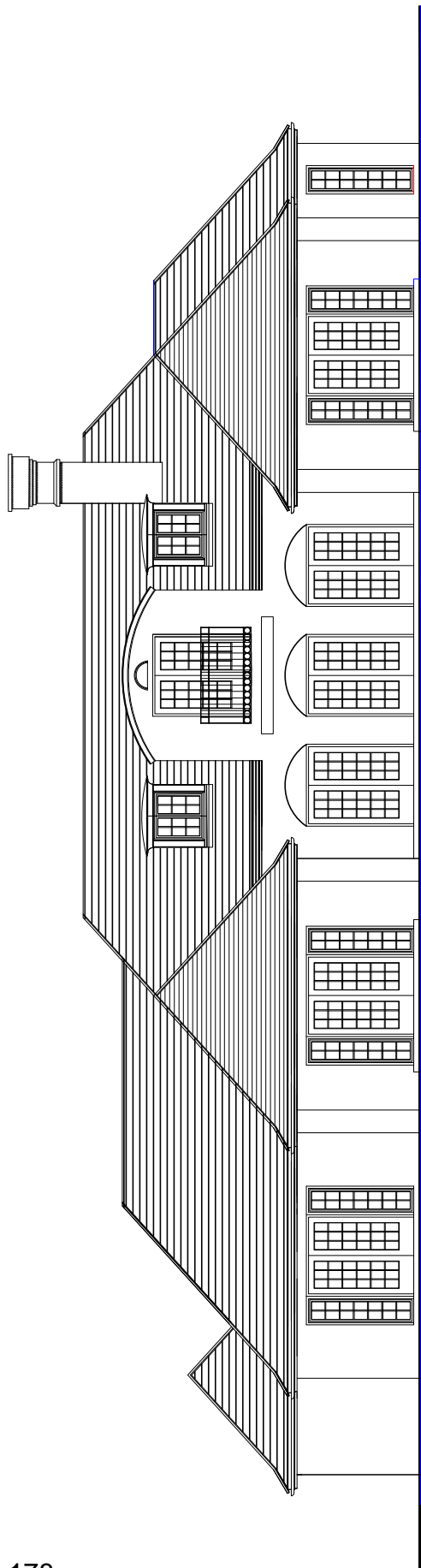
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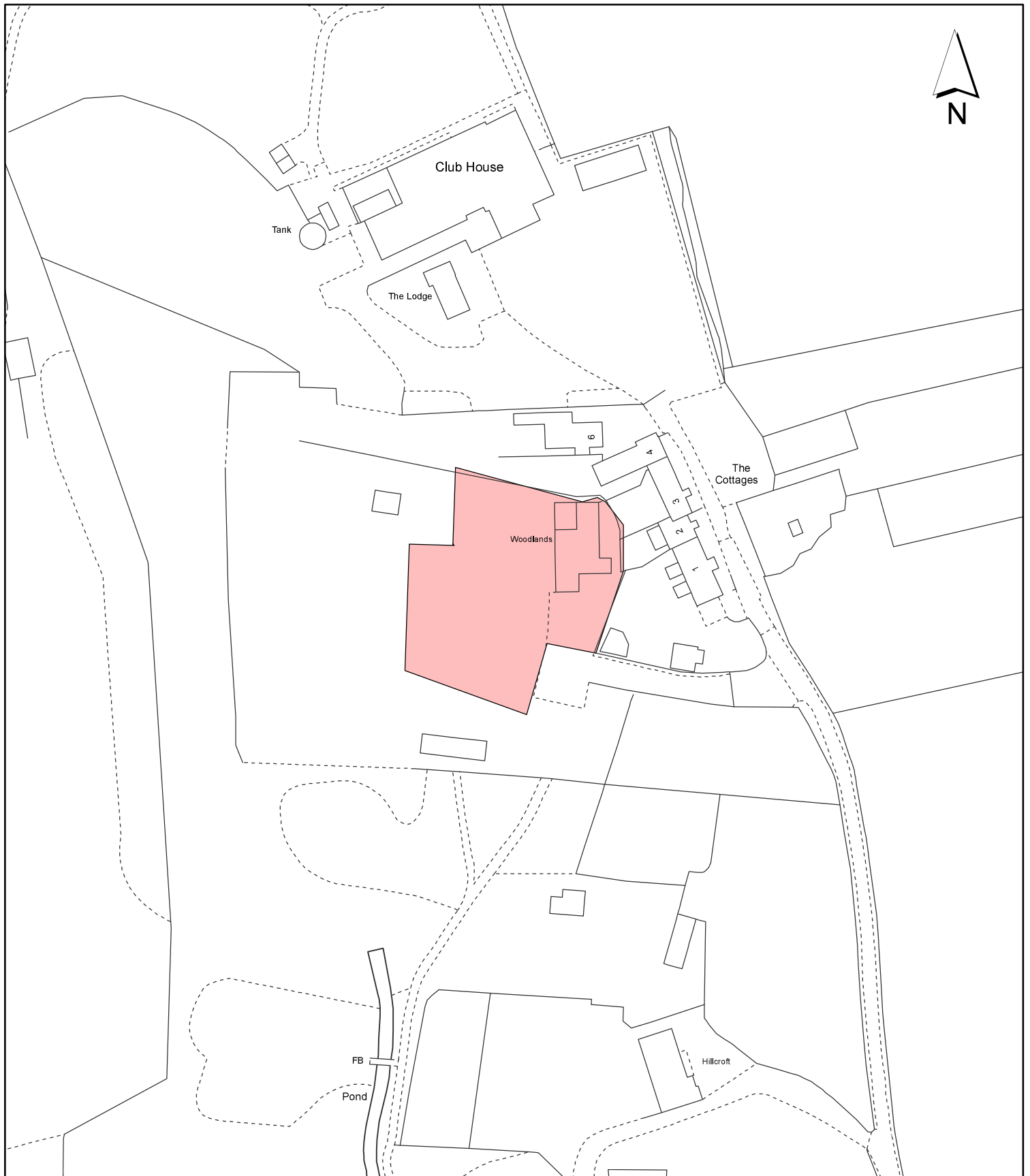
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**Notes:**

 Site boundary

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**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section  
 Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:  
**56190/APP/2021/2737**

Scale:  
**1:1,250**

Planning Committee:  
**BoroughPage 179**

Date:  
**February 2022**



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