

## 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  
111218/MX443565  
OS Plan of backland development  
2896-K-01 Appeal site access plan  
111218/Driveway dated 14.12.19  
111218/Driveway dated 13.01.20  
532/P/04 rev A  
532/P/06 rev A  
532/P/07 rev A  
532/P/03 rev B  
Revised Flood Risk Assessment date received 21-10-19  
Revised Ecology Report

<b>Date Plans Received:</b>	05/04/2019	<b>Date(s) of Amendment(s):</b>	06/01/2020
<b>Date Application Valid:</b>	05/04/2019		05/04/2019 27/01/2020

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

The application was deferred at the 04.12.19 Central and South Planning Committee for members to visit site which was undertaken on 07.01.20. Since the site visit further plans have been received following concerns raised relating to whether the access road is consistent with the measurements provided on the proposed and existing plans and whether it could adequately serve the proposed development as well as existing road users. The following actions have been undertaken within the report:

- Removed all UDP policies which have been superseded by LPP2 (Jan 2020) policies and removed referenced to HDAS
- Amended ecology section to reflect the ecology Officers comments as per the addendum (see Trees, landscaping and Ecology section of the report)
- Amended Highways section of the report to reflect the updated Highways Comments following the site visit dated 07-01-2020
- Recommendation changed to Refusal and reason for refusal added
- Updated plans list to include further title deed plan demonstrating the extent of the land owned by the applicant and also a further title deed plan with the boundary hedges and rootline (111218/Driveway dated 13.01.20 and 111218/Driveway dated 14.12.19 respectively)

## 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

**REFUSAL for the following reasons:**

### 1 NON2 Non Standard reason for refusal

The proposed narrow width and extended depth of the proposed access would be insufficient to serve the development and number of vehicle trips generated. The width of the access would not be sufficient to facilitate two-way vehicle movement which in turn would result in vehicles having to reverse for a distance greater than acceptable and would give rise to potential risks to both vehicle and pedestrian safety. Furthermore the applicant has failed to demonstrate that the proposed access would be sufficient to allow emergency fire vehicle access. It is therefore considered the proposed development fails to accord with Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)

## INFORMATIVES

### 1 I52 Compulsory Informative (1)

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

### 2 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan - Part One (2012) and the Hillingdon Local Plan: Part Two - Development Management Policies (2020) set out below and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

DMT 2	Highways Impacts
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMH 4	Residential Conversions and Redevelopment
DMHB 5	Areas of Special Local Character
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            I71            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 Hillingdon Local Plan - Part One (2012) and the Hillingdon Local Plan: Part Two - Development Management Policies (2020), as well as offering a full pre-application advice service. We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

## **3.        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 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 water tower on the neighbouring adjacent site. The water tower has been converted mainly into residential units and the pond no longer functions 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 the comments are listed below:

"The main issues in both appeals are the effect of the proposals on the:

- . 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 SINC's 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**

London Borough of Hillingdon Development Plan (from 17 January 2020)

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

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

The Local Plan: Part 1 - Strategic Policies (2012)

The Local Plan: Part 2 - Development Management Policies (2020)

The Local Plan: Part 2 - Site Allocations and Designations (2020)

West London Waste Plan (2015)

The London Plan - Consolidated With Alterations (2016)

1.3 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

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

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

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

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

Draft London Plan (Intend to Publish Version, December 2019)

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

1.6 The Mayor has considered the Inspectors' recommendations and, on the 19th December 2019, issued to the Secretary of State his intention to publish the London Plan along with a statement of reasons for any of the Inspectors' recommendations that the Mayor does not wish to accept.

1.7 Limited weight should be attached to draft London Plan policies that have not been accepted by the Mayor or that have only been accepted in part/with significant amendments. Greater weight may be attached to policies that were subject to the Inspector's recommendations and have since been accepted by the Mayor through the 'Intend to Publish' version of the Plan. The weight will then increase as unresolved issues are overcome through the completion of the outstanding statutory process. Greater weight may also be attached to policies, which have been found acceptable by the Panel (either expressly or by no comment being made).

#### **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:

DMT 2	Highways Impacts
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMH 4	Residential Conversions and Redevelopment
DMHB 5	Areas of Special Local Character
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
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LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 6.13	(2016) Parking
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NPPF- 2	NPPF-2 2018 - Achieving sustainable development
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## **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**

The comments below are revised highway comments on the above application following both receipt of a more detailed survey plan and the taking of various measurements on site at the member site visit of the 7/1/2020.

The application site is located north of Uxbridge Common off North Common Road which in turn connects to Park Road (B483). Within the vicinity of the site, the road benefits from street lighting and parking restrictions in the form of single yellow lines. There are no pedestrian footways resulting in the carriageway being used as a shared surface. Access to the application site is via an 80 metre track that is straight and bordered by overgrown vegetation. The site access at its narrowest point measures 2.8 metres wide which widens to 3.2 metres at certain sections. The access track at its far end leads onto a shared parking and manoeuvring area. It should be noted that at present the site access serves up to 3 existing dwellings (the existing property as well as No's. 13 & 14 North Common Road). It should also be noted that consent has recently been granted through ref, 7099/APP/2019/2298 for a 2 bed dwelling towards the rear of No. 12 North Common Road. This will be accessed via the same application site access albeit pedestrian access can be gained from Water Tower Close which is also situated close to the front of this property. Upon reviewing the Public Transport Accessibility Level (PTAL) rating for the development using the Transport for London WebCAT service, it is indicated that the site contains a PTAL rating of 2. It is therefore likely that occupants would be dependent on the private car for trips to and from the site. The proposals comprise 5 x 3 bed residential units with associated parking and amenity provision. Having assessed the latest submitted information the Highway Authority has the following observations.

#### **Parking Provision**

When considering the quantum of development against the London Borough of Hillingdon car parking standards, the proposed scheme is required to provide 10 parking spaces (2 spaces per dwelling). The submitted plans show each dwelling making use of 1 parking space within each respective curtilage. An additional shared parking area is proposed which will accommodate a further 5 parking spaces for the development. It is required that these spaces be allocated to each dwelling should consent be granted. It should be noted that in order to conform to the current

standards, 1 disabled parking space should be provided. The scheme provides sufficient space adjacent to the dwellings and parking areas for vehicles to manoeuvre into provision. This is in accordance with current guidance.

#### Cycle Parking

To accord with the Council standards each dwelling should provide 2 secure and covered parking spaces (totalling 10). It is apparent from the submitted drawings that this has not been achieved (but could be conditioned).

#### Site Access

The latest submitted plans propose that the existing vehicular track to the site be widened to a maximum width of 3.6 metres in order to accommodate the proposed dwellings as well as No's. 12, 13 & 14 North Common Road (a total of 8 dwellings). If consented the new development would generate an increase in traffic movements to and from the site. It is therefore required that the access be able to accommodate simultaneous two-way traffic so that vehicles can enter and leave the site at the same time in opposite directions. This would be the case for any further intensification of use to the existing access. In accordance with national highway guidance contained within the current 'Manual for Streets' (1 & 2) document, a minimum access width of 4.1 metres would be required to achieve this arrangement. It is apparent from the submitted plans that this is not the case and would result in conflicting vehicle movements. A driver encountering a vehicle coming in the opposite direction would have to give way necessitating them having to reverse extended distances either back into the site or back towards North Common Road. In addition, it should be noted that this access will be the sole point of access for vehicles as well as pedestrians and therefore effectively being deemed as shared use. The altered access width of 3.6 metres is therefore considered insufficient in accommodating likely users and would present a risk to the safety of vulnerable road users.

#### Operational and Refuse Vehicles:

Given the narrow width of the access track refuse collection at No. 14 North Common Road - which is situated at the very far end of the access road is achieved by using a smaller version of the Council standard refuse vehicle. If consented, this same arrangement could apply to the new dwellings.

In terms of emergency vehicle access, specifically fire service vehicles, the Building Regulation Requirement B5 (2000) highlights that there should be a minimum operational access width of 3.7 metres for a pump appliance to within 45 metres of all family houses. In addition, fire service vehicles should not have to reverse more than 20 metres. Whilst it can be argued that dwellings are already located off the site access, it should be noted that a fire appliance could park in Water Tower Close very close to the front of No's. 12 and 13 North Common Road, this is within an acceptable distance. No.14 North Common Road is located close to the rear elevations of other properties in Water Tower Close, sufficiently close that a 45 metres distance from the roadway within Water Tower Close exists. Numbers 12, 13 and 14 North Common Road could therefore be serviced via Water Tower Close by the fire brigade if such a need arose. However, without any suitable confirmation from the London Fire Brigade that they support an alternative arrangement it can only be assumed that fire service vehicles would be unable to gain access to the application site and the distances involved between Water Tower Close and some of the proposed dwellings would definitely exceed 45 metres. In this particular case unless the applicant were to gain written confirmation from the London Fire Brigade that they are satisfied their fire appliances would be able to serve the development proposal the Highway Authority objects to this development in this regard.

#### Other material planning considerations

The applicant has referred to a comparable application (ref, 61320/APP/2014/2502) for back land development with access between No's. 16 & 17 North Common Road. Although there were no highway objections to the application which was later allowed at appeal, it should be noted that the

site access is considerably wider to that which is currently being proposed. At the recent member site visit a 4.8 metres wide measurement was taken which would meet all relevant standards. Not only would the site access linked to ref, 61320/APP/2014/2502 be able to accommodate simultaneous two-way traffic movements it was also a smaller development of 3 family houses.

#### Conclusion

Taking all factors into account, including the receipt of updated plans and the measurements taken on site, it is recommended that this application be refused with reference to highway and pedestrian safety and concerns over the acceptability of the access road and concerns regarding its acceptability as regards access to the dwellings by fire appliance vehicles.

#### 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.
- li. Provide a management and maintenance plan for each aspect.
- ii Include details of Inspection regimes, performance specification, Operation standards (remediation and timescales for the resolving of issues where a PMC).
- iii 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.

Consequently, if you are minded to approve the application, the £20,000 must be secured through the S106 agreement and a 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 planing 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 the 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 Hillingdon Local Plan: Part Two - Development Management Policies (Jan 2020) states that there is a presumption against the loss of gardens due to the need to maintain local character, amenity space and biodiversity. In exceptional cases a limited scale of 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 know 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 councils 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 inspectors 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 development 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 inspectors 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 the site, there is significant landscaping and tree cover proposed and the proposed developed would be served by an existing access way, as well as the replacement of the the existing ponds with a larger point 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 DMH 5 of Hillingdon Local Plan: Part 2 - Development Management Policies (Jan 2020)

## **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 complement 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 (Jan 2020) 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 reverse the Council's decision to refuse the 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**

DMHB 11 of the Hillingdon Local Plan Part 2 - Development Management Policies (Jan 2020) states that all development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design 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.

Policy DMHB 5 DMHB 11 of the Hillingdon Local Plan Part 2 - Development Management Policies (Jan 2020 ):

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 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 policy DMHB 11 of the Hillingdon Local Plan Part 2 - Development Management Policies (Jan 2020)

## **7.08 Impact on neighbours**

Policy DMHB 11 of the Hillingdon Local Plan Part 2 - Development Management Policies (Jan 2020) 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 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 a minimum 15m separation distance from neighbouring properties. 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 sufficient to refuse the application on noise/disturbance grounds. 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 DMHB 18 of the Hillingdon Local Plan Part 2 - Development Management Policies (Jan 2020) states that all new residential development and conversions will be required to provide good quality and useable private outdoor amenity space. Supporting table 5.2 states that 3 bedroom properties should include 60 sqm of private outdoor amenity space.

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 dwellings have been 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**

Section 8 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that development proposals will be expected to include measures that do not contribute further to congestion and where possible, reduce car use. Paragraph 8.13 specifically states that the Council will not support development which will unacceptably contribute to traffic movements, deleteriously impact on the highway network or road user safety (including to pedestrians) or, affect residential amenity including by noise, congestion or inadequate parking provision. Proposals which are likely to generate through traffic should avoid the use of local distributor and access roads. Development proposals must provide safe and adequate vehicular access, servicing and parking areas.

Furthermore paragraph 8.15 states that internal roads must be constructed in accordance with Council standards for that development, and be suitable and safe for the vehicles that will use it, including any service vehicles.

Policy DMT 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states :

A) Development proposals will be required to meet the transport needs of the development and address its transport impacts in a sustainable manner. In order for developments to be acceptable they are required to:

- i) be accessible by public transport, walking and cycling either from the catchment area that it is likely to draw its employees, customers or visitors from and/or the services and facilities necessary to support the development;
- ii) maximise safe, convenient and inclusive accessibility to, and from within developments

for pedestrians, cyclists and public transport users;  
iii) provide equal access for all people, including inclusive access for disabled people;  
iv) adequately address delivery, servicing and drop-off requirements; and  
v) have no significant adverse transport or associated air quality and noise impacts on the local and wider environment, particularly on the strategic road network.

B) Development proposals will be required to undertake a satisfactory Transport Assessment and Travel Plan if they meet or exceed the appropriate thresholds.

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

Highways Impacts Development proposals must ensure that:

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

Policy DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states :

A) Development proposals must comply with the parking standards outlined in Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity. The Council may agree to vary these requirements when:

- i) the variance would not lead to a deleterious impact on street parking provision, congestion or local amenity; and/or
- ii) a transport appraisal and travel plan has been approved and parking provision is in accordance with its recommendations.

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

The application site is located north of Uxbridge Common off North Common Road which in turn connects to Park Road (B483). Within the vicinity of the site, the road benefits from street lighting and parking restrictions in the form of single yellow lines. There are no pedestrian footways resulting in the carriageway being used as a shared surface. Access to the application site is via an 80 metre track that is straight and bordered by overgrown vegetation. The site access at its narrowest point measures 2.8 metres wide which widens to 3.2 metres at certain sections. The access track at its far end leads onto a shared parking and manoeuvring area. It should be noted that at present the site access serves up to 3 existing dwellings (the existing property as well as No's. 13 & 14 North Common Road). It should also be noted that consent has recently been granted through ref, 7099/APP/2019/2298 for a 2 bed dwelling towards the rear of No. 12 North Common Road. This will be accessed via the same application site access albeit pedestrian access can

be gained from Water Tower Close which is also situated close to the front of this property. Upon reviewing the Public Transport Accessibility Level (PTAL) rating for the development using the Transport for London WebCAT service, it is indicated that the site contains a PTAL rating of 2. It is therefore likely that occupants would be dependent on the private car for trips to and from the site. The proposals comprise 5 x 3 bed residential units with associated parking and amenity provision. Having assessed the latest submitted information the Highway Authority has the following observations.

The initial assessment of the access was undertaken based on plan No 532/P/09 which illustrates an access of 4.25 metres which taken approximately 5 metres from the front access to the site. This plan has since been superseded by a title deed plan (111218/Driveway dated 13.01.2020) which demonstrates the extent of the access which is under the ownership of the applicant and this would be a 4.07 metres wide access therefore it is clear that the 4.25 metre wide access which was proposed on the superseded plan and subject to initial assessment from the Highways Officer could not be achieved. The title deed plan (111218/Driveway 13.01.2020) also illustrates the level of vegetation which forms an attractive boundary treatment along almost the full extent of the length of the access which is in excess of 80 metres. This plan is read in conjunction with 111218/driveway dated 14.12.2019 which illustrates the extent of the width of the access which may be achieved if the aforementioned vegetation were to be cut back to the root line and this presents the width of the access to measure 3.3 metres at its narrowest point. The Highways Officer has stated in commenting on the scheme that given the quantum of vehicle movements already generated by those who currently use the access, including the extant consent for a new dwelling permitted under application ref 7099/APP/2019/2298 an access of at least 4.1 metres would be required to serve the development as 2 way vehicle movement would be required.

After assessment of the more recent plans (111218/Driveway 13.01.2020 & 111218/driveway dated 14.12.2019) and a site visit which included the Highways Officer taking further measurements at varying points of the access road it is clear that the proposed access would not be wide enough to facilitate 2 way vehicle movement if the applicant were undertake works to the vegetation by cutting back to the root line only. Furthermore measurements taken on site by the Highways Officer have raised concerns with whether the width measurement illustrated within plan no. 111218/driveway dated 14.12.2019 are correct as a measurement taken on site from the front of the access appeared to be 2.8 metres rather than the 3.7 metres illustrated on the plan. One of the key elements of the scheme was that the vegetation would be trimmed and not fully removed in order to facilitate an access wide enough for 2-way vehicle movement, however it is clear that if the title deed plan were to be correct and implemented the entire boundary treatment would need to be removed along the entire length of the access, which in turn could create additional issues relating to ecology and also contradicting the balanced view taken towards the impact the development would have on the character and appearance of the Area of Special Local Character. Furthermore the lack of an acceptable access would result in a driver encountering a vehicle coming in the opposite direction would have to give way necessitating them having to reverse extended distances either back into the site or back towards North Common Road. In addition, it should be noted that this access will be the sole point of access for vehicles as well as pedestrians and therefore effectively being deemed as shared use. The altered access width of 3.6 metres is therefore considered insufficient in accommodating likely users and would present a risk to the safety of vulnerable road users.

During the assessment of the application the applicant provided information to support the

acceptability of the proposed access through the submission of the site plan for neighbouring appeal site. This plan illustrated a 4.2 metre wide access with waiting points within the length of the access road which is significantly smaller in terms of its length in comparison to the application site and also serves at maximum, 4 properties in comparison with 8 which are proposed to be served by the proposed access for the subject application. Furthermore a site inspection quite clearly demonstrated that the access to the appeal site is significantly greater in width than the application site and a measurement of this access revealed it to be 4.8 m which is above what is required to serve the development.

Whilst the refuse collection arrangement for the application site is undertaken by a small "alleycat" refuse vehicle the proposed access does present concerns relating to fire service vehicles specifically. The Building Regulation Requirement B5 (2000) highlights that there should be a minimum operational access width of 3.7 metres for a pump appliance to within 45 metres of all family houses. In addition, fire service vehicles should not have to reverse more than 20 metres. As stated in the Highway Officer Comments, whilst it can be argued that dwellings are already located off the site access, it should be noted that a fire appliance could park in Water Tower Close very close to the front of No's. 12 and 13 North Common Road, this is within an acceptable distance. No.14 North Common Road is located close to the rear elevations of other properties in Water Tower Close, sufficiently close that a 45 metres distance from the roadway within Water Tower Close exists. Numbers 12, 13 and 14 North Common Road could therefore be serviced via Water Tower Close by the fire brigade if such a need arose. However, without any suitable confirmation from the London Fire Brigade that they support an alternative arrangement it can only be assumed that fire service vehicles would be unable to gain access to the application site and the distances involved between Water Tower Close and some of the proposed dwellings would definitely exceed 45 metres. In this particular case unless the applicant were to gain written confirmation from the London Fire Brigade that they are satisfied their fire appliances would be able to serve the development proposal the Highway Authority objects to this development in this regard.

With regards to the parking, the application proposes 10 spaces which is consistent with the council's adopted parking standards.

Taking the above into considered the proposal is considered to be contrary to Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

#### **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 submitted 08-04-19 and a revised version submitted 18-09-19.

The document includes an assessment of the entire site but more specifically the two ponds which are located within the boundary of the site and would be removed in order to facilitate the development. The document states that the habitats present on the site were also searched for signs of other animal activity. The trees were assessed for their potential to support bat roosts by visually inspecting them from the ground using binoculars and

high-powered torches where appropriate. Potential features such as holes, cavities or splits were recorded and then inspected where possible for signs of bats, which including grease/urine stains, scratch marks, droppings or the bats themselves.

A further pond, located on the edge of North Common Road is also referenced in the report mainly due to the inspectors regard for the possibility of Great Crested Newts within the area in the assessment of the appeal site within close proximity to the application site. The two ponds on site comprise of a large pond similar the village pond on North Common Road junction with West Common Road and this is referred to as pond 2 in the report, as well as a smaller pond adjacent to pond 2 and this referred to as pond 1. The report states that no specific wildlife was found to be present during the period of assessment and this included fish which can often be found in ponds such as these. The report concludes that habitats are generally common within areas similar to the application site however they offer low ecological value and can be easy to replace.

Notwithstanding the above, the content of the report and the appeal decision for the neighbouring similar development have both been scrutinised by the Councils Ecology Officer who has stated that given the national policy position which is that sites which present some form of ecological value shall be enhanced and developer should demonstrate a net gain rather than a net loss a scheme which includes the provision of a new pond towards the rear of the site would not go far enough to be policy compliant. It is therefore recommended that an off-site contribution of £20,000 be secured by s106 should the application be approved.

#### **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. This is further supported by policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (Jan 2020) 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 5 new residential properties, 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 DMCI 7 of the Local Plan : Part 2 - Development Management Policies (January 2019) sets parameters for the use of Planning Obligations and Community Infrastructure charges.

Paragraph 7.33 of the of the Local Plan : Part 2 - Development Management Policies (January 2019) states while new development can make provision for new homes, employment and leisure facilities and can improve the environment through use of renewable energy and improved landscaping, it can also place additional pressure on social and physical infrastructure and general amenity, and may require measures to be taken to remedy or mitigate such impacts.

Paragraph 7.34 states that the purpose of CIL is to provide infrastructure to support the development of an area; however, the Government has specified that there may still be site specific impact mitigation requirements without which a development should not be granted planning permission. These requirements should be dealt with by planning obligations.

Finally paragraph 7.35 states that the Council will require planning obligations where the CIL levy does not sufficiently mitigate the infrastructure impacts of new development. This may include situations in which site-specific requirements have been identified that will not be funded by CIL, or where there is floorspace that results in an intensification of use but is

not CIL chargeable. In such circumstances on-site obligations or financial contributions may be sought to address site-specific impacts. CIL payments will also be collected towards the cost of Crossrail on behalf of the Mayor. The Mayor's CIL Charging Schedule specifies a rate within Hillingdon of £35 per square metre of net increase in floorspace.

Further detail is contained in the Council's Planning Obligations SPD and its CIL Charging Schedule however policy DMCI 7 of the Local Plan : Part 2 - Development Management Policies (January 2019) sets the local parameters of Planning Obligations and Community Infrastructure charges.

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 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.

The principle of development is established through the existing residential use of the site however the intensification of the use of the site and in particular the access road leading to the dwellings is considered to be unacceptable given its depth of over 80m and its narrow width. The access road is considered to be contrary to Local Plan Policies which set out principles for which development should adhere to in order to ensure developments are safe for both pedestrians and road users.

As such the application is considered unacceptable and is recommended for refusal.

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

National Planning Policy Framework (February 2019)

The London Plan (March 2016)

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)

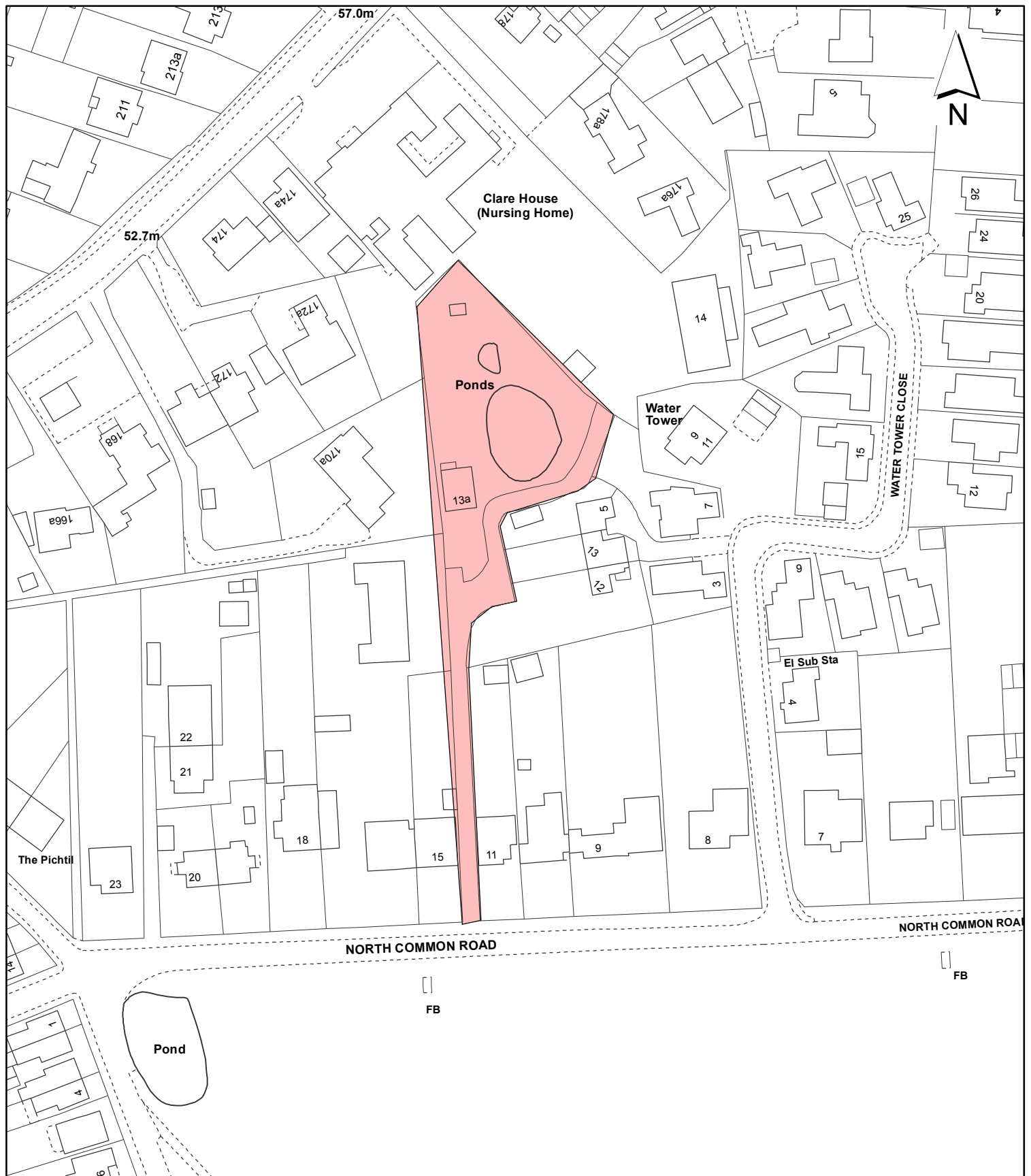
Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020)

Accessible Hillingdon Supplementary Planning Document (September 2017)

Planning Obligations Supplementary Planning Document (July 2014)

**Contact Officer:** Christopher Brady

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# Notes:

Site boundary

For identification purposes only.

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Site Address:

**13A North Common Road  
Uxbridge**

Planning Application Ref:

**74738/APP/2019/1181**

Planning Committee:

**Central and South**

Scale:

**1:1,250**

Date:

**February 2020**

**LONDON BOROUGH  
OF HILLINGDON**  
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**HILLINGDON**  
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