

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

**Address** LAND ADJ. TO 27 FURZEHAM ROAD WEST DRAYTON

**Development:** Two storey attached dwelling with associated parking and amenity space

**LBH Ref Nos:** 75891/APP/2020/2961

**Drawing Nos:** Design and Access Statement  
ZAAVIA/27FR/209 Issue /  
ZAAVIA/27FR/210 Issue /  
Location Plan (1:1250)  
ZAAVIA/27FR/203 Issue /  
ZAAVIA/27FR/204 Issue /  
ZAAVIA/27FR/205 Issue /  
ZAAVIA/27FR/208 Issue /  
ZAAVIA/27FR/207 Issue /  
ZAAVIA/27FR/201 Issue /  
ZAAVIA/27FR/202 Issue /  
ZAAVIA/27FR/206 Issue /

**Date Plans Received:** 17/09/2020

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

**Date Application Valid:** 17/09/2020

### 1. SUMMARY

The application seeks planning permission for the erection of a two storey attached dwelling with parking and amenity space. The proposal is considered to result in serious visual harm to the site and locality and would also result in a loss of residential amenity to occupiers of nearby properties. Furthermore the proposal fails to meet the requirements of London Plan policy 3.8 (c) which requires all new housing to provide appropriate facilities for people with disabilities.

### 2. RECOMMENDATION

**REFUSAL for the following reasons:**

#### 1 NON2 Non Standard reason for refusal

The proposed dwelling, by reason of its excessive size, scale, bulk, design and proximity to the side boundary, would result in an incongruous form of development which would fail to harmonise with the architectural composition of the original semi-detached dwelling, would be detrimental to the character, appearance and symmetry of the pair of semi-detached houses of which it forms a part and to the visual amenities of the street scene and the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

#### 2 NON2 Non Standard reason for refusal

The proposed dwelling, by virtue of its size, scale, bulk, design and proximity, would be detrimental to the amenities of the adjoining occupiers at 23 and 24 Ruffle Close by reason of overdominance, visual intrusion and loss of outlook. Therefore the proposal would be contrary to Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part

Two - Development Management Policies (2020).

**3 NON2 Non Standard reason for refusal**

The proposed dwelling, by virtue of its size, scale, bulk, depth and proximity, would be detrimental to the amenities of the adjoining occupiers at 27 Furzeham Road by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore the proposal would be contrary to Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

**4 NON2 Non Standard reason for refusal**

The proposed dwelling, by reason of its size, design and layout fails to provide a dwelling which meets the requirements of people with disabilities and would therefore give rise to a substandard form of living accommodation to the detriment of the amenity of future occupiers. The proposal is thus contrary to Policy 3.8 of the London Plan (2016).

**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 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMHD 1	Alterations and Extensions to Residential Dwellings
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 7.2	(2016) An inclusive environment
LPP 7.4	(2016) Local character
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places

**3 I59 Councils Local Plan : Part 1 - Strategic Policies**

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies

appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2016). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

#### **4 171 LBH worked applicant in a positive & proactive (Refusing)**

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

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

#### **5 174 Community Infrastructure Levy (CIL) (Refusing Consent)**

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

### **3. CONSIDERATIONS**

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

The application property comprises an attractive, bay fronted, Victorian semi-detached property located on the northern side of Furzeham Road at the eastern end of Furzeham Road within West Drayton. The property benefits from a good sized side/rear garden. The more modern development in Ruffle Close is located to the east. The property has been extended by a modest mono-pitched single storey rear extension to the rear of the outrigger. The property does not benefit from on site parking. The land to the east of the site is covered by TPO 564, however, there are no protected trees nearby.

#### **3.2 Proposed Scheme**

The application seeks planning permission for the erection of a two storey attached dwelling with parking and amenity space.

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

71589/APP/2020/2931 27 Furzeham Road West Drayton

Two storey side extension, part two storey, part single storey rear extension

**Decision:** 03-12-2020 Refused

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

A separate application under reference 71589/APP/2020/2931 was refused on 04-12-2020 for the erection of a two storey side extension and part two storey, part single storey rear extension.

#### **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)

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 Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.H1 (2012) Housing Growth

Part 2 Policies:

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 16 Housing Standards

DMHB 18 Private Outdoor Amenity Space

DMHD 1 Alterations and Extensions to Residential Dwellings

DMT 2 Highways Impacts

DMT 6 Vehicle Parking

LPP 3.3 (2016) Increasing housing supply

LPP 3.4 (2015) Optimising housing potential

LPP 3.5 (2016) Quality and design of housing developments

LPP 3.8 (2016) Housing Choice

LPP 7.2 (2016) An inclusive environment

LPP 7.4 (2016) Local character

NPPF- 2 NPPF-2 2018 - Achieving sustainable development

NPPF- 5 NPPF-5 2018 - Delivering a sufficient supply of homes

NPPF- 11 NPPF-11 2018 - Making effective use of land

NPPF- 12 NPPF-12 2018 - Achieving well-designed places

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

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

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

## **6. Consultations**

## **External Consultees**

25 neighbouring properties were consulted by letter dated 21.9.20.

A petition of objection has been received signed by 27 signatories and 9 letters have been received objecting to the proposal on the following grounds:

1. Overdevelopment
2. Significant noise and disturbance experienced by occupants of the property which would be exacerbated if additional accommodation is provided
3. Development out of keeping with the street scene
4. Parking stress in the road/area
5. Proximity to rear garden result in in overdominant form of development and loss of light
6. Construction management issues
- 7 Concerns about HMO occupation

Officer note: The issues raised will be addressed in the sections below.

## **Internal Consultees**

Access Officer:

In assessing this planning application for a new dwelling, reference has been made to London Plan policy 3.8(c) and its requirement for all new dwellings to be constructed in line with M4(2), as set out in Approved Document M to the Building Regulations. The proposed design fails to demonstrate compliance with the above policy requirement and associated technical specifications. Plans should be amended to incorporate an appropriately sized entrance lobby arrangement, entrance level WC, as well as bedrooms, bathrooms and living areas that are sized correctly with the required clear access zones shown on plan.

Conclusion: unacceptable.

Highways Officer:

Planning permission is sought build a new 4no. person 2no. bed dwelling on land adjacent to 27 Furzeham Road, the proposal would not provide any on-site car parking though parking for 2no. bicycles would be provided in a covered and secure storage unit in the front garden. Furzeham Road is a residential cul-de-sac comprising of traditional terraced properties, these houses are built close the back of footway leaving insufficient room to provide off-street car parking in the front garden. Residents that are car owners must therefore park on-street, a residents parking management scheme WD1 in operation, this restricts parking to householder permit holders only Monday to Friday 9am to 5pm. The application site has a PTAL ranking of 3 indicating that access to public transport is moderate compared to London as a whole suggesting that there will be some reliance on the private car for trip making.

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The Hillingdon Local Plan: Part 2 Development Management Policies (2020) Policy DMT 6: Vehicle Parking requires that development proposals must comply with the relevant parking standards. For a development of this type the maximum number of parking spaces permitted would be 2no. spaces. As mentioned above none would be provided.

Policy DMT 6: Vehicle Parking also requires that development proposal provide cycle parking, these standards are the maximum number that is required. For the development proposed a maximum of 2no. spaces are permitted. The 2no. cycle parking spaces proposed is therefore policy compliant.

Taking into account that most of the existing houses along Furzeham Road do not have off-street parking and that occupiers of the new dwelling would be able to apply join the WD1 residents parking management scheme, LBH Highways DC are satisfied that the proposed development is in accordance with the Hillingdon Local Plan: Part 2 Development Management Policies (2020) Policy DMT 1: Managing Transport Impacts, Policy DMT 2: Highway Impacts and Policy DMT 6: Vehicle Parking. The Highway Authority is satisfied that the development would not present a risk to road safety, hinder the free flow of traffic or lead to parking stress; there are no highway objections to this development.

Landscape Officer

The site is occupied by an end of terrace two-storey house situated at the end of a cul-de-sac. The plot is wider at the front than usual for this street and splays out towards the rear boundary. The land to the east of the site is covered by TPO 564, however, there are no protected trees nearby.

COMMENT: No trees or other significant landscape features will be affected by the proposal. If the application is recommended for approval, landscape conditions should be imposed to ensure that the development contributes to the character and appearance of the area.

RECOMMENDATION: No objection subject to the above comments and condition RES9 (parts 1, 2,5 and 6).

## **7. MAIN PLANNING ISSUES**

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

The application site is located within the built up area of West Drayton where there is no objection in principle to residential development subject to compliance with all other relevant policies within the Development Plan.

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

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

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

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

Not applicable to this application.

### **7.04 Airport safeguarding**

Not applicable to this application.

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

Not applicable to this application.

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

The NPPF (2012) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

Policy 7.1 of the London Plan states that "design of new buildings and the spaces they

create should help reinforce or enhance the character, legibility, permeability and accessibility of the neighbourhood".

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

Policy BE1 of the Hillingdon Local Plan (November 2012) requires that all new development achieves a 'high quality of design in all new buildings, alterations and extensions'.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including: i) harmonising with the local context by taking into account the surrounding: · scale of development, considering the height, mass and bulk of adjacent structures; · building plot sizes and widths, plot coverage and established street patterns; · building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure; architectural composition and quality of detailing; local topography, views both from and to the site; and impact on neighbouring open spaces and their environment. ii) ensuring the use of high quality building materials and finishes; iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities; iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

The existing semi-detached dwelling measure 5.43m in width a traditional hipped roof. The proposed dwelling would measure 6.23m in width and would incorporate a two storey and single storey flat roofed which fails to integrate with the proposed hipped roof of the main dwelling. The dwelling would also entirely fill the space between the flank wall of the original property and the side boundary. The dwelling would entirely engulf the existing attractive semi-detached dwelling and would pay no heed to the Victorian floor plan. The parapet elements to the side would appear incongruous and unsympathetic. The proposed dwelling would further unbalance the existing pair of semis, being wider than the original pair. As such, the proposed dwelling, by reason of its excessive size, scale, bulk, incongruous design and proximity to the side boundary, would result in an incongruous form of development which would fail to appear subordinate to the original semi-detached dwelling and would fail to respect its architectural integrity giving rise to a cramped form of development, which would be detrimental to the visual amenities of the street scene and the wider area. The proposal would conflict with Policy Policy BE1 of the Hillingdon Local Plan (November 2012) and Policies DMHB11; SMHB12 and DMHD1 of the Hillingdon Local Plan - Part Two (2020).

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

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

The two storey side and single storey rear dwelling would not cause an unacceptable loss



of light, outlook or privacy to the occupants of the adjoining dwelling at Number 25 Furzeham Road.

Concerns are however raised in terms of the impact that the proposed outrigger would have on the levels of light and outlook to the ground floor dining room and kitchen windows of the host dwelling at Number 27 Furzeham Road. The rear facing dining room window and side facing windows are the only windows serving the rooms which would be dominated by the rear outrigger of the proposed dwelling result in an unacceptable loss of light and outlook in conflict with Policy DMHB 11 of the Hillingdon Local Plan - Part Two (2020).

Numbers 23 and 24 Ruffle Close are sited to the east. These properties are modern two storey terraced dwellings with modest rear gardens backing onto the side of the application site. Number 24 has been previously extended by way of a conservatory to the side/rear. A separation distance of 14m would be achieved between the two storey rear wall of this terrace and just 11m from the conservatory. The proposal would result in an over-dominant form of development which would result in an unacceptable loss outlook to the occupants of these properties in conflict with the requirements of Policy DMHB 11 and DMHD 1 of the Hillingdon Local Plan - Part Two (2020).

Concerns have been raised by local residents that the proposed dwelling could be occupied as an HMO. It is noted that the application form states that the proposal is for a single private dwelling. In the event of an approvable scheme, a condition could be imposed to secure its use as such.

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

All housing development should have an adequate provision of internal space in order to provide an appropriate living environment. To achieve this all residential development or conversions should:

meet or exceed the most up to date internal space standards, as set out in Table 5.1. A two bedroom (4 person) two storey house is required to provide 78 square metres which the proposed dwelling would exceed.

Policy DMHB 18: Private Outdoor Amenity Space states:

All new residential development and conversions will be required to provide good quality and useable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.2. A two bedroom dwelling is required to provide 60 square metres. Both the retained and proposed dwellings would exceed this minimum standard.

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

Policy DMT 2: Highways Impacts states:

Development proposals must ensure that:

- i) safe and efficient vehicular access to the highway network is provided to the Council's standards;
- ii) they do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents;
- iii) safe, secure and convenient access and facilities for cyclists and 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 roads or through junctions which are at capacity.

Policy DMT 6: Vehicle Parking states:

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

The Council may agree to vary these requirements when:

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

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

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

The Highways Officer has advised that Furzham Road is a residential cul-de-sac comprising traditional terraced properties, these houses are built close the back of footway leaving insufficient room to provide off-street car parking in the front garden. Residents that are car owners must therefore park on-street, a residents parking management scheme WD1 in operation, this restricts parking to householder permit holders only Monday to Friday 9am to 5pm. The application site has a PTAL ranking of 3 indicating that access to public transport is moderate compared to London as a whole suggesting that there will be some reliance on the private car for trip making.

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The Hillingdon Local Plan: Part 2 Development Management Policies (2020) Policy DMT 6: Vehicle Parking requires that development proposals must comply with the relevant parking standards. For a development of this type the maximum number of parking spaces permitted would be 2no. spaces. As mentioned above none would be provided.

Policy DMT 6: Vehicle Parking also requires that development proposal provide cycle parking, these standards are the maximum number that is required. For the development proposed a maximum of 2no. spaces are permitted. The 2no. cycle parking spaces proposed is therefore policy compliant.

Taking into account that most of the existing houses along Furzham Road do not have off-street parking and that occupiers of the new dwelling would be able to apply to join the WD1 residents parking management scheme, LBH Highways DC are satisfied that the proposed development is in accordance with the Hillingdon Local Plan: Part 2 Development Management Policies (2020) Policy DMT 1: Managing Transport Impacts, Policy DMT 2: Highway Impacts and Policy DMT 6: Vehicle Parking. The Highway Authority is satisfied that the development would not present a risk to road safety, hinder the free flow of traffic or lead to parking stress; there are no highway objections to this development.

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

The issues are addressed in the above and below sections of the report.

### **7.12 Disabled access**

The proposed attached dwelling incorporates design features which are incompatible with the standards required for an M4 (2) category home, as required by London Plan policy 3.8 (c) which requires all new housing to provide appropriate facilities for people with disabilities. The proposal fails to demonstrate the provision of an appropriately sized entrance lobby arrangement, entrance level WC, as well as bedrooms, bathrooms and living areas that are sized correctly with the required clear access zones shown on plan. As such the proposal is considered unacceptable in accessibility terms.

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

Not applicable to this application.

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

Policy DMHB 14: Trees and Landscaping requires:

- A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.
- B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.
- C) Where space for ground level planting is limited, such as high rise buildings, the inclusion of living walls and roofs will be expected where feasible.
- D) Planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees. Where the tree survey identifies trees of merit, tree root protection areas and an arboricultural method statement will be required to show how the trees will be protected. Where trees are to be removed, proposals for replanting of new trees on-site must be provided or include contributions to offsite provision.

The adjacent land to the east lies within the area covered by TPO 564, however, there are no protected trees nearby. No trees or other significant landscape features will be affected by the proposal.

in the event of an approvable scheme, landscape conditions could be imposed to mitigate the impact of the development.

### **7.15 Sustainable waste management**

In the event of an approvable scheme, conditions could be imposed to secure appropriate sustainable waste management.

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

Not applicable to this application.

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

Not applicable to this application.

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

Not applicable to this application.

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

The comments are addressed in the sections above.

### **7.20 Planning obligations**

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

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

Not applicable to this application.

### **7.22 Other Issues**

No other issues raised.

## **8. Observations of the Borough Solicitor**

### **General**

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

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

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

### **Planning Conditions**

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

### **Planning Obligations**

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

### **Equalities and Human Rights**

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

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

given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

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

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

Not applicable to this application.

#### **10. CONCLUSION**

The application seeks planning permission for the erection of a two storey attached dwelling with parking and amenity space. The proposal is considered to result in serious visual harm to the site and locality and would also result in a loss of residential amenity to occupiers of nearby properties. Furthermore the proposal fails to meet the requirements of London Plan policy 3.8 (c) which requires all new housing to provide appropriate facilities for people with disabilities. Refusal is therefore, recommended.

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

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

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

The London Plan (2016)

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

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

Technical Housing Standards - Nationally Described Space Standard

Hillingdon Design and Accessibility Statement: Accessible Hillingdon

National Planning Policy Framework

**Contact Officer:** Nicola Taplin

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

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Site Address:

**Land Adjacent to 27 Furzeham Road**

Planning Application Ref:  
**75891/APP/2020/2961**

Planning Committee:  
**Central & South**

Scale:  
**1:1,250**

Date:  
**January 2021**

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

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