

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

**Address** 13A NORTH COMMON ROAD UXBRIDGE

**Development:** Erection of 5 two storey, 3-bed, attached dwellings with associated parking and amenity space, involving demolition of existing detached house

**LBH Ref Nos:** 74738/APP/2019/1181

**Drawing Nos:** 532/P/01  
532/P/02  
P01  
111218/A  
Design and Access Statement  
Arboricultural Report  
532/P/04 rev A  
532/P/06 rev A  
532/P/07 rev A  
532/P/03 rev B  
532/P/09 Rev A  
Revised Flood Risk Assessment date received 21-10-19  
Revised Ecology Report

**Date Plans Received:** 05/04/2019                      **Date(s) of Amendment(s):** 05/04/2019

**Date Application Valid:** 05/04/2019

**DEFERRED ON 4th December 2019 FOR SITE VISIT .**

### 1. **SUMMARY**

The application site seeks full planning consent for the redevelopment of a 2500 m2 plot currently occupied by a two storey detached dwelling and two ponds which occupy the north eastern area of the site. The application proposes to demolish the existing dwelling and construct a set of 5 x 3 bedroom two storey terraced dwellings. The two ponds within the site boundary would effectively be altered to create one 180m2 pond located in the northern corner of the site behind the gardens of the proposed dwellings.

### 2. **RECOMMENDATION**

**1. That delegated powers be given to the Head of Planning, Transportation and Regeneration to grant planning permission subject to:**

**A) Entering into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) to provide a s106 contribution towards ecology of £20,000**

**(B) If the Legal Agreements have not been finalised by 24 February 2020 (or such other timeframe as may be agreed by the Head of Planning, Transportation and Regeneration), delegated authority be given to the Head of Planning, Transportation and Regeneration to refuse planning permission for the following reason**

**'The applicant has failed to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of highway works). The proposal therefore conflicts with Policies contained with the adopted Hillingdon Local Plan Saved Policies (November 2012).'**

**C. That if the application is approved, the following conditions be attached:**

**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:- 532/P/04 rev A, 532/P/06 rev A, 532/P/07 rev A, and 532/P/09 Rev A

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 Two Saved UDP Policies (November 2012) and the London Plan (2016).

**3 RES7 Materials (Submission)**

Notwithstanding the approved plans 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 BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy DMHB 11 of Hillingdon Local Plan: Part 2 - Development Management Policies (March 2019)

**4 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 BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (2012)

#### **5 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 8 bicycles

2.c Means of enclosure/boundary treatments

2.d Car Parking Layouts for 10 parking spaces include 1 active and 1 passive electric charging point.

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 surfing/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

5. A Management and maintenance plan for the proposed pond

6. Other

6.a Existing and proposed functional services above and below ground

6.b Proposed finishing levels or contours

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

#### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (2015).

#### **6 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 BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

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

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

#### REASON

To protect the character and appearance of the area and amenity of residential occupiers in accordance with policies BE13, BE21, BE23, BE24 Hillingdon Local Plan: Part Two

## **8 RES15 Sustainable Water Management**

Prior to commencement,(excluding demolition and site clearance) a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority.

The scheme shall clearly demonstrate how it, manages water and demonstrate ways of controlling the surface water on site by providing information on:

a) Suds features:

i. incorporating sustainable urban drainage (SuDs) in accordance with the hierarchy set out in Policy 5.13 of the London Plan. Where the proposal does not utilise the most sustainable solution, justification must be provided,

ii. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume to Greenfield run off rates at a variety of return periods including 1 in 1 year, 1 in 30, 1 in 100, and 1 in 100 plus Climate change. This rate should be presented per hectare as well as the total for the whole site.

iii. where it is intended to have above ground storage, overland flooding should be mapped, both designed and exceedance routes above the 100, plus climate change, including flow paths depths and velocities identified as well as any hazards, ( safe access and egress must be demonstrated).

iv. Where infiltration techniques (soakaway) a site investigation must be provided to establish the level of groundwater on the site, and to demonstrate the suitability of infiltration techniques proposed on the site. (This should be undertaken at the appropriate time of year as groundwater levels fluctuate).

b) Minimise water use.

i. incorporate water saving measures and equipment.

ii. provide details of how rain and or grey water will be recycled and reused in the development.

There is also a requirement to provide a management and maintenance plan associated with the Land Charges on the site so that it will be adhered to for the lifetime of the development.

Long Term Management and Maintenance of the drainage system.

i. Provide a plan of the drainage implemented on site, showing all of the drainage network above and below ground. The responsibility of different parties such as the landowner, PMC, sewers offered for adoption and that to be adopted by the Council Highways services.

ii. Provide a management and maintenance plan for each aspect.

iii. Include details of Inspection regimes, performance specification, Operation standards (remediation and timescales for the resolving of issues where a PMC).

iv. Where overland flooding is proposed, the plan should include the appropriate actions to define those areas and actions required to ensure the safety of the users of the site should that be required.

Long Term Management and Maintenance of the drainage system and Blue Ribbon landscaping.

i. Provide a plan of the drainage implemented on site, showing all of the drainage network above and below ground. The responsibility of different parties such as the landowner, PMC, sewers offered for adoption and that to be adopted by the Council Highways services.

ii. Provide a plan of the landscaping and specified annual maintenance as well as arrangements for any adhoc or emergency management which may be required.

#### REASON

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to:

Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012),

Policy DME1 10 Water Management, Efficiency and Quality in emerging Hillingdon Local Plan Part 2 Development Management Policies (with modifications March 2019)

Policy 5.12 Flood Risk Management of the London Plan (March 2016) and

London Plan Policy 5.13 Sustainable Drainage (March 2016), and

London Plan Policy 5.15 Water use and supplies. (March 2016).

National Planning Policy Framework (June 2019), and the

Planning Practice Guidance (Flood Risk and Coastal Change March 2014).

#### **9 RES19 Ecology**

Prior to above ground works, an ecological enhancement plan shall be submitted to and approved in writing by the Local Planning Authority. The enhancement plan shall clearly demonstrate how the new pond will be of natural value, with diverse native planting to maximise the ability for the pond to thrive. The plan shall also include supporting vegetation, including a specific wildlife area only accessible for maintenance (i.e. away from the footfall of home owners), and features to be included within the built form (bat and bird boxes). The plan shall be accompanied by a commentary on the justification for the measures, how they will enhance opportunities for wildlife and the maintenance arrangements. The development must proceed in accordance with the approved plan.

#### REASON

To ensure the development provides a positive contribution to ecological protection and enhancement in accordance with EM7 of the Local Plan Part 1 and DME17 of Local Plan Part 2.

#### **10 RES22 Parking Allocation**

The residential units hereby approved shall not be occupied until a parking allocation scheme has been submitted to, and approved in writing by, the Local Planning Authority. The parking allocation scheme shall, as a minimum, include a requirement that all on-site car parking shall be allocated and dedicated for the use of each of the residential units hereby approved and shall remain allocated and dedicated in such a manner for the lifetime of the development.

#### REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), DMT6 Hillingdon Local Plan: Part 2 - Development Management Policies (March 2019) and Chapter 6 of the London Plan (July 2016).

**11 RES24 Secured by Design**

The development (buildings and parking areas) shall achieve 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO). No dwelling shall be occupied until accreditation has been achieved.

**REASON**

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with London Plan (2016) Policies 7.1 and 7.3.

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

The upper-level windows in the side elevations of units 1 and 5 shall be obscure glazed and 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 BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy DMHB 11 of Hillingdon Local Plan: Part 2 - Development Management Policies (March 2019)

**13 NONSC Non Standard Condition**

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

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

**14 NONSC Accessibility**

Prior to works commencing, details of step free access via the principal private entrance shall be submitted to and approved in writing by the Local Planning Authority.

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

**15 RES26 Contaminated Land**

(i) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance on Land Contamination and approved by the Local Planning Authority (LPA). 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.

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement.

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

(iii) All works which form part of the remediation scheme shall be completed and a verification report submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

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 OE11 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

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

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. All imported soils shall be tested for chemical contamination, and the results of this testing shall be submitted to and approved in writing by the Local Planning Authority.

#### REASON

To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with Policy OE11 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### **17 OM19 Construction Management Plan**

Prior to development commencing, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its approval. The plan shall detail:

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (v) 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).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) 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 OE1 of the Hillingdon Unitary Development Plan (Saved Policies 2007).

## INFORMATIVES

### 1 I52 **Compulsory Informative (1)**

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

### 2 I53 **Compulsory Informative (2)**

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
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 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 6.13	(2016) Parking

LPP 6.9	(2016) Cycling
LPP 7.3	(2016) Designing out crime
LPP 7.4	(2016) Local character
LPP 7.6	(2016) Architecture
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places

**3            12            Encroachment**

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.

**4            15            Party Walls**

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:

- carry out work to an existing party wall;
- build on the boundary with a neighbouring property;
- in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

**5            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.

**6            115            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.

## **7 148 Refuse/Storage Areas**

The proposed refuse and recycling storage areas meet the requirements of the Council's amenity and accessibility standards only. The proposed storage area must also comply with Part H of the Building Regulations. Should design amendments be required to comply with Building Regulations, these should be submitted to the Local Planning Authority for approval. For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250400).

## **8 160 Cranes**

Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant's attention is drawn to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at [www.aoa.org.uk/publications/safeguarding.asp](http://www.aoa.org.uk/publications/safeguarding.asp))

## **9 123 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.

## **10**

This permission is liable for a contribution under the Community Infrastructure Levy (CIL) and a separate CIL liability notice will be provided for your consideration.

## **11**

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2012, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

## **12**

Notwithstanding the results of the ecological surveys you are encouraged prior to commencement on site to seek guidance from Natural England regarding whether an updated survey of the onsite Ponds needs to be undertaken (to ascertain the presence of Great Crested Newts on site and suitable precautionary methods taken to avoid the risk of harm to great crested newts).

### **3. CONSIDERATIONS**

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

The application site comprises of a 2500 m2 irregularly shaped plot located on the northern side of North Common Road. The site is accessed via a narrow lane that is positioned between nos. 11 and 15 North Common Road to the west of Water Tower Close. The site is occupied by a post war detached house with a large rear garden with pond and thick tree / foliage coverage.

The application site is located within a prominent residential area, is bounded to the south by the Uxbridge Common Open Space and is located within the North Uxbridge Area of Special Local Character. The northern area of the North Uxbridge Area of Special Local Character is characterised by hedges, trees and vegetation.

The Common is a very attractive feature at the centre of this area, and it provides a good setting for the properties surrounding it. There are some pleasant views across the Common, particularly to the large interwar houses on the north side, set in spacious plots and bounded by tall hedges, with some older, Victorian cottages set down leafy lanes to the north.

The site is reflective of the spacious residential plots and semi-rural appearance of the northern part of the ASLC.

The site has two ponds which used to act as an overflow to the redundant water tower on the neighbouring adjacent site. The water tower has been converted mainly into residential units and the pond no longer function for overflow purposes.

#### **3.2 Proposed Scheme**

The proposal involves the demolition of the existing 2 storey detached dwelling and construction of 5 x 3 bed terraced dwellings with associated parking and landscaping. The proposed dwellings would be set back from the principle road and accessed via a narrow service road.

The proposed terraces would be set back from the front boundary and would be staggered in order to break up the bulk of the 72.43m front facade. The dwellings would benefit from generous sized front and rear gardens and would be characterised by pitched tiled roofs. The terrace frontage would be staggered by way of setting back both unit 1 and 5 which breaks up the width of the front facade. Generous landscaping around the boundaries of the site will provide a green screen around the development which is common within the street scene and wider Area of Special Local Character.

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

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

The application site does not benefit from any previous planning history however in assessing the application consideration should be given to decisions relating to similar developments within close proximity to the site, such as the Land Rear of 15, 16 and 17 North Common Road for which the Councils decision to refuse the 3 x two storey 3 bed terraced dwellings was overturned at appeal (APP/R5510/W/15/3135376).

The appeal decision contains some text which is relevant to the development for which this application seeks consent and they comments are listed below:

. Character and appearance of the surrounding area which is within the North Uxbridge Area of Special Local Character (ASLC);

. Living conditions of the occupiers of adjoining residential properties including those at 170A Harefield Road and 16 and 17 North Common Road with particular reference to outlook and noise and disturbance; and

. Biodiversity of the area with regard to great crested newts and nearby ponds.

12. The bulk of the North Uxbridge ASLC comprises a suburban housing area to the south-west of Uxbridge Common. This open space is very much the 'jewel in the crown' at the heart of the ASLC as an attractive feature in its own right and in providing a setting for the buildings that fringe it. Pleasant views across the Common are possible towards the inter-war housing along North Common Road with the iconic water tower in the background as a local landmark.

13. The lack of a footway and the tall hedging that predominates along the front boundaries provide a semi-rural 'feel' to North Common Road. It therefore contributes positively to the ASLC by complementing the 'green edge' of the Common. The proposal would utilise an existing crossover and whilst some frontage planting would be lost the opening created would be narrow. The front areas of Nos 16 and 17 are already hard surfaced and the qualities outlined above would consequently be retained. The formation of a passing place would accentuate the gap. In townscape terms the new hedge should follow the line of the access drive but this could be resolved by condition.

14. The appellant's analysis of the wider area bounded by Harefield Road and Park Road extends beyond the ASLC. Nevertheless, Water Tower Close and 3 private drives give access to a number of houses behind North Common Road. Because the close is an adopted road and development has been comprehensive it can be distinguished from the appeal proposals. However, irrespective of when they were built, backland development is an integral element of this part of the designated area. The properties at 12/13, 13a North Common Road, 5 Water Tower Close and 21/22 North Common Road are examples immediately to the east and west of the appeals site

18. In summary, the main attribute of this part of the ASLC is the attractive frontage to North Common Road. The impact on this would be very limited. Furthermore, the existing layout of buildings to the rear has something of an 'ad hoc' character rather than an orderly one where development in backland locations is absent. The proposals would reflect this and the detailed design and site planning would harmonise with the surroundings as far as possible.

19. Therefore there would not be harm to the character and appearance of the surrounding area. As a result no conflict would occur with Policy BE1 or with Policies BE13 and BE19 of the Unitary Development Plan (UDP) which are concerned with design and character. These have been saved for an interim period as the HLP: Part 2. Furthermore the proposals would not be at odds with Policies 3.5, 7.1 or 7.4 of The London Plan 2015 regarding quality and design of housing developments, lifetime neighbourhoods and local character.

28. Given the unattractiveness of the appeal site to this protected species and the lack of evidence that it contributes to a wider network the proposals are unlikely to have any material impact on ecology. It would nevertheless be prudent to implement certain

measures to prevent harm to great crested newts whilst construction is in progress and this could be secured by condition.

30. No significant harm to biodiversity would occur as a result of the proposals and the principle set out in the first bullet point of paragraph 118 of the Framework does not apply. Furthermore, they would not fall foul of Policy EM7 of the HLP: Part 1 which is concerned with protected species and SINCs or with Policies EC3 and EC5 of the UDP. The latter refers to the creation of new habitats. They would also be in line with Policy 7.19 of The London Plan 2015 on biodiversity and access to nature.

#### **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 - Saved UDP Policies (2012)

The London Plan - Consolidated With Alterations (2016)

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

##### Emerging Planning Policies

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

(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

##### Draft London Plan (Consolidated with Changes July 2019)

The GLA consulted upon a draft new London Plan between December 2017 and March 2018 with the intention of replacing the previous versions of the existing London Plan. The Plan was subject to examination hearings from February to May 2019, and a Consolidated Draft Plan with amendments was published in July 2019. This Consolidated version remains under examination with a report by the appointed panel of Inspectors due in Autumn 2019.

The Council's general approach at this stage is to give limited weight to the draft London Plan as a material consideration when deciding planning applications given at this stage of preparation it remains subject to a large number of objections, and could still be subject to significant further change prior to publication.

Proposed Submission Local Plan Part 2 with Main Modifications (March 2019 The Revised Proposed Submission Local Plan Part 2 (LPP2) documents (Development Management Policies, Site Allocations and Designations and Policies Map Atlas of Changes) were submitted to the Secretary of State for examination in May 2018.

The public examination hearing sessions took place over one week in August 2018. Following the public hearing sessions, the examining Inspector advised the Council in a Post Hearing Advice Note sent in November 2018 that he considers the LPP2 to be a plan that could be found sound subject to a number of main modifications.

The main modifications proposed by the Inspector were agreed by the Leader of the Council and the Cabinet Member for Planning, Transport and Recycling in March 2019 and were published for public consultation from 27 March to 8 May 2019.

Taking para 48 of the NPPF into account, the Council's general approach to the weight which should be afforded to the draft LPP2 will be as follows:

The preparation of the LPP2 is now at a very advanced stage. The public hearing element of the examination process has been concluded and the examining Inspector has indicated that there are no fundamental issues with the LPP2 that would make it incapable of being found sound subject to the main modifications referred to above.

Those policies which are not subject to any proposed main modifications are considered to have had any objections resolved and can be afforded considerable weight. Policies that are subject to main modifications proposed by the Inspector will be given less than considerable weight. The weight to be attributed to those individual policies shall be considered on a case by case basis considering the particular main modification required by the Inspector and the material considerations of the particular planning application, which shall be reflected in the report, as required.

Finally, it is noted that the Inspector has indicated that subject to main modifications the LPP2 is fundamentally sound and therefore consistent with the relevant policies in the NPPF.

Notwithstanding the above, the starting point for determining planning applications remains the adopted policies in the Local Plan: Part 1 Strategic Policies and the Local Plan: Part 2 Saved UDP Policies 2012.

### **UDP / LDF Designation and London Plan**

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

#### Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.H1 (2012) Housing Growth

#### Part 2 Policies:

- AM7 Consideration of traffic generated by proposed developments.
- AM14 New development and car parking standards.
- BE13 New development must harmonise with the existing street scene.
- BE18 Design considerations - pedestrian security and safety
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.

BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
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 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 6.13	(2016) Parking
LPP 6.9	(2016) Cycling
LPP 7.3	(2016) Designing out crime
LPP 7.4	(2016) Local character
LPP 7.6	(2016) Architecture
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - 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**



The application has been subject to numerous rounds of consultation. A total 18 neighbouring properties were consulted by letter and a site notice was erected outside of the site. The final round of consultations expired on 01/11/19. A breakdown of the comments received during each round of consultation is provided below along with a summary of the comments received across all rounds of consultation. In addition to the below comments a petition carrying 53 signatures has been submitted in objection to the proposed scheme.

Following public consultation 23 representations were received raising the following concerns;

- Further congestion
- Impacts to local ecological habitat
- Development not in keeping with the local context
- The proposed access is unsuitable for 5 new properties
- Noise from the cars entering and existing the access road
- De-value properties
- Impacts to trees
- Removal of the existing ponds
- Pedestrian safety
- Back-land development
- Lack of emergency vehicle access
- Parking
- Materials shown on the proposed plans do not match the those of the surrounding properties

### **Internal Consultees**

#### **HIGHWAYS**

##### Site Characteristics

The site is located within an extensive residential catchment in Uxbridge situated north of Uxbridge Common and adjacent to Park Road. The proposal is for the existing single detached property to be demolished with a proposed replacement build of 6 new residential units - 4x3 & 2x1 bedroom residential units. A narrow and private shared-space (with no footway) roadway facilitates access to the existing property and to No's 12, 13&14 North Common Road which form a cul-de-sac. This access arrangement would broadly remain unaltered but would benefit from an added 'turning area' provision with the site envelope of No.13a. The site address exhibits a PTAL rating of 2 which is considered below average and therefore encourages a higher dependency on the ownership and use of the private motor car.

##### Parking Provision

Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP policy states that new development will only be permitted where it is in accordance with the Council's adopted parking standards. The maximum requirement for the four 3 bedroom terraces is for up to 2 on-plot spaces to be provided in order to comply with the adopted parking standard with a total of 3 spaces for the two bungalows. This equates to 11 spaces. It is proposed to provide 5 communal spaces and 4 within each curtilage of the four terraces thus totalling 9 spaces (including one disabled compliant) which falls below the maximum standard. However as this shortfall is marginal, it is considered unlikely that the proposal would impact detrimentally on the local highway network. The 5 communal spaces will need to be demonstrated as allocated via a parking allocation planning condition. In terms of cycle parking there would be a requirement of at least 1 secure and accessible space for each of the two bungalows and 2 spaces for each of the four terraces in order to conform to the adopted borough cycle parking standard. 6 spaces are mentioned within the submission but without detail hence this should be provided via planning condition with an up-lift to 10 spaces in total.

##### Site Access and internal site layout

An existing narrow vehicular and pedestrian access roadway that currently serves the site & No.'s

12, 13 & 14 is to remain but would be enhanced to serve the proposal for a net additional provision of 5 residential units. The true width of the access road varies from approximately 2.8 to 3.2m throughout its 60m length hence there is no opportunity to provide vehicular passing provisions which would be desirable. This variation in width is mainly due to overgrowing hedgerows of the neighbouring addresses which flank onto the access road, namely No's 11 & 15. Some hedge/foilage trimming throughout would therefore produce some additional width however this would involve a maintenance regime which would need to be applied in perpetuity. As No.13a possesses full rights and control over the roadway (as demonstrated by the road being encompassed within the red-line boundary) such a requirement can be achieved via legal agreement or suitable planning condition.

It is noted that although it would be desirable for the development to have a wider access road, it is acknowledged that the existing properties within the cul-de-sac are currently accessed and serviced by refuse vehicles (albeit by the smaller variety) without known detriment. Any net uplift in vehicular and pedestrian activity imposed on the access road would be generated by the 5 additional proposed residential units and associated servicing/delivery demand. It is acknowledged that such demands would not be high with a maximum of several additional vehicle/pedestrian movements per day with infrequent use by service vehicles. There is also no prejudice to emergency vehicle access such as for Fire tenders as there is sufficient width available to gain access in the present scenario which would be much improved when a wider service road is achieved.

On the basis of the above, it would therefore be a requirement to maximise the access road width by resurfacing the whole length of roadway to the maximum achievable i.e. 3.2m so it can best perform its vehicular and pedestrian function. Incorporated within the design would be low level lighting, 'noise reducing asphalt' resurfacing throughout the length of the access road with 2 road humps at each extremity which would further aid both vehicular and pedestrian bound movements thereby delivering betterment which is of course welcomed. This aspect would be secured by way of legal agreement.

With regard to the internal parking layout and arrangement of the access road and new turning head within the site envelope, the designs broadly conform to the Department for Transport's (DfT) - Manual for Streets (MfS) (circa 2007) best practice for road and parking layouts. This will allow for vehicles using the site to enter and leave the site in a forward gear which is the recommended practice on highway safety grounds.

The arrangement is further supported by a comparable application (albeit with a wider access road design) presented within a 2014 application (61320/APP/2014/2502) for a back-land development but with access between No.'s 16 & 17 which was refused (but not on highway grounds) and subsequently allowed upon appeal in 2016. As there is no evidence to suggest that the existing site access road servicing the four existing residential dwellings performs unsatisfactorily coupled with the marginal uplift in proposed vehicular and pedestrian activity, the proposal is, on-balance, considered acceptable.

#### Vehicular Trip Generation

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policy requires 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 marginally increase traffic generation from the site as compared to the single existing dwelling unit. However peak period traffic movement into and out of the site would not be expected to rise above 2-3 additional vehicle movements during the peak morning and evening hours. Hence this uplift is considered marginal in generation terms and therefore can be absorbed within the local road network without notable detriment to traffic congestion and road safety.

### Operational Refuse Requirements

Refuse collection would be facilitated via North Common Road with subsequent entry into the cul-de-sac. The proposed positioning of the bin storage area would allow refuse vehicles to make their collections from within 10m of the vehicle itself which conforms to allowable waste collection distance standards. It has been confirmed that at present the Council currently utilises a smaller version of the Council's standard refuse vehicle (which is some 40% shorter and marginally narrower than a full size vehicle) to serve the four properties within this cul-de-sac including No. 13a. There is no evidence to suggest that this arrangement gives rise to any discernible highway related issue hence it is anticipated that this servicing arrangement will continue with the new development in place. As highlighted earlier, once an enhanced access road width is achieved via hedge/foilage trimming and resurfacing with the added benefit of a 'turn around' facility provided within the site envelopment, this would allow adequate manoeuvrability for refuse collection vehicles to 'pick-up' from each of new dwellings without prejudice to general highway safety. There are no further observations.

### Construction Logistics Plan (CLP)

A full and detailed CLP would be a requirement given the constraints and sensitivities of the site envelope and local residential road network in order to avoid/minimise potential detriment to the public realm. It will need to be secured under 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 highway safety concerns, in accordance with policies AM2, AM7 and AM14 of the Development Plan (2012) and policies 6.3,6.9, and 6.13 of the London Plan (2016).

## FLOOD AND WATER MANAGEMENT

Prior to commencement,(excluding demolition and site clearance) a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority.

The scheme shall clearly demonstrate how it, manages water and demonstrate ways of controlling the surface water on site by providing information on:

a) Suds features:

- i. incorporating sustainable urban drainage (SuDs) in accordance with the hierarchy set out in Policy 5.13 of the London Plan. Where the proposal does not utilise the most sustainable solution, justification must be provided,
- ii. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume to Greenfield run off rates at a variety of return periods including 1 in 1 year, 1 in 30, 1 in 100, and 1 in 100 plus Climate change. This rate should be presented per hectare as well as the total for the whole site.
- iii. where it is intended to have above ground storage, overland flooding should be mapped, both designed and exceedance routes above the 100, plus climate change, including flow paths depths and velocities identified as well as any hazards, ( safe access and egress must be demonstrated).
- iv. Where infiltration techniques (soakaway) a site investigation must be provided to establish the level of groundwater on the site, and to demonstrate the suitability of infiltration techniques proposed on the site. (This should be undertaken at the appropriate time of year as groundwater levels fluctuate).

b) Minimise water use.

- i. incorporate water saving measures and equipment.
- ii. provide details of how rain and or grey water will be recycled and reused in the development.

There is also a requirement to provide a management and maintenance plan associated with the

Land Charges on the site so that it will be adhered to for the lifetime of the development.

Long Term Management and Maintenance of the drainage system.

i. Provide a plan of the drainage implemented on site, showing all of the drainage network above and below ground. The responsibility of different parties such as the landowner, PMC, sewers offered for adoption and that to be adopted by the Council Highways services.

ii. Provide a management and maintenance plan for each aspect.

iii. Include details of Inspection regimes, performance specification, Operation standards (remediation and timescales for the resolving of issues where a PMC).

iv. Where overland flooding is proposed, the plan should include the appropriate actions to define those areas and actions required to ensure the safety of the users of the site should that be required.

Long Term Management and Maintenance of the drainage system and Blue Ribbon landscaping.

i. Provide a plan of the drainage implemented on site, showing all of the drainage network above and below ground. The responsibility of different parties such as the landowner, PMC, sewers offered for adoption and that to be adopted by the Council Highways services.

ii. Provide a plan of the landscaping and specified annual maintenance as well as arrangements for any adhoc or emergency management which may be required.

## REASON

To ensure that surface water run off is controlled and is handled as close to its source as possible to ensure the development does not increase the risk of flooding in compliance with Policy EM6 of the Hillingdon Local Plan: Part One - Strategic Policies (Nov 2012), Policies 5.12, 5.13 and 5.15 of The London Plan (2016), the National Planning Policy Framework (March 2012) and the Planning Practice Guidance (March 2014).

HERITAGE AND CONSERVATION: (summary of multiple sets of comments received during the determination of the application which involved various plan revisions) :

### Assessment - background/significance

The existing site comprises of a modern, mid-20th century single dwelling house located in the south-western corner of the site. The property itself is not of any particular interest. However its verdant character positively contributes to its immediate surroundings. The site is accessed off a narrow lane running north from North Common Road. It is a small semi-rural pocket with mature hedges defining boundaries and a small number of dwellings making up the informal Close.

The highly vegetated nature of the site and well established pond contribute to the character and appearance of the streetscene. The ponds have a notable history relating to a tile works in this location during the 19th century prior to the development of the Water Tower (now residential) and neighbouring cottages. It forms part of the setting of the Locally Listed Water Tower to the east of the site. The Water Tower was built by the Uxbridge Water Works Co. and is considered to be a non-designated heritage asset due to its Locally Listed status. It is a notable landmark building with views of the structure stretching as far as the A40.

Neighbouring the site to the south east are three cottage-style dwellings. Originally there had been a pair of cottages comprising of Nos. 12 and 13. The occupants of the cottages were likely workers associated to the Water Tower and these were some of the first residential dwellings located off Uxbridge Common. No.13 was extended in the 1970s to the north which was then separated off as a separate dwelling. The existing cottages are an attractive group and they originally date from the early 20th century. They are characterised by their painted render exterior and half-hipped clay tiled roof with decorative ridge tiles. No. 12 appears to have retained its chimney stacks which positively contribute to the character and appearance of the cottage aesthetic and ASLC. Their quaint appearance is defined by its one and half storey scale with half dormers featuring at eaves level. They are modest in size typical of their age, with a projecting wing to the rear.

The cottages are surrounded by mature vegetation with a timber picket fence enclosing the frontage. This contributes to the semi-rural character of this pocket space and defines the architectural style and scale of residential dwellings in this location.

The site and surrounding environment positively contributes to the character and appearance of the area and form part of the early development around Uxbridge Common with both historic and architectural interest. Whilst the encroachment of suburban developments has somewhat diminished a once rural setting this pocket space within North Uxbridge is a reminder of the area's history. Alterations and development should aim to enhance such significance.

#### Assessment - impact

The proposed amended development would comprise of demolition of the existing dwelling house and introduce 5 new dwellings to the southern end of the site. There are no objections to the principle of demolishing the existing house.

The amended proposal would not address previous issues highlighted. The height of the terrace would remain as two full storeys with gabled roof form. This would result in the built form dominating this intimate space. As described above the immediate surrounding environment is well-defined by the 1 and a half storey cottages. This approach has also been taken on the Allowed development site to the west (rear of Nos. 15, 16 and 17). The design and appearance of the proposal would not be in keeping with the site's immediate vicinity and introduce an urban form into a space semi-rural in character.

It is important the semi-rural character of this pocket space is retained (if not enhanced upon). There would be significant loss of existing vegetation due the positioning of the properties. This alongside the widening of the road and car parking arrangement would detrimentally alter the appearance of the unique lane-like aesthetic. The choice of road surfacing would also overly urbanise the character of the area. A 'buff' coloured surface, ideally permeable should be considered in the first instance. The proposed 'park railings' between the dwellings would be considered urban in appearance and in appropriate. A picket fence could be considered more in keeping.

#### Conclusion

There is some scope for development on this site however it would need to be limited to a small number of units, ideally two semi-detached pairs of cottage-style dwellings. The design, appearance, scale and height would need to be similar to the neighbouring cottages and allowed appeal scheme to the west, 1 and half storeys in height with the first floor contained within the roof.

#### OFFICER COMMENT:

The concerns raised by the Conservation Officer need to be balanced against the delivery of additional family housing.

#### ECOLOGY

The development will result in a historic pond that is likely to have a historic ecological footprint of value to the area; more so given this type of habitat is becoming increasingly rare. The ecological report provides useful information on some protected species and rules out the presence of great crested newts. However, the assessment fails to fully address the general value of the pond and effectively dismisses it as a low value ecological receptor. This is not accepted. Although the pond may not be a primary supporting habitat for European protected species, it will have value to a range of flora and fauna that serves as a diverse natural environment.

The proposed development includes the loss of the long established pond and the replacement with a new pond on a smaller footprint. In addition, there will be a loss of surrounding supporting

vegetation. Ultimately, as presented there would be a net reduction in biodiversity and ecological value. The replacement pond and potential to provide opportunities within the new development would cater to some degree for the loss but the only conclusion that can be reached is that there would be a net reduction and therefore not policy compliant.

However, it should be noted that the net ecological impacts could be a lot worse on site and the applicant has agreed to an offsite contribution of £20,000 to improve the value of a nearby ecological receptor.

Consequently, if you are minded to approve the application, the £20,000 must be secured through the S106 agreement and the following condition appended to the subsequent approval:

## TREES AND LANDSCAPES

This site is occupied by a detached house at the end of a long unsealed private driveway off North Common Road. The site has a small lawn to the front but extends some way to the north and east behind the house, with a number of outbuildings and a large pond. The land to the rear has recently been cleared but the site is surrounded by boundary trees, off-site, in the rear gardens which back on to the site. There are no TPO's or Conservation Area designations affecting the site, however, the area is locally listed as an Area of Special Local Character.

A tree report has been prepared by an arboricultural consultant with due regard to BS5837:2012. The report has identified and assessed 14 individual trees, all of which are 'C' grade apart from one 'A' grade tree T2 a cedar and one 'B' grade tree, T1, a sycamore. The report acknowledges that both T1 and T2 will be close enough to be affected by the development, together with 'C' grade trees T3-14, however, tree protection measures and methodology is specified which, the report states, will safeguard the trees - provided the prescribed measures are adhered to.

With regard to the site layout T12, T13 and T14 are relatively close to the plot 6. Otherwise, the layout provides external amenity space / private gardens with new tree planting and a small replacement pond. An ecological appraisal and Great Crested Newt report have been prepared by All Ecology with recommendations. (Please refer to Ian Thynne for comment).

**RECOMMENDATION:** No objection subject to pre-commencement condition RES8 (arb supervision required with monitoring reports to be submitted to the LPA) and post-commencement conditions RES9 (parts 1, 2, 4, 5 and 6) and RES10.

## **7. MAIN PLANNING ISSUES**

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

Policy H1 of the Local Plan: Part One - Strategic Policies (November 2012) 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.

Policy 3.3 of the London Plan (March 2016) 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.

At a national level, Chapter 5 of the National Planning Policy Framework (NPPF) (February 2019), 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.

Policy H12 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that proposals for tandem development of backland in residential areas will only be permitted if no undue disturbance or loss of privacy is likely to be caused to adjoining occupiers.

Policy DMH 2: Housing Mix 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 London Borough of Hillingdon Strategic Housing Market Assessment (November 2016) which supports Policy DMH 2 states that there is clear requirement for family sized dwellings (3 bed and above). The proposal seeks planning consent for 5 x 3 bed dwellings with adequate garden space provide to serve each unit thus would meet the requirements set out in DMH 2.

Policy DMH 6 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) states that there is a presumption against the loss of gardens due to the need to maintain local character, amenity space and biodiversity. In exceptional cases a limited scale of backland development may be acceptable, subject to the following criteria:

- i) neighbouring residential amenity and privacy of existing homes and gardens must be maintained and unacceptable light spillage avoided;
- ii) vehicular access or car parking should not have an adverse impact on neighbours in terms of noise or light. Access roads between dwellings and unnecessarily long access roads will not normally be acceptable;
- iii) development on backland sites must be more intimate in mass and scale and lower than frontage properties; and
- v) features such as trees, shrubs and wildlife habitat must be retained or re-provided.

An existing service road provides access to the application site via North Common Road. The service road runs is located between No's 11 and 15 North Common Road and tunnels along the east and west side boundaries for almost the entire depth of each of the respective plots. The service road its does not only serve as vehicle and pedestrian access to the application site but also the rear of the terraced dwellings which are located further south east of the site. The access itself is wide enough to accommodate both vehicle and pedestrian activity and a turning circle space is provided towards the rear of No.15. Given that the road and turning circle already exists the intensified use of this route is considered to be limited.

The primary front and rear elevations would be located over 15 metres from any neighbouring properties and the habitable room windows would be sited 21 metres from the primary habitable room windows of all neighbouring properties, thereby avoiding any detrimental impact to neighbour privacy and overshadowing.

The application proposes 5 x 2 storey dwellings set back from the front boundary of the site with planting to be provided around the boundary to install a green form of privacy screening. Whilst the sites immediate context does feature some 1.5 storey dwellings, in particular the adjacent set of terraces the general built form is very much varied in terms of the building heights, scale and bulk. The height of the proposed dwellings would similar and in some cases less that those properties which front North Common Road and the

significant set back from the boundary of the site gives the impression of a more inmate development. Furthermore the site plan demonstrates the retention of significant landscaping which contributes to the verdant nature of the Area of Special Local Character and tree cover is to be provided along the front boundary to provide a green screen around the southern boundary which can be viewed via the rear windows of the neighbouring dwellings.

When assessing the application it is important to give weight to the planning history of not only the site itself but other sites within close proximity, in particular those of which have appeal history. In conducting a planning history search the site known as Land At Rear of 15,16 and 17 North Common Road was found to be subject to a similar application for which an appeal inspector overturned the council's decision to refuse application ref 61320/APP/2014/2502 and 61320/APP/2015/2013 (appeal reference APP/R5510/W/15/3135376) for the demolition of a single garage at 17 North Common Road, construction of a new access road between 16 and 17 North Common Road and the development of a terrace of 3 x 3 bedroom dwellings with associated car parking and amenity area on land to the rear of 15, 16 and 17 North Common Road.

Paragraph 18 of the inspector's report states "In summary, the main attribute of this part of the ASLC is the attractive frontage to North Common Road". This particular development is similar in the sense that the plot to be developed sits behind a row of existing dwellings and would be served by a similar access to that proposed in the current application. The inspector states that the main attribute of this part of the ASLC would not be disturbed given the proposed dwellings would in effect be hidden behind the dwellings which form the attractive frontage on North Common Road.

Following on from the above, the inspector states in paragraph 19, "Therefore there would not be harm to the character and appearance of the surrounding area. As a result no conflict would occur with Policy BE1 or with Policies BE13 and BE19 of the Unitary Development Plan (UDP) which are concerned with design and character. These have been saved for an interim period as the HLP: Part 2. Furthermore the proposals would not be at odds with Policies 3.5, 7.1 or 7.4 of The London Plan 2015 regarding quality and design of housing developments, lifetime neighbourhoods and local character"

Whilst the orientation of the dwelling differs to the successfully appealed case at the aforementioned site, the principle of whether the proposed dwellings significantly impacts the main attractive feature of North Common Road (the frontage) is a similar consideration and given the fact that only views of unit 1 would be offered from the road which would be consistent with the current view of the existing dwelling, it is unlikely that the council would be successful in defending the case refused on grounds of detrimental impact to the ASCL only, at appeal.

On balance, the proposed development would have a limited impact in terms of neighbour amenity and its wider context within the North Uxbridge Area of Special Local Character. Furthermore weight must be afforded to whether the scheme would significantly impact the ASLC main characteristics named within the appeal inspector's report for the site mentioned above. The scale and massing of the terrace would not be inconsistent of other dwellings constructed within close proximity of the site, there is significant landscaping and tree cover proposed and the proposed development would be served by an existing access way, as well as the replacement of the existing ponds with a larger pond to the rear of the development for which the general public would have access to. Therefore on-balance the scheme is considered to accord with Policy H12 of the Hillingdon Local Plan:



Part Two - Saved UDP Policies (November 2012) and Policy DMH 6 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019).

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

Policy 3.4 of the London Plan (2016) seeks to optimise housing potential and includes a sustainable residential quality (SRQ) matrix for calculating the optimal density of residential development of a particular site. Optimal density levels vary based on the Public Transport Access Level (PTAL) score for the area in which the site is located, the character of the area (central, urban or suburban) and the type of accommodation being provided (based on the amount of habitable rooms per unit).

It is considered that the site is located within a suburban setting, as defined within the notes to Table 3.2 of the London Plan (2016).

The PTAL score for the site is 2 which identifies the area as having a low level of public transport accessibility. Having consulted the matrix, the optimal residential density for the development of this site to provide would therefore be between 150-250 habitable rooms per hectare per and 35-65 units per hectare.

The proposal involves the provision of 5 residential units on site which has an overall area of approximately 2,500 m<sup>2</sup> (0.25 hectares). The proposed development would provide 20 habitable rooms between all 5 new units which is considered to be acceptable in this location.

The scheme as proposed results in a density of 80 habitable rooms per hectare and 20 units per hectare. As such the density of the proposed scheme is lower than that which is recommended for a site of this size within London Plan Policy 3.4.

The application site is formed by an awkward shape with a long narrow service road which forms part of the overall site area, which connects the site to the principle highway. The site is predominantly surrounded by residential properties of between 1.5 and 2 stories set within spacious plots. Taking these points into consideration the proposal for 5 x 2 storey dwellings set back from the main frontage of the plot would present a development which would compliment the character and appearance of the local area in comparison to a scheme with a higher density.

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

The application site is not located within an area important for archaeological remains, it is not sited close to any listed building nor is it located within or on the fringes of a conservation area.

The site does however, form part of the North Uxbridge Area of Special Local character. In such areas, Policy BE5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) applies which seeks to ensure new development harmonises with the materials, design features, architectural style and building heights predominant in the area. Development must also comply with the more general BE13 and BE19 policies, which seek to resist developments where the layout and appearance fail to harmonise with the existing street scene or other features of the area which the Local Planning Authority considers it desirable to retain, or which fail to complement or improve the residential amenity of an area.

Furthermore policy DMHB 5 of the Hillingdon Local Plan : Part 2 - Development Management Policies (March 2019) sets out 3 key pieces of criteria which relate to

development within Areas of Special Local Character.

A) Within Areas of Special Local Character, new development should reflect the character of the area and its original layout. Alterations should respect the established scale, building lines, height, design and materials of the area.

B) Extensions to dwellings should be subservient to, and respect the architectural style of the original buildings and allow sufficient space for appropriate landscaping, particularly between, and in front of, buildings.

C) The replacement of buildings which positively contribute to the character and local importance of Areas of Special Local Character will normally be resisted.

The application site is located within the northern area of the North Uxbridge Area of Special Local Character, centred around the Common. The site is located to the rear of the properties which front North Common Road, characterised by residential dwellings of a variety of scales, tall hedges which form screening around most of the plots, mature trees and vegetation all of which contribute to the verdant nature of this area of Uxbridge. The Common (open space) is a very attractive feature at the centre of this area, and it provides a good setting for the properties surrounding it. There are some pleasant views across the Common, particularly to the large inter-war houses on the north side, set in spacious plots and bounded by tall hedges, with some older, Victorian cottages set down leafy lanes to the north. The former water tower which has been converted into residential units provides a pleasant backdrop to the application site and contributes to the more traditional built form within the Area of Special Local Character.

Furthermore as stated within the "Principle of Development" section of this report, a planning appeal inspector assessed the key features of the area within the ASLC for which the application site is located, in the assessment of a recent appeal against the Council's decision to refuse a similar development within approximately 50 metres of the application site. The inspector states in the appeal decision "In summary, the main attribute of this part of the ASLC is the attractive frontage to North Common Road." This particular development is similar in the sense that the plot to be developed sits behind a row of existing dwellings and would be served by a similar access to that proposed in the current application"

With regards to policy point (A), the proposed site plan illustrates the front facade of the buildings would remain south facing. The street scene comprises of mainly 2 storey residential dwellings set back from the main highway by generous sized front gardens and screen from the road by the presence of mature vegetation. Although set back by a significantly greater distance, the existing arrangement of built form and landscaping on site would be consistent with that of the majority of the dwellings within the street scene prior the dwelling being vacated or left uncared for. The proposed plans do not present a departure from the height of the existing property and majority of the dwellings which comprise the street scene.

The application proposes an intensification of the use of the site and this has been brought forward in the design by way of terraced dwellings. The site is bounded by a set of terraced dwellings to the east and although the height of the proposed dwellings would be slightly greater (approximately 1.5 metres) than the existing terraced dwellings. The proposed site plan illustrates the proposed dwellings would be set back from the main frontage of the site with vegetation and trees along the boundary which will provide adequate screening.

Furthermore the staggered front facade would effectively break up the bulk and massing of the terraced block which would also be screen by the 2 storey properties which front the North Common Road. The materials used to construct the development can be conditioned and therefore are not considered essential to the determination of this full planning application.

With regards to policy point (C) as stated above and the principle section of this report the scale, bulk and massing is similar the vast majority of the dwellings which are located within this area of the ASLC. Whilst the application site accommodates two ponds which would need to be removed to facilitate the construction of the dwellings the applicant has agreed to construct a new pond which the general public will have access to via a gate along the east and western boundaries, with a footpath to be constructed around the outer edges of the site.

Whilst the Heritage and Conservation Officer has raised concerns with the scale and design of the development as well as giving advice on preferred revisions, further assessment of the application has been undertaken by the Case Officer which includes the review of the appeal inspectors decision to revert the Council's decision to refuse the similar development to the rear of 15, 16 and 17 North Common Road. Given the scale, bulk and massing of the block is consistent with the vast majority of dwellings in this area, the significant landscaping demonstrated on the proposed site plan, the inclusion of a new pond available to the public, the set back and staggered design of the front facade and the inspectors view of the similar development which is within very close proximity to the application site on balance the proposal is viewed to have a negligible impact on the character and appearance of the street scene and its wider context within the North Uxbridge Area of Special Local Character.

#### **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**

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene or other features of the area which the Local Planning Authority considers it desirable to retain or enhance.

Policy BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the local planning authority will seek to ensure that new development within residential areas complements or improves the amenity and character of the area.

Policy BE22 states that buildings of two or more storeys in height should be set back a minimum of 1 metre from the side boundary of the property for the full height of the building

Emerging policy DMHB 11 of the Hillingdon Local Plan Part 2 - Development Management Policies (March 2019) 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 which includes ;

- 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.

B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

C) Development will be required to ensure that the design safeguards the satisfactory re-development of any adjoining sites which have development potential. In the case of proposals for major development sites, the Council will expect developers to prepare master plans and design codes and to agree these with the Council before developing detailed designs.

The application is considered to be backland development as stated within the principle of development section of this report and given the site is significantly set back from the main principle highway (North Common Road) which is where the valuable street scene is located the proposed development would have a limited impact to the character and appearance of the street scene.

The application site is located within the northern area of the North Uxbridge Area of Special Local Character, centred around the Common. The site is located to the rear of the properties which front North Common Road, characterised by residential dwellings of a variety of scales, tall hedges which form screening around most of the plots, mature trees and vegetation all of which contribute to the verdant nature of this area of Uxbridge. The surrounding built form comprises of a mixture of terraced, semi-detached and detached dwellings of highly individual design and character.

To the south of the site is 'The Common' which is prestigious green space accompanied by a pond and is seen as a very attractive feature of the area.

The principle of constructing a set of terraces within this location is considered to be acceptable. With regards to the scale of the development, the proposed elevations illustrate that the front facade of the block would measure 29 metres in width and would have a staggered frontage with Unit 1 & 5 being set back in order to break up the bulk of the block. The height of the block would measure approx 8.8 metres to the top of the ridge of the pitched roofs which is higher than the 1.5 storey terrace block to the east but less than the height of those properties which front the site (10,11 & 15 North Common Road). The proposed plans illustrate the dwellings would be of a traditional design with pitched roofs, glazed bar windows and soldier courses above the windows.

As stated above the street scene does not comprises of a specific prevailing character. The proposed scale of the dwellings is considered to be consistent with the vast majority of the dwellings within this area and those within the immediate context (North Common

Road). The proposed plans illustrate the dwellings would be set back from the main frontage of the site and would be screened by vegetation and trees along the boundary of the site. Taking the above into consideration and that views of the development from the principle highway would be limited, the proposed development is not considered to give rise to any significant impacts to the character and appearance of the area. As such the proposal is considered to on-balance accord with policies BE13, BE19, BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and DMHB 11 of the Hillingdon Local Plan Part 2 - Development Management Policies (March 2019)

## **7.08 Impact on neighbours**

Policy BE20 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that buildings should be laid out so that adequate daylight and sunlight can penetrate into and between them and the amenities of existing houses are safeguarded.

Policy BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that planning permission will not be granted for new buildings or extensions which by reason of their siting, bulk and proximity, would result in a significant loss of residential amenity.

Policy BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that buildings of two storeys in height or more should be set back a minimum of 1 metre from the side boundary of the property for the full height of the building.

Policy DMHB 11 of the Hillingdon Local Plan Part 2 - Development Management Policies (March 2019) sets out principles of good design which will ensure the amenities of surrounding properties are protected.

Policy 3.5 of the London Plan (2016) requires the design of new housing developments to consider elements that enable the home to become a comfortable place of retreat. Traffic noise and adjacent uses can hamper the quiet enjoyment of homes.

The Council's adopted supplementary planning document, HDAS-residential layouts sets out requirements for separation distance which protect existing and proposed occupiers from possible over-domination and privacy impacts. Section 4.12 states that new residential developments should achieve a distance of 21 metres between neighbouring habitable room windows.

The ridge of the proposals would be higher but even though they would be at an angle to one another the proposed and existing dwellings would be broadly side-to-side. This is a common relationship between neighbouring properties and the 15m distance mentioned in the Supplementary Planning Document (SPD) on Residential Layouts is not intended to apply to this kind of situation. Scope also exists for landscaped screening between the proposed side walls and the boundary.

The proposed site plan illustrates the dwellings would be served by north and south facing habitable room windows whereas the existing terraced block to the east is served by main habitable windows facing west and east as the orientation of the block is different to that of the proposed. The scheme would achieve the minimum 15m separation distance from neighbouring properties as set out the HDAS - Residential Layouts document. The closest residential properties would be No 5 Water Tower Close which measures 17 metres east of Unit 5 and 17A Harefield Road which is located 17 metres to the west.

Whilst it is accepted that Units 1 and 5 would feature habitable room windows at first floor

level within 21 metres of existing neighbouring habitable room windows, consideration needs to be given to whether the scheme gives rise to significant harm to the privacy of those neighbouring properties which bound the site. With regards to No 170A Harefield Road, the higher level windows which would serve the bedroom at first floor would be constructed approximately 19.5 metres from the windows within the rear elevation (east facing) however according to the planning history this window serves a bathroom. Furthermore whilst the higher level windows of Unit 1 would offer some views over the garden of the aforementioned property these would be only be oblique views given the orientation of the unit.

A similar scenario is present between Unit 5 and No 5 Water Tower Close. The higher level windows within the front elevation of Unit 5 which serve a bedroom measure approximately 19 metres from the higher level window within the side elevation of No 5 Water Tower Close however the 21 metre separation distance applies to primary habitable room windows and the window within the side elevation is considered to be provide secondary outlook. As such the proposal is not considered to give rise to any significant impacts to neighbouring amenity through overdominance, visual intrusion, overlooking and overshadowing.

Whilst occupiers of the houses on either side of the access would be conscious from time-to-time of the comings and goings connected with the proposed houses the number of vehicular movements would not be high. Given also the absence of technical evidence to counter the noise assessment, no adverse impact on their living conditions would be likely to occur.

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

### **UNIT SIZES**

The London Plan (2016) sets out minimum sizes for various sized residential units. The scheme proposes the construction of 5 x 3 bed, 4 person dwellings of 2 stories in height which require 84m<sup>2</sup> of internal floor space in order to comply with the current space standards set out in Section 3.3 of the London Plan. The applicant submitted plans with all unit sizes demonstrating floor space in excess of the standards as set out above. As such the scheme accords with the London Plan (2016) minimum standard and is therefore considered acceptable.

Unit 1: 99.4m<sup>2</sup>

Unit 2: 99.4m<sup>2</sup>

Unit 3: 99.4m<sup>2</sup>

Unit 4: 99.4m<sup>2</sup>

Unit 5: 99.4m<sup>2</sup>

The proposed plans demonstrate that the development would comply with the minimum space standards set out in the London Plan and the National Space Standards.

### **INTERNAL LAYOUT AND ACCOMMODATION**

Policy 3.5 of the London Plan (2016) requires the design of new housing developments to consider elements that enable the home to become a comfortable place of retreat. Traffic noise and adjacent uses can hamper the quiet enjoyment of homes.

Standard 28 of the London Plan Housing SPG (2016) requires the developments to demonstrate how habitable rooms within each dwelling are provided with an adequate level

of privacy in relation to neighbouring property, the street and other public spaces.

The proposed plans demonstrate that all units meet the minimum space standards required as do each habitable room. Adequate outlook and daylight is proposed for each habitable room and therefore the scheme is considered to be policy compliant.

#### EXTERNAL LAYOUT/AMENITY SPACE

Policy BE23 of the Local Plan:Part Two (November 2012) requires the provision of external amenity space, sufficient to protect the amenity of the occupants of the proposed and surrounding buildings and which is usable in terms of its shape and siting. The Council's SPD Residential Layouts specifies amenity space standards for flats.

Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document - Residential Layouts, requires 3 bedroom houses to provide at least 60 sqm. The proposal provides in excess of the requirements set out above which accords with Policy BE23 and the SPD requirement. Each garden would benefit from the following rear garden space which demonstrates the schemes compliance with policy BE23.

Unit 1: 67m<sup>2</sup>  
Unit 2: 60m<sup>2</sup>  
Unit 3: 60m<sup>2</sup>  
Unit 4: 60m<sup>2</sup>  
Unit 5: 82m<sup>2</sup>

#### OUTLOOK

The dwelling have been designed designed with appropriate defensible space between the proposed units. The floor plans illustrate the main habitable room windows would be north and south facing and would be greater than 21 metres from neighbouring windows therefore adequate outlook is demonstrated for each of the new dwellings.

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

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

An existing narrow vehicular and pedestrian access roadway that currently serves the site & No.'s 12, 13 &14 is to remain but would be enhanced to serve the proposal for a net additional provision of 5 residential units. The 60 metre long access roadway tunnels between No.11 and No.15 towards and around the rear gardens of those properties which front Water Tower Close. The width of the access road varies from approximately 2.8 to 3.2m and is restricted by mainly due to overgrowing hedgerows of the neighbouring addresses which flank onto the access road, namely No's 11 & 15. Whilst the access roadway may provide some form or access to the rear of the properties for which it bounds, No.13a possesses full rights and control over the roadway (as demonstrated by the road being encompassed within the red-line boundary). The application includes a plan to widen the access roadway by the removal of some of the overgrown vegetation which restricts the current width as well as some resurfacing to enable improved vehicle and pedestrian movement.

The development proposes an intensification of the use of the site by way of a net increase

of 4 dwellings. It is noted within the comments have been received following the public consultation raising concerns with the lack of provision for 2 way vehicle movement within the site in order to serve the intensification of the use of the site. Whilst the application would result in additional pedestrian and vehicle movements per day, the Councils Highways Officer has stated that this increase would be negligible and that there would be no prejudice to emergency vehicle access such as for Fire tenders as there is sufficient width available to gain access in the present scenario which would be much improved when a wider service road is achieved.

With regard to the internal parking layout and arrangement of the access road and new turning head within the site envelope, the designs conform to the Department for Transport's (DfT) - Manual for Streets (MfS) (circa 2007) best practice for road and parking layouts. Furthermore, as stated by the Highway Officer in his comments, the access and parking arrangement is similar to that approved by the appeal inspector for the comparable application behind No.'s 16 & 17 which was refused (but not on highway grounds) and subsequently allowed upon appeal in 2016.

With regards to the parking, the application proposes 10 spaces which is consistent with the council's adopted parking standards. A plan showing adequate parking volumes and a turning circle which would be accessed via the access road from the main principle highway (North Common Road).

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 highway safety concerns, in accordance with policies AM2, AM7 and AM14 of the Development Plan (2012) and policies 6.3,6.9, and 6.13 of the London Plan (2016).

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

##### URBAN DESIGN

Urban Design matters relating to the scale, form and massing of the development are addressed within the "impact to the character and appearance of the area" section of this report.

##### SECURITY

A condition would be attached to any approval to require the development to be built to secured by design standards and maintained as such.

The proposed development would therefore be in accordance with Local Plan Policy BE18 and London Plan Policy 7.3.

#### **7.12 Disabled access**

Notwithstanding the submitted plans the Access Officer has stated the requirement for a pre-commencement condition pertaining to further details of step free access via the principal private entrance shall be submitted to and approved in writing by the Local Planning Authority. The requirement of this information is to ensure the design is in accordance with London Plan policy 3.8 and to ensure the construction of the dwellings meets Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015.

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

Not applicable to this application.

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



## LANDSCAPING

Policy 5.3 of the London Plan (March 2016) requires that development proposals incorporate sustainable design and requires that biodiversity and green infrastructure is promoted and protected.

Policy BE38 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that development proposals will be expected to retain and utilise topographical and landscape features of merit and provide new planting and landscaping wherever it is appropriate. Planning applicants for planning consent will be required to provide an accurate tree survey showing the location, height, spread and species of all trees where their proposals would affect any existing trees.

In accordance with the above the applicant has submitted a site plan which demonstrates that each of the properties would be served by adequate sized rear gardens. In addition today each dwellings would benefit from modest sized front gardens with newly planter trees and a green screen will be construction around the edges of the site. The submitted site plan demonstrates that the rear gardens would be bounded by newly constructed pond to replace those which would be removed to facilitate the construction of the dwellings. A new path would be constructed and entrance gate to allow the public access to the pond and this is viewed as beneficial. A landscaping condition has been attached to secure further landscaping details.

A tree report has identified and assessed 14 individual trees, all of which are 'C' grade apart from one 'A' grade tree T2 a cedar and one 'B' grade tree, T1, a sycamore. The report acknowledges that both T1 and T2 will be close enough to be affected by the development, together with 'C' grade trees T3-14, however, tree protection measures and methodology is specified which, the report states, will safeguard the trees, provided the prescribed measures are adhered to. The application proposes the planting of 6 trees along the front boundary of the site and within the gardens of the 5 new dwellings which will provide some screening around the edge of the development similar to the North Common Road street scene. As such the landscaping and tree details are considered to be acceptable.

## ECOLOGY

An Ecological Appraisal was undertaken in April 2015 and a subsequent presence/absence survey for great crested newts was carried out in May 2015. The terrestrial habitat at the site is poor for amphibians as it is mainly grassland with only boundary hedgerows and planted borders providing any cover. There are 2 ponds within 250m and a great crested newt was recorded at the pond to the south-west on Uxbridge Common. This is listed as a Site of Importance for Nature Conservation (SINC) in UDP Policy EC3. However, breeding was not confirmed and the connectivity to this habitat from the appeal site is not good as it is on the other side of North Common Road.

The Council's Ecology Officer has commented on the application. Given the unattractiveness of the appeal site to this protected species and the lack of evidence that it contributes to a wider network the proposals are unlikely to have any material impact on ecology. It would nevertheless be prudent to implement certain measures to prevent harm to great crested newts whilst construction is in progress and this could be secured by condition.

The Council seeks a financial contribution towards the enhancement of the pond. Whilst habitat restoration would be beneficial in itself the link between such works and the proposals is tenuous. If they were leading to the displacement of a significant population of great crested newts and mitigation was therefore required that would be a different matter. However, this is not the case. Therefore, this sum is not necessary to make the development in Appeal B acceptable in planning terms and the obligation therefore does not meet the relevant tests in the Community Infrastructure Levy Regulations and the Framework. It should not be taken into account in the appeal and therefore the condition in section 3.1 of the undertaking is triggered.

No significant harm to biodiversity would occur as a result of the proposals and the principle set out in the first bullet point of paragraph 118 of the Framework does not apply. Furthermore, they would not fall foul of Policy EM7 of the HLP: Part 1 which is concerned with protected species and SINCs or with Policies EC3 and EC5 of the UDP. The latter refers to the creation of new habitats. They would also be in line with Policy 7.19 of The London Plan 2015 on biodiversity and access to nature.

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

Policy 5.17 of the London Plan (March 2016) sets out the Mayor's spatial policy for waste management, including the requirements for new developments to provide appropriate facilities for the storage of refuse and recycling.

A refuse collection point is proposed to the front boundary of the main portion of the site. Given that the existing property benefits from a refuse collection in the same area of the site the proposal would not give rise to significant waste collection concerns.

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

Not applicable to this application.

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

Policy EM6 (Flood Risk Management) of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states that applicants must demonstrate that Flood Risk can be suitably mitigated. Policies OE7 and OE8 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seek to ensure that new development incorporates appropriate measures to mitigate against any potential risk of flooding. This is further supported by policies DMEI 9 and DMEI 10 of the emerging Hillingdon Local Plan: Part 2 - Development Management Policies (March 2019) and Policies 5.13 and 5.15 of the London Plan (March 2016).

The application site was identified to have a low risk of flooding from surface water and groundwater, however, recommendations have been made to mitigate these risks which would ensure the proposals and their occupants are safe and appropriate with respect to flooding now and for their lifetime including allowances for climate change. A surface water drainage strategy has been proposed which demonstrates how the proposals will ensure surface water generated on site will be collected, attenuated, treated and discharged at a controlled rate in accordance with local and national policies, thereby reducing the risk of surface water flooding on and offsite.

The submission of revised layout information on the 1st October, there is no longer an in principle objection, as this new layout has more appropriately arranged the layout to deal with all sources of flooding. It has also retained a much larger portion of the valuable ecological habitat.

The FRA has demonstrated how the flood risks associated with the site can be managed

by the proposals, reducing the level of flood risk as compared to the existing regime. In conclusion, this FRA demonstrates that the proposals are consistent with the aims of the NPPF and its Planning Practice Guidance, along with the aims of the Strategic Flood Risk Assessment. The site will not be at significant risk of flooding, or increase flood risk to others.

However a considerable amount of detail of this arrangement and proposals still need to be agreed and therefore numerous conditions will need to be applied all of which should be discharged at the same time as the drainage and ecology are interrelated. As such the application is considered acceptable subject to a flood water management and drainage condition.

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

##### AIR QUALITY

The application site does not fall within an air quality focus area nor is the proposal considered a major development therefore an air quality assessment is not required.

##### NOISE

A construction management plan condition has been included to ensure that the noise created but the construction of the proposed development does not significantly impact the surrounding properties. Given that the proposal is for 4 new residential properties in an area which is bounded by a school playground it is unlikely that the proposal would give rise to any significant increase in noise.

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

The issues raised have been addressed within the various section of the report.

#### **7.20 Planning obligations**

Policy R17 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) is concerned with securing planning benefits related to the scale and type of development. The policy is supported by more specific supplementary planning guidance.

The following would be required to mitigate the impact of the development:

- (i) An offsite contribution of £20,000 towards ecology

The applicant has agreed to the above heads of terms. As such, the scheme complies with Policy R17 of the Hillingdon Local Plan: Part Two - Saved UDP Policies.

In addition to S106 contributions the Council has adopted its own Community Infrastructure Levy (CIL) with a charge of £35 per square metre of gross internal floor area. This application is CIL liable with respect to new floorspace being created, and the sum calculated for this application based on the floor area proposed is £39,583.42 .

In addition to the London Borough of Hillingdon CIL, the Mayor of London's Community Infrastructure Levy (CIL) has introduced a charging system within Hillingdon of £35 per square metre of gross internal floor area to be paid to the GLA to go towards the funding of Crossrail. This application is CIL liable with respect to new floorspace being created, and the sum calculated for this application based on the floor area proposed is £17,220 .

#### **7.21 Expediency of enforcement action**

Not applicable to this application.

## **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 to this application.

#### **10. CONCLUSION**

The principle of constructing a set of terraces within this location is considered to be acceptable. The proposed scale of the dwellings is considered to be consistent with the vast majority of the dwellings within this area and those within the immediate context (North Common Road). Given that the street scene does not comprise of a specific prevailing character and the comments provided within the appeal inspectors decision, the application is not considered to give rise to significant harm to the character and appearance of the North Uxbridge Area of Special Local Character.

Whilst the proposal would give rise to ecological impacts due to the redevelopment of the pond area, the replacement pond is considered to balance the harm of what would be removed and also present some flood water management benefits. This in conjunction with the offsite contribution is considered to outweigh the harm caused by the removal of the pond.

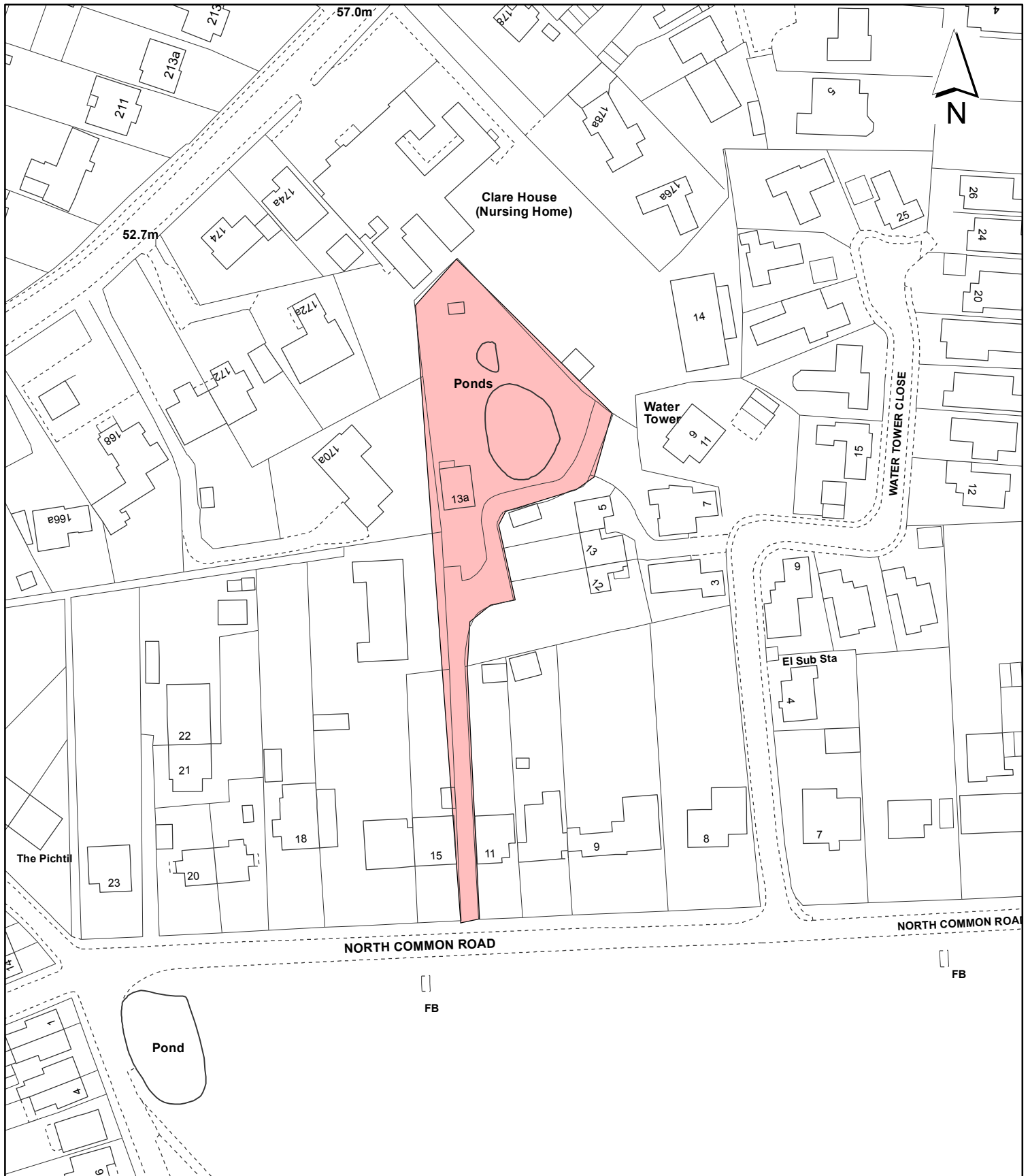
As such the application is considered acceptable.

#### **11. Reference Documents**

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)  
Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019)  
The London Plan (2016)  
The Housing Standards Minor Alterations to The London Plan (March 2016)  
Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)  
Technical Housing Standards - Nationally Described Space Standard  
Hillingdon Design and Accessibility Statement: Residential Layouts  
Hillingdon Design and Accessibility Statement: Accessible Hillingdon  
National Planning Policy Framework

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**Notes:**

 Site boundary

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Planning Application Ref:  
**74738/APP/2019/1181**

Scale:  
**1:1,250**

Planning Committee:  
**Central & South**

Date:  
**January 2020**

