

Report of the Head of Planning, Transportation and Regeneration

Address LAND TO REAR OF 18 MOOR PARK ROAD NORTHWOOD

Development: The erection of a new pair of semi-detached dwellings, together with the formation of two new vehicle crossovers onto Grove Road

LBH Ref Nos: 74971/APP/2019/3169

Drawing Nos: 1319/P/1
Design Statement
1319/P/3
1319/P/4
1319/P/5
1319/P/2

Date Plans Received: 25/09/2019 **Date(s) of Amendment(s):**

Date Application Valid: 03/10/2019

1. SUMMARY

The application seeks permission for the erection of a pair of semi detached houses, with associated parking and amenity space.

The proposed dwellings are of a design and form that would be out of keeping with the historic character of the area and would result in a cramped form of development and an unacceptable intensification of the existing site to the detriment of the character and appearance of the wider street scene. The proposal also fails to provide adequate parking provision or amenity space and fails to make adequate provision for the retention and long term protection of off site trees.

It is therefore recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development, by reason of its siting and layout would result in a development of the site, which would fail to harmonise with the existing local and historic context of the surrounding area. The principle of intensifying the residential use of the site as proposed, as well as the proposed loss of existing private rear garden area would have a detrimental impact on the street scene and character and appearance of the area as a whole. The proposal is therefore detrimental to the visual amenity and character of the surrounding area and contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy DMHB 11 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019), Policies 3.5, 7.1 and 7.4 of the London Plan (2016), guidance within The London Plan Housing Supplementary Planning Guidance (March 2016), the NPPF and to the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

2 NON2 Non Standard reason for refusal

The proposed development, by reason of its siting, size, scale, bulk and design, including the crown roof form, gabled gables, tile hung and exposed brickwork would be a stark contrast to the predominant rendered appearance of the dwellings along Grove Road and would fail to harmonise with the character and architectural composition of surrounding properties, appearing as an awkward, incongruous and cramped form of development which would be detrimental to the visual amenity of the street scene and harmful to the character and appearance of the surrounding area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies DMHB 11 and DMHB 12 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) and to the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

3 NON2 Non Standard reason for refusal

The proposal has not demonstrated that sufficient off street parking/manoeuvring arrangements would be provided, and therefore the development is considered to result in substandard car parking provision, leading to on-street parking/queuing to the detriment of public and highway safety and contrary to Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012), Policies DMT 2 and DMT 6 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019), to Hillingdon's Adopted Parking Standards as set out in the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

4 NON2 Non Standard reason for refusal

In the absence of a Tree Survey and Arboricultural Implication Assessment to BS5837:2012 standards, the application has failed to demonstrate that the development will safeguard existing trees on/adjoining the site and further fails to demonstrate protection for and long-term retention of the trees. The proposal is therefore detrimental to the visual amenity of the street scene and the wider area contrary to Policies BE19 and BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy DMHB 14 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

5 NON2 Non Standard reason for refusal

The proposed development, by virtue of its failure to provide amenity space of sufficient size and quality commensurate to the size and layout of the proposed units would result in an over-development of the site detrimental to the residential amenity of existing and future occupiers. The proposal is therefore contrary to Policies BE19 and BE23 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012), Policy DMHB 18 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

INFORMATIVES

1 I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils

Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

2 171 LBH worked applicant in a positive & proactive (Refusing)

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises part of the rear garden of 18 Moor Park Road. The site is located on the eastern side of Grove Road and is bordered to the north by 2 Grove Road and to the east by the rear garden of 16 Moor Park Road. As existing, the house is located in a large mature garden plot, with a number of trees along the side and rear boundaries and is enclosed along Grove Road by a tall wooden fence. The principal elevation of the existing house fronts Moor Park Road to the south.

The street scene is predominantly residential in character and appearance and comprises large two storey detached dwellings predominantly set within spacious plots. The only exception within the immediate street scene is 1a Grove Road, which is opposite the site. This property is set within an infill plot that was formerly part of the rear garden of no. 24 Moor Park Road. The original development of this plot for a bungalow occurred in the 1960's. In 2017 approval was granted for the redevelopment of the site to form a two storey, 5 bed dwelling. The architectural style of the area has a pleasant uniformity of render, brickwork and deep hipped roof forms.

The application site lies within the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

3.2 Proposed Scheme

This application seeks permission for the erection of a new pair of semi-detached dwellings, together with the formation of two new vehicle crossovers onto Grove Road.

3.3 Relevant Planning History

74971/PRC/2019/156 Land To Rear Of 18 Moor Park Road Northwood

Erection of pair of semi-detached dwellings together with the formation of two new vehicular crossovers onto Grove Road

Decision: 08-11-2019 OBJ

Comment on Relevant Planning History

None.

4. Planning Policies and Standards

The Local Plan Part 2 Draft Proposed Submission Version (2015) was submitted to the Secretary of State on 18th May 2018. This comprises a Development Management Policies document, a Site Allocations and Designations document and associated policies maps. This will replace the current Local Plan: Part 2 - Saved UDP Policies (2012) once adopted.

The document was submitted alongside Statements of Proposed Main and Minor Modifications (SOPM) which outline the proposed changes to submission version (2015) that are being considered as part of the examination process.

Submission to the Secretary of State on 18th May 2018 represented the start of the Examination in Public (EiP). The public examination hearings concluded on the 9th August 2018. The Inspector submitted a Post Hearing Advice Note outlining the need to undertake a final consultation on the updated SOPM (2019) only. The Council undertook this consultation between 27th March 2019 and 8th May 2019. All consultation responses have been provided to the Inspector for review, before the Inspector's Final Report is published to conclude the EiP process.

Paragraph 48 of the NPPF (2019) outlines 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).

On the basis that the public hearings have concluded and the Council is awaiting the final Inspector's Report on the emerging Local Plan: Part 2, the document is considered to be in the latter stages of the preparation process. The degree to which weight may be attached to each policy is therefore based on the extent to which there is an unresolved objection being determined through the EiP process and the degree of consistency to the relevant policies in the NPPF (2019).

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:

AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity

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.

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.
H12	Tandem development of backland in residential areas
H4	Mix of housing units
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 6	Garden and Backland Development
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 18	Private Outdoor Amenity Space
DMT 6	Vehicle Parking
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
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 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.9	(2016) Cycling
LPP 7.4	(2016) Local character
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

7 neighbours and the Northwood Residents Association were consulted for a period of 21 days expiring on the 28 October 2019. A site notice was also erected to the front of the proposed development, expiring on the 6 November 2019. There were 10 responses and a petition, raising the following issues:

- The accommodation is completely different to the prevailing character of the area. There are no semi detached properties in the road.
- The rooms are cramped and set at the minimum legal requirements compared to the surrounding large spacious properties set within large well established gardens
- Loss of the existing garden area, which contains well established trees, shrubs, flower beds and lawns
- Potential impact on trees in adjacent garden, leading to either pressure to prune or fell or inadequate light to proposed property
- Potential loss of neighbouring tree due to close proximity and root damage
- Additional noise and odour
- Prevailing character of the area is for large detached properties. The application says that there are in the wider area terraced and semi detached properties. This is incorrect. The only small properties are in Mezan Close, which is a self enclosed close set back behind Moor Park Road and not widely visible
- The application is incorrect calling it a 3 bed development as the roof space provides a fourth bedroom
- Amenity space too small
- The porches to the front come beyond the building line
- The two garages would not be able to accommodate anything but a very small car, leading to on road parking to the detriment of highway safety
- The large Oak Tree has already been felled and there is no indications of a future replacement
- The proposed design is not intrusive and generally in keeping with the character of the area. I think it is a question of LBH policy rather than individual applications in this area
- Contrary to adopted policy regarding garden development
- Object to the two new crossovers, which will cause more traffic
- The proposed development would constitute a piecemeal form of backland development that would fail to maintain the open and verdant character and appearance of the surrounding area
- No details of drainage
- Loss of privacy
- Lack of wider consultation.
- Overdevelopment

Officer Comment: Public consultation was undertaken with all surrounding properties and a site notice erected.

Ward Councillor: This is garden grab, which is totally out of character with the quiet suburban street.

Internal Consultees

Conservation and Urban Design Officer:

The proposed development would be considered in principle unacceptable. It would fail to relate to the established local distinctiveness of the road and surrounding area.

The area is suburban in character with detached houses set on ample sized plots. The properties within the area are predominantly date from the 1920s/30s and whilst if individual appearance they

have been designed in a similar manner and style.

Whilst the site is located to the rear of no. 18 Moor Park Road it is situated along Grove Road. The section off Moor Park Road comprises of properties located along the western side of Grove Road only. The western street scene is defined by close boarded fence line enclosing the rear gardens of no. 18 Moor Park Road and no. 2 Grove Road. The houses along this stretch of road are defined by their painted rendered exterior and hipped pitched roof form. Their spacious plots and ample frontages relate to the suburban aesthetic of the surrounding area and original intent in which this part of Northwood had been developed in. The properties are comfortably positioned within their respective plots with ample gaps between the built forms maintaining a sense of rhythm along the road as well as providing a sense of openness to the street scene. Front boundary treatments appropriately compose of dwarf brick walls accompanied by mature hedges. This alongside street trees and grass verges along the pavements contribute positively to the green, verdant appearance of the street scene.

The proposed pair of semi detached properties would be defined as suburban infill and intensification, and would be considered in principle unacceptable. The separation of part of the garden of no. 18 would fail to follow the historic grain of development of the surrounding area. In comparison to neighbouring sites, the site area associated to the proposed properties is significantly smaller with limited rear gardens, minimal frontages and small gaps between the sites side boundaries. The proposal would result in a cramped form of development and an unacceptable intensification of the existing site.

There is a distinct lack of buildings facing Grove Road on the eastern side and the introduction of the proposed buildings would disrupt the existing open, verdant character of the road. The development would appear as an isolated form along the eastern side, detrimentally altering the appearance of the street scene. Furthermore it would establish an unwelcome precedent within this area, which would erode its well defined character and appearance.

The proposal would introduce a different building typology within an area characterised by large detached houses. The proposed semi-detached pair would be an incongruous addition to the area. Furthermore the appearance of the building with its gabled gables, tile hung and exposed brickwork would be a stark contrast to the predominant rendered appearance of the dwellings along Grove Road. The design of the dwellings better relates to other parts of Northwood. The crown roof is not an original roof form within the area and would also result in a bulky roof which would not be considered ideal.

The proposed development would be considered an incongruous addition within the area which would fail to relate to the established local distinctiveness.

Trees/Landscaping Officer:

This site is occupied by the end of the rear garden of a two-storey detached house located on a corner plot, at the junction with Grove Road. The area is characterised by detached houses in mixed styles with spacious well-established gardens. This corner plot is exceptionally spacious.

No access was gained into the site but views from Grove Road confirm that there are off-site trees in the gardens of 16 Moor Park Road and 2 Grove Road which oversail the site boundary. Although not protected by TPO or Conservation Area designation these trees are highly visible and make a valuable contribution to the character, appearance and wider environmental quality of the area.

COMMENT: No tree report has been submitted, however, the trees are very close to the proposed footprint of the building and are likely to influence / be influenced by the building. Even if the house could be built without damaging the adjacent trees, the proximity of the trees to the building will be

unsustainable. If the trees are retained they are likely to be oppressive due to the loss of light to the new property, or cause a nuisance through their proximity to the building, which would create pressure to remove them in the future.

RECOMMENDATION: In the absence of a tree report to BS5837:2012, the applicant has failed to demonstrate that the off-site trees will be unaffected by the development and has not made provision for their long term protection. The application fails to satisfy saved policy BE38 and should be refused.

Access Officer:

Any grant of planning permission should include the following condition: The dwelling(s) would be required to 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).

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Paragraph 7.29 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) suggests that backland development may be acceptable in principle subject to being in accordance with all other policies, although Policy H12 does resist proposals for tandem/backland development which may cause undue disturbance or loss of privacy.

The London Plan (2016) provides guidance on how applications for development on garden land should be treated within the London Region. The thrust of the guidance is that back gardens can contribute to the objectives of a significant number of London Plan policies and these matters should be taken into account when considering the principle of such developments. Policy 3.5 of the London Plan supports development plan-led presumptions against development on back gardens where locally justified by a sound local evidence base.

The Mayor's Housing Supplementary Planning Guidance, also provides further guidance on the interpretation of existing policies within the London Plan as regards garden development. Paragraph 1.2.44 advises that when considering proposals which involve the loss of gardens, regard should be taken of the degree to which gardens contribute to defining local context and character (Policy 7.4 and 3.5), especially in outer London where gardens are often a key component of an area's character (Policies 2.6). The contribution gardens make towards biodiversity also needs to be considered (Policies 7.19 and 7.21) as does their role in mitigating flood risk (Policies 5.12 and 5.13).

The NPPF (July 2018) at paragraph 70, advises that LPAs 'should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.'

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic policies states that a high quality design should be achieved in all new buildings, alterations and extensions, and states that schemes should not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas.

The Councils HDAS 'Residential Layouts' states that backland development involves similar issues to the redevelopment of large plots and infill sites. This type of development must seek to enhance the local character of the area and the plot should be of a sufficient depth to accommodate new housing in a way that provides a quality residential environment for new and existing residents.

Emerging Policy DMH6: Garden and Backland Development advises 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
- ii) Vehicular access or car parking should not have an adverse impact on neighbours in terms of noise or light
- iii) Development on backland sites must be more intimate in mass and scale; and
- iv) Features such as trees, shrubs and wildlife habitat must be retained or re-provided

The property is located within the 'developed area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), however, London Plan policy 3.5 recognises the contribution of gardens (especially back gardens) and suggests a presumption against their loss where it can be locally justified. Emerging local plan policy DMH 6 gives a presumption against the loss of gardens due to the need to maintain local character, amenity space and biodiversity. Only in exceptional cases will backland development be acceptable. The Inspector's final report on the emerging local plan was received on 22nd October and has been found to be sound subject to modifications not relevant to this application. It is to be progressed to adoption via Cabinet in December 2019 and Full Council on January 16th 2020, so the weight to be afforded to this policy is significant.

The proposal involves development of a garden site in a residential area characterised by family housing with large undeveloped rear gardens being a prevailing characteristic and the issues relating to its siting and impact on character and thus the principle of development are discussed below, suffice to say that the proposal constitutes an unacceptable form of garden development. The loss of what is a residential rear garden and the impact of the proposed dwelling on the immediate locality is considered to be detrimental to the character and appearance of the surrounding street scene. The infilling of the gap, which at present provides an important break in the built form would appear out of character with the pattern, scale and form of development within the surrounding area. The proposal is thus unacceptable in principle.

7.02 Density of the proposed development

Policy 3.4 of the London Plan (2015) seeks to ensure that the new development takes into account local context and character, the design principles in Chapter 7 and public transport capacity development should optimise housing output for different types of location within the relative density range shown in Table 3.2. Development proposals which compromise this policy should be resisted.

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

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

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

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

Policies BE13 and BE15 of the Hillingdon Local Plan Part two - Saved UDP Policies (November 2012) resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of the existing and adjoining sites.

Policy DMHB 11 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) advises that all development will be required to be designed to the highest standards and incorporate principles of good design. It should take into account aspects including the scale of the development considering the height, mass and bulk of adjacent structures; building plot sizes and established street patterns; building lines and streetscape rhythm and landscaping. It should also not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

The main body of the proposed building measuring 16.3m in width and 9m in depth set beneath a hipped roof of between 9.275m and 8.75m in height. To the front this includes a 10.7m wide two storey element with a small gable feature to either side and two small dormer windows between. There is a single storey element at the same depth either side forming part of an integral garage and a front canopy of 1.25m in depth over the centrally positioned front doors. To the rear is a further flat roofed 'extension' spanning the width of the building at a depth of 3m. The proposed building is set back 1m from both side boundaries and a minimum of 6m from the pavement to the front. The submitted street scene indicates the scale of the building would be generally consistent with others within the area; however the Conservation Officer has raised strong objections to the proposal.

In consideration of the form of development, it fails to follow the historic grain of the surrounding area. The houses along this stretch of road are defined by their painted rendered exterior and hipped pitched roof form. Their spacious plots and ample frontages relate to the suburban aesthetic of the surrounding area and original intent in which this part of Northwood had been developed in. The properties are comfortably positioned within their respective plots with ample gaps between the built forms maintaining a sense of rhythm along the road as well as providing a sense of openness to the street scene. In comparison to neighbouring sites, the site area associated to the proposed properties is significantly smaller with limited rear gardens, minimal frontages and small gaps between the sites side boundaries, which would result in a cramped form of development and an unacceptable intensification of the existing site. The eastern side of Grove Road is defined by close boarded fence line enclosing the rear gardens of no. 18 Moor Park Road and no. 2 Grove Road. The introduction of the proposed buildings would disrupt the existing open, verdant character of the road. The development would appear as an isolated form along the eastern side, detrimentally altering the appearance of the street scene. Furthermore it would establish an unwelcome precedent within this area, which would erode its well defined character and appearance.

The proposal would introduce a different building typology within an area characterised by large detached houses. The proposed semi-detached pair would be an incongruous addition to the area. Furthermore the appearance of the building with its gabled gables, tile hung and exposed brickwork would be a stark contrast to the predominant rendered appearance of the dwellings along Grove Road. The design of the dwellings better relates to other parts of Northwood. The crown roof is not an original roof form within the area and

would further exacerbate the incongruous appearance of the proposed dwellings.

As such it is considered that the proposed development would be considered an incongruous addition within the area, which would fail to relate to the established local distinctiveness and would be out of keeping with the character and appearance of the streetscene. Therefore the proposal fails to comply with the requirements of Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy DMHB 11 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) and HDAS: Residential Layouts.

7.08 Impact on neighbours

Policy OE1, OE3 and BE24 of the Hillingdon Local Plan (November 2012) require the design of new developments to protect the amenity and privacy of neighbouring dwellings. Also the proposed development should not breach the 45 degree guideline when taken from the rear elevation of the neighbouring dwelling, ensuring no significant loss of light, loss of outlook or sense of dominance in accordance with Policy BE20 and BE21 of the Hillingdon Local Plan (November 2012).

The Council's HDAS 'Residential Layouts' advises at paragraph 4.9 that buildings should avoid being over dominant from neighbouring properties and normally a minimum 15m separation distance should be maintained between habitable room windows and elevations of two or more storeys (taken from a 45 degree splay from the centre of habitable room windows). Paragraph 4.12 of the guidance also advises that where habitable room windows face each other, a minimum 21m distance is required to safeguard privacy. This also applies to an area of private amenity space or patio, normally taken to be the 3m depth of rear garden immediately adjoining the rear elevation of a residential property.

The proposed site plan identifies that the proposed dwellings would be situated between no. 18 Moor Park Road and 2 Grove Road, with the blank flank walls set back a minimum of 21.3m and 41.9m respectively. It is therefore considered that there is sufficient separation to prevent any significant impact on the neighbouring properties by virtue of over dominance, loss of light or loss of outlook, in compliance with adopted policy and guidance.

To the rear the properties would afford views over the end of the rear gardens of the neighbouring properties. To the north the properties along Grove Road are set some distance away, with a span at 21m within a 45 degree line of sight a minimum of 55m away. Given the degree of separation it is not considered there would be a significant loss of privacy to the occupants of those dwellings. To the south the nearest property at no. 16 Mood Park Road would be situated approximately 22.3m away at the nearest point, with a separation of approximately 34m on a 45 degree line of sight to their private patio area to the rear of the property. It is therefore considered that given the degree of separation the proposal would not result in a significant loss of privacy on the private garden area to the rear of that property.

It is therefore considered that the proposal would not significantly impact of the amenity of the adjoining neighbours by reason of significant loss of light, loss of outlook, sense of dominance or loss of privacy in accordance with Policy BE20, BE21 and BE24 of the Hillingdon Local Plan (November 2012).

7.09 Living conditions for future occupiers

On 25 March 2015, the Government introduced new technical housing standards in England, which comprise of new additional 'optional' Building Regulations on water and access, and a nationally described space standard (referred to as "the new national technical standards"). These new standards came into effect on 1 October 2015. The

Mayor of London has adopted the new national technical standards through a minor alteration to The London Plan.

The Housing Standards (Minor Alterations to the London Plan) March 2016 sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. The proposal as presented would suggest 3 bed properties, however it is noted that the size of the 'office' within the roof space would be sufficient to be utilised as a fourth bedroom and as such the proposal is assessed on that basis. A 4 bed, 6 person property over 3 floors would require a floor area of minimum of 112sqm. The proposed floor area of approximately 167sqm would exceed this requirement.

It is considered that all the proposed habitable rooms, would have an adequate outlook and source of natural light, and therefore comply with the SPD: New Residential Layouts: Section 4.9.

Policy DMHB 18 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) advises all new residential development will be required to provide good quality and useable private outdoor amenity space. For a 4 bed property a minimum provision of 100sqm would be required. The proposal includes private amenity space of approximately 70sqm for each dwelling, which would be below the required standard. The proposal would therefore fail to comply with the requirements of Policy DMHB 18 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019).

7.10 Traffic impact, car/cycle parking, pedestrian safety

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 clearly increase traffic generation from what is a dormant site. However, statistically, peak period traffic movement into and out of the site would not be expected to rise beyond 1-2 two-way vehicle movements during the peak morning and evening hours. This potential 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.

Policy AM14 of the Hillingdon Local Plan: Part Two- Saved UDP Policies (November 2012) requires developments to comply with the Council's Car Parking Standards, although this policy predates the National Planning Policy Framework. This requires the establishment of criteria to be considered when setting local parking standards including the accessibility of the development and the availability of and opportunities for public transport. The site has a poor PTAL rating and would require the provision of 2 car parking spaces plus 2 cycle spaces per unit.

DMT 6 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) advises development proposals must comply with the parking standards outlined in Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity. The site has a poor PTAL rating and would require the provision of 2 car parking spaces plus 2 cycle spaces per unit.

The proposal does include 2 spaces in the form of the garage and an additional frontage space. However it is noted that the garage at a width of 2.4m would be significantly below a standard garage parking space of 3m and as such would be unlikely to be used for its intended purpose. As such the proposal would fail to provide adequate parking provision in line with adopted policy. The proposal therefore fails to comply with policy AM14 of the Development Plan (2012) and Policy DMT 6 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019).

7.11 Urban design, access and security

These issues are covered in other sections of the report.

7.12 Disabled access

The Access Officer has advised that any grant of planning permission should include a condition requiring compliance with Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010).

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

This site is occupied by the end of the rear garden of a two-storey detached house located on a corner plot, at the junction with Grove Road.

There are off-site trees in the gardens of 16 Moor Park Road and 2 Grove Road which oversail the site boundary. Although not protected by TPO or Conservation Area designation these trees are highly visible and make a valuable contribution to the character, appearance and wider environmental quality of the area.

No tree report has been submitted and the trees are very close to the proposed footprint of the building and are likely to influence/be influenced by the building. Even if the house could be built without damaging the adjacent trees, the proximity of the trees to the building will be unsustainable. If the trees are retained they are likely to be oppressive due to the loss of light to the new property, or cause a nuisance through their proximity to the building, which would create pressure to remove them in the future.

In the absence of a tree report to BS5837:2012, the applicant has failed to demonstrate that the off-site trees will be unaffected by the development and has not made provision for their long term protection. The application fails to satisfy Policies BE19 and BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy DMHB 14 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

Disruption due to development is transitory in nature and insufficient reason to refuse a proposal in its own right. All other issues raised are noted and addressed appropriately in

the main body of the report.

7.20 Planning Obligations

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for additional floorspace for residential developments is £95 per square metre and office developments of £35 per square metre. This is in addition to the Mayoral CIL charge of £35 per sq metre.

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

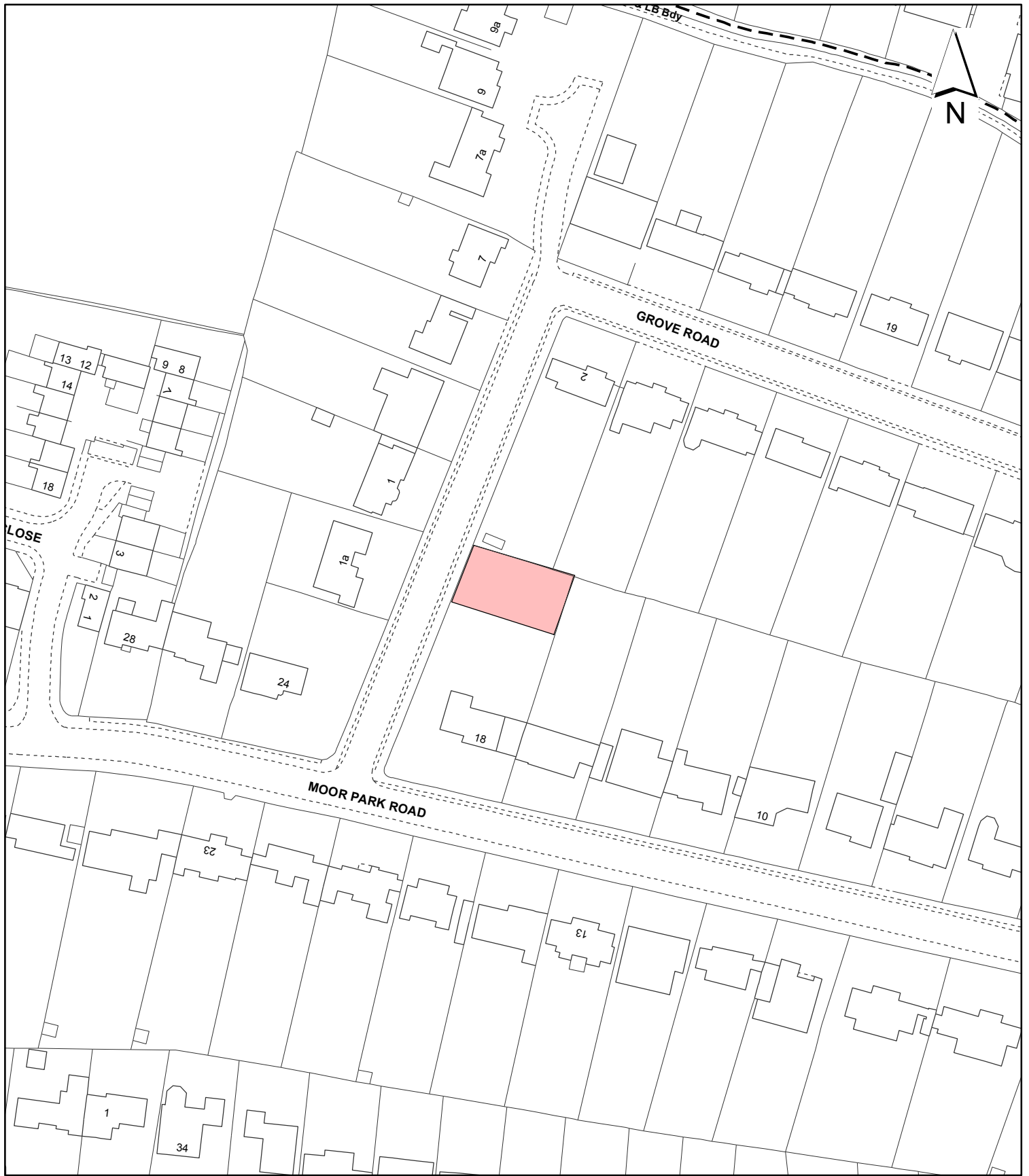
The proposed dwellings are of a design and form that would be out of keeping with the historic character of the area and would result in a cramped form of development and an unacceptable intensification of the existing site to the detriment of the character and appearance of the wider street scene. The proposal also fails to provide adequate parking provision or amenity space and fails to make adequate provision for the retention and long term protection of off site trees. The development is therefore considered contrary to a suite of Hillingdon Local Plan policies (2012) and policies in the London Plan 2016 and is recommended for refusal.

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

Contact Officer: Liz Arnold

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Notes:

 Site boundary

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Site Address:

Land to Rear of 18 Moor Park Road

Planning Application Ref:
74971/APP/2019/3169

Planning Committee:
North

Scale:
1:1,250

Date:
January 2020

LONDON BOROUGH OF HILLINGDON
 Residents Services
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