Item No. **Report of the Interim Director of Planning, Regeneration & Public Realm**

Address 51 PEMBROKE ROAD RUISLIP

Development: Two storey side/rear extension and conversion of roofspace to habitable use to include 4 rear and 3 front rooflights to allow for conversion of dwelling house into 2 x 2-bed and 2 x 1-bed self-contained flats with associated parking and amenity space

LBH Ref Nos: 68788/APP/2022/1728

Drawing Nos: 12/3276/7
12/3276/6 Rev. A
Site Location Plan
12/32766/5 Rev. A

Date Plans Recieved: 26/05/2022 **Date(s) of Amendment(s):**

Date Application Valid: 26/05/2022

1. SUMMARY

The application proposes a two-storey side and rear extension and conversion of the roof space to habitable use to include 4 rear and 3 front rooflights to allow for the conversion of the dwelling house into 2 x 2-bed and 2 x 1-bed self-contained flats with associated parking and amenity space.

This current application is a re-submission of an identical scheme which was previously approved under application reference 68788/APP/2019/2659. This previous permission will lapse on 3rd October 2022; hence the submission of this current application.

The proposed introduction of a flatted development at the site has already been established through the granting of planning permission ref. 68788/APP/2019/2659. There is no objection, in principle, to the creation of flats at the site in land use terms. It is noted that the proposal would not provide any family sized units (i.e. dwellings with three or more bedrooms). However, this would be no different to the scheme approved under planning permission 68788/APP/2019/2659. It would therefore be unreasonable to introduce this matter as a ground for refusal under the current application.

Having regard to the planning permission ref. 68788/APP/2019/2659, it is considered that the proposal would not cause harm to the character and appearance of the host dwelling or surrounding area. The proposal would not adversely impact on the living conditions of neighbouring occupiers, and would afford future occupiers with a high standard of internal and external living accommodation.

The application has been reviewed by the Highway Authority who are satisfied that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns.

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

2. RECOMMENDATION

APPROVAL subject to the following:

1 RES3 **Time Limit**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON
To comply with Section 91 of the Town and Country Planning Act 1990.

2 RES4 **Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted drawings titled Site Location Plan and numbered 12/32766/5 Rev. A, 12/3276/6 Rev. A and 12/3276/7 and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON
To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012), Part 2 (2020) and the London Plan (2021).

3 HO4 **Materials**

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building and shall thereafter be retained as such.

REASON
To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

4 OM19 **Construction Management Plan**

Prior to development commencing, a demolition and construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall detail:

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

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

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

5 RES8 **Tree Protection**

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

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

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

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

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

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:
2.a There shall be no changes in ground levels;
2.b No materials or plant shall be stored;
2.c No buildings or temporary buildings shall be erected or stationed;
2.d No materials or waste shall be burnt; and
2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

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

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

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

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

1. Details of Soft Landscaping (including defensible spaces to the front of the bedroom windows serving the proposed ground floor flats)
1.a Planting plans (at not less than a scale of 1:100)
1.b Written specification of planting and cultivation works to be undertaken
1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

2. Details of Hard Landscaping
2.a Refuse Storage
2.b Cycle Storage
2.c Means of enclosure/boundary treatments
2.d Car Parking Layouts (including demonstration that at least one parking spaces is served by an active electrical charging point and the remaining parking spaces served by passive electric vehicle charging points)
2.e Hard Surfacing Materials

2.f External Lighting

3. Details of Landscape Maintenance
3.a Landscape Maintenance Schedule for a minimum period of 5 years
3.b Proposals for the replacement of any tree, shrub, or area of turfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased

4. Schedule for Implementation

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

REASON
To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies DMHB 11, DMHB 12, DMHB 14, DMEI 1 and DMT 2 of the Hillingdon Local Plan Part 2 (2020) and Policy G5 of the London Plan (2021).

7 RES10 **Tree to be retained**

Trees, hedges and shrubs shown to be retained on the approved plan(s) shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority.

If any retained tree, hedge or shrub is removed or severely damaged during (or after) construction, or is found to be seriously diseased or dying, another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' Remedial work should be carried out to BS BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON
To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy DMHB 14 of the Hillingdon Local Plan Part 2 (2020) and to comply with Section 197 of the Town and Country Planning Act 1990.

8 RES13 **Obscure Glazing**

The first floor side window facing number 49 Pembroke Road and serving an open plan kitchen/lounge as specified on drawing number 12/3276/6 Rev. A shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and be non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

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

9 RES12 **No additional windows or doors**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England)Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing numbers 49 and 53 Pembroke Road, Ruislip.

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

10 RES22 **Parking Allocation**

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

REASON
To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy DMT 6 of the Hillingdon Local Plan Part Two 2 (2020) and Policy T6 of the London Plan (2021).

INFORMATIVES

1 I70 **LBH worked applicant in a positive & proactive (Granting)**

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

2 I73 **Community Infrastructure Levy (CIL) (Granting Consent)**

Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. Before commencement of works the development parties must notify the London Borough of Hillingdon of the commencement date for the construction works (by submitting a Commencement Notice) and assume liability to pay CIL (by submitting an Assumption of Liability Notice) to the Council at planning@hillingdon.gov.uk. The Council will then issue a Demand Notice setting out the date and the amount of CIL that is payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed.

The above forms can be found on the planning portal at:

www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

Pre-Commencement Conditions: These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of the pre-commencement conditions have been discharged/complied with.

3 I52 **Compulsory Informative (1)**

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

4 I53 **Compulsory Informative (2)**

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan (2021) and national guidance.

DMCI 2	New Community Infrastructure
DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMEI 10	Water Management, Efficiency and Quality
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMH 4	Residential Conversions and Redevelopment
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMHD 1	Alterations and Extensions to Residential Dwellings
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP G6	(2021) Biodiversity and access to nature
LPP G7	(2021) Trees and woodlands
LPP H1	(2021) Increasing housing supply
LPP H2	(2021) Small sites
LPP H8	(2021) Loss of existing housing and estate redevelopment
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
LPP SI12	(2021) Flood risk management

LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF14	NPPF 2021 - Meeting the challenge of climate change flooding
NPPF2	NPPF 2021 - Achieving sustainable development
NPPF4	NPPF 2021 - Decision-Making
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes
NPPF9	NPPF 2021 - Promoting sustainable transport

5

The site lies in a Critical Drainage Area (CDA) as identified in the Surface Water Management Plan (SWMP) for Hillingdon. A CDA is the catchment area from which surface water drains and contributes to drainage problems. All developments in this area must contribute to managing the risk of flooding from surface water by reducing surface water runoff from the site. Therefore the applicant should minimise the water from your site entering the sewers. No drainage to support the extension should be connected to any existing surface water sewer, other than as an overflow. Water run-off from any roof or hard paving associated with the development should be directed to a soakaway, or tank or made permeable. A water butt should be incorporated.

6 I15 **Control of Environmental Nuisance from Construction Work**

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

7 I2 **Encroachment**

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application may have to be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the applicant's control for which the appropriate Notice under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 has not been served.

8 I47 **Damage to Verge - For Council Roads:**

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge of footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

9 I6 **Property Rights/Rights of Light**

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

10 IT05 **Wildlife and Countryside Act 1981**

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

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the northern side of Pembroke Road and comprises a two-storey detached house on a spacious plot set back from the highway. The property is characterised by its front bay windows, pebble dash render finish with cream mock-Tudor detailing on its front elevation, and its hipped roof profile. It has been extended by an attached garage on its side (eastern) elevation and single storey side extension which features the front entrance door on its side (western) elevation and has a single storey extension to its rear. The application site benefits from two vehicle crossovers emerging onto Pembroke Road, one of which is shared with the neighbouring property at No. 53 Pembroke Road.

The eastern boundary of the subject site abuts the side boundary of No.53 Pembroke Road, which is a wider property than the application property. The western boundary of the site abuts No.49, a detached property similar in size to the application dwelling. The surrounding street scene on Pembroke Road is predominately residential in nature. However, it is noted that No. 73 Pembroke Road (Church of The Most Sacred Heart) is a locally listed building located at the junction between West Way and Pembroke Road.

To the north of the site is the Ruislip Manor Way Conservation Area. However, the

application site itself is not designated within the Conservation Area, with the dwelling at No.51 Pembroke Road sited approximately 50 metres from the boundary of the Conservation Area. Further to the north-west of the site, and beyond the rear of No.47 Pembroke Road, is Midcroft, Ruislip Area of Special Local Character.

According to the Council's GIS, the site falls in Flood Zone 1, but lies within a Critical Drainage Area. Also, the site is designated within an Air Quality Focus Area.

3.2 Proposed Scheme

The application proposes a two-storey side and rear extension and conversion of the roof space to habitable use to include 4 rear and 3 front rooflights to allow for the conversion of the dwelling house into 2 x 2-bed and 2 x 1-bed self-contained flats with associated parking and amenity space.

It is important to note that this current application is a re-submission of an identical scheme which was previously approved under application reference 68788/APP/2019/2659. This previous permission will lapse on 3rd October 2022; hence the submission of this current application.

During the course of this application, and with the agreement of the applicant, the proposal description was revised to reflect the wording stated on the approved decision notice for application reference 68788/APP/2019/2659. Neighbouring residents were re-consulted based on the revised wording (Refer to section 6 of this report for further details).

3.3 Relevant Planning History

66982/APP/2010/1004 Land To Rear Of 51 And 53 Pembroke Road Ruislip

Erection of 2 five-bedroom, two storey detached dwellings with habitable roofspace, associated parking and amenity space.

Decision: 27-09-2010 Refused **Appeal:** 17-06-2011 Dismissed

66982/APP/2011/2221 Land To Rear Of 51 And 53 Pembroke Road Ruislip

Erection of 2 five-bedroom, two storey detached dwellings with habitable roofspace, associated parking and amenity space

Decision: 06-12-2011 Refused **Appeal:** 15-06-2012 Dismissed

66982/APP/2013/109 Land To Rear Of 51 And 53 Pembroke Road Ruislip

2 x 4-bedroom, detached bungalows with habitable roofspace, associated parking and amenity space.

Decision: 16-04-2013 Refused **Appeal:** 30-10-2013 Dismissed

66982/APP/2017/1468 Land To Rear Of 51 And 53 Pembroke Road Ruislip

Two x 3-bed detached bungalows with associated parking and amenity space.

Decision: 13-07-2017 Refused **Appeal:** 18-04-2018 Dismissed

68788/APP/2012/2348 51 Pembroke Road Ruislip

Two storey side extension and single storey side/rear extension to include 3 rear rooflights and 3 front rooflights, involving demolition of attached garage to side

Decision: 22-11-2012 Approved

68788/APP/2015/3255 51 Pembroke Road Ruislip

Application for a new planning permission to replace an extant planning permission in order to extend the time limit for implementation, reference 68788/APP/2012/2348 dated 22/11/2012 (Two storey side extension and single storey side/rear extension to include 3 rear rooflights and 3 front rooflights, involving demolition of attached garage to side)

Decision: 23-10-2015 Approved

68788/APP/2018/2650 51 Pembroke Road Ruislip

Application for a new planning permission to replace an extant planning permission in order to extend the time limit for implementation, reference 68788/APP/2015/3255 dated 23/10/2015 (Two storey side extension and single storey side/rear extension to include 3 rear rooflights and 3 front rooflights, involving demolition of attached garage to side)

Decision: 12-09-2018 Approved

68788/APP/2019/2659 51 Pembroke Road Ruislip

Two storey side/rear extension and conversion of roofspace to habitable use to include 4 rear and 3 front rooflights to allow for conversion of dwelling house into 2 x 2-bed and 2 x 1-bed self-contained flats with associated parking and amenity space

Decision: 03-10-2019 Approved

68788/APP/2019/519 51 Pembroke Road Ruislip

Two storey side extension, first floor rear extension and conversion of roofspace to habitable use to include 6 rooflights

Decision: 12-04-2019 Approved

Comment on Relevant Planning History

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

The most recent and relevant planning application is reference 68788/APP/2019/2659, which proposed a two-storey side/rear extension and conversion of the roof space to habitable use to include 4 rear and 3 front rooflights to allow for the conversion of dwelling house into 2 x 2-bed and 2 x 1-bed self-contained flats with associated parking and amenity space. This application was approved on 3rd October 2019.

As stated in the preceding section of this committee report, this current application is identical to the scheme that was approved under application reference 68788/APP/2019/2659. This previous permission is of material consideration and carries substantial weight.

4. Planning Policies and Standards

Development Plan:

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)
The Local Plan: Part 2 - Development Management Policies (2020)
The Local Plan: Part 2 - Site Allocations and Designations (2020)
The West London Waste Plan (2015)

The London Plan (2021)

Material Considerations:

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

Local Plan Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1	(2012) Built Environment

Part 2 Policies:

DMCI 2	New Community Infrastructure
DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMEI 10	Water Management, Efficiency and Quality
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMH 4	Residential Conversions and Redevelopment
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMHD 1	Alterations and Extensions to Residential Dwellings
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP G6	(2021) Biodiversity and access to nature
LPP G7	(2021) Trees and woodlands
LPP H1	(2021) Increasing housing supply
LPP H2	(2021) Small sites
LPP H8	(2021) Loss of existing housing and estate redevelopment
LPP T5	(2021) Cycling

LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF14	NPPF 2021 - Meeting the challenge of climate change flooding
NPPF2	NPPF 2021 - Achieving sustainable development
NPPF4	NPPF 2021 - Decision-Making
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes
NPPF9	NPPF 2021 - Promoting sustainable transport

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

14 neighbouring properties were originally consulted on 28th June 2022. Following amendments to the wording of the proposal description, neighbouring properties were re-consulted on 16th August 2022 for an additional 14-days. Also, four additional neighbouring properties were consulted for 21-days on 16th August 2022. The consultation period expired on 6th September 2022.

One representation in support of the application and three representations against the application were received. A summary of the representations received is noted below.

Objections:

· Overcrowding
· Loss of light
· Loss of privacy for neighbouring rear gardens
· Increased traffic, congestion and street parking stress
· Noise and disturbance
· Increased air pollution
· Cycle store too close to neighbouring property at No. 49
· Front forecourt at No.53 is in poor condition
· Floodlights would be intrusive
· Inadequate resources, infrastructure and services
· Subsidence issues
· Lack of communication about the application
· Applicant intends to submit another application for houses in the back garden
· Anti-social behaviour

In support of the application:

· An identical scheme to that currently being proposed has already been granted under planning permission 68788/APP/2019/2659.

A petition against the application with 127 signatories was received by the Council. The grounds for opposition are as follows:

i. The infilling of both sides will result in unnecessary overcrowding in a highly heavily populated road.

ii. There has been tree surgery in the back garden of that house as it was causing subsidence along the road including the public footpath.

iii. The close proximity of the inappropriately excessive extensions to our houses and gardens will result in loss of peace and privacy, light, safety and possibly encourage anti-social behaviour.

iv. Noise, dust, pollution during the construction, noise, pollution from the building will inevitably attract unwise and dangerous access to and egress from one of the busiest main roads, major bus routes in the area, the entrance/exit also being on the brow of a rise.

v. The front garden will not be able to accommodate the additional cars as it is already overcrowded with several cracks, bumps plus the current tenants have raised concerns, complained to the council about the tree in front of their house moving, they are concerned it could damage their cars, the front wall is damaged yet more over development in this area, the vets across the road are building and planning extensions, a proposed further 2 storey block of flats behind Pembroke House (76364/APP/2022/1249).

vi. The area does not have the resources to cope with the increase of service use, doctors, dental surgeries, school places, the London Underground and buses will be overcrowded, over usage of police resources to deal with the additional anti-social activities and frequent complaints.

vii. There is constant road works, road rage, congestion with some people driving on the pavements blocking people with pushchairs, prams, disability scooters getting through, car crime which is frequently reported on social media sites such as Nextdoor.com.

viii. The eyesore of having bins placed in the front garden, will attract vermin, possibly be used to stash items, will attract and encourage strangers to rummage through them and use them.

ix. The increased lighting on the roofs could blind and distract drivers causing accidents.

x. The vast cycle shed will attract criminals looking to steal and sell bikes. Numerous incidents have been reported to the police and last week there was a man hiding in the bushes of the pathway with a bicycle.

xi. The council tax raised will not cover the frequent road repairs, local additional services that will be required plus some may be exempt, so this application will not be cost effective and will result in the destruction of a neighbourhood and community.

xii. The lack of communication to the local community about planning applications, no signage on streets or outside the house to alert and inform the public.

PLANNING OFFICER RESPONSE:

i. The scheme would not involve the infilling of both sides of the host property. Instead, a two-storey side extension is being proposed along the western side wall of the host dwelling which would wrap around the rear elevation and the existing attached garage would be demolished. It is important to note that this current application is identical to the scheme which was granted planning permission under reference 68788/APP/2019/2659. Under the previous permission, Officers were fully satisfied that the scheme would have an appropriate density and would not cause harm to the character and appearance of the host property or the surrounding area. The same position has been applied to

this current application.

ii. Subsidence issues are not a material planning consideration in the determination of this application. The construction works would be regulated through the Building Regulations.

iii. The proposed two storey side/rear extension would be set-in from the shared boundary with No. 49 between 1.6 to 3.2 metres approximately, and 7.3 metres from the shared boundary with No. 53. Furthermore, the proposed development would not breach the 45-degree line of sight taken from the nearest first floor habitable windows at Nos. 49 and 53 Pembroke Road. It is therefore considered that the proposal would not result in an unreasonable loss of light to the habitable rear windows at Nos. 49 and 53, and any impact to morning sunlight to the rear gardens of these neighbouring properties would be minimal.

A mutual degree of overlooking already exists between the first floor windows and neighbouring rear gardens. As such, the proposal, which includes first floor windows and roof lights in its rear elevation, would not give rise to a material loss of privacy. In the event of an approval, a condition would be secured requiring the proposed first floor side window facing No. 49 to be obscure glazed and non-opening up to 1.8 metres of the finished floor level. Anti-social behaviour is not a planning consideration.

Refer to 7.08 of this Committee Report for the neighbouring residential amenity impact assessment.

iv. It is not considered that the level of emissions generated from the development would be so great as to warrant a standalone refusal reason based on air quality. Notwithstanding, a condition would be secured requiring the submission of a Construction Management Plan to minimise traffic, noise and other emissions caused during the construction phase (in the event of an approval).

v. A landscaping scheme would be secured by condition, which would require details of new permeable hard standing on the front forecourt and soft landscaping to the front of the proposed ground floor habitable rooms to provide necessary defensible space for future occupiers. The existing vehicle crossovers at the site would be retained in their current form as part of the proposed development. As such, there would be no harm to the street tree located to the front of the site.

vi. Paragraph 55 of the NPPF clearly states that planning obligations (S.106 Agreements) must only be sought where they meet all of the following tests: a) necessary to make the development acceptable in planning tests; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development. It is considered that it would be unreasonable and disproportionate, in a scheme for four flats, to require the applicant to make a financial contribution to community services. Notwithstanding the above, the development would be CIL liable, as noted at section 7.20 of this report.

vii. The Council's Highways Department was consulted on this application and are satisfied that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns. Refer to the following section of this Committee Report for the full consultation response from the Highways Department.

viii. In the event of an approval, a condition would be secured requiring details of the bin store (including its dimensions, external finishes and design) to be submitted to the Council for consideration. This would help to screen the appearance of the refuse/recycling store and to minimise the visual impact to the surrounding street scene.

ix. The internal lighting within the roof space of the property is highly unlikely to blind or distract drivers. It should be noted that roof lights could potentially be installed under permitted development rights (i.e. without planning permission), subject to certain limitations.

x. The proposed site plan indicates that the cycle shed would be located in a secure location in the rear garden of the application site. The rear garden would be gated to prevent public access, and full details of the means of enclosure and boundary treatment would be secured by condition, in the event of an approval.

xi. Council tax is not a planning consideration.

xii. The consultation process has been carried out in accordance with the Council's adopted Statement of Community Involvement (2021). The site is not located within a Conservation Area nor does it contain any Listed Buildings. There is therefore no statutory requirement for a site notice to be displayed.

Ruislip Residents Association: Given that this is an application to renew the identical planning application 68788/APP/2019/2659 that was approved, the Ruislip Residents' Association have no formal comments to submit.

Internal Consultees

COUNCIL'S ACCESS OFFICER:

This proposal has been reviewed against the requirements of the 2021 London Plan policy D7 which should not be applied to the extension and conversion of this existing dwelling. Conclusion: no objections raised from an accessibility perspective.

COUNCIL'S HIGHWAYS OFFICER:

Site Characteristics & Background:

The application site is located on the north side of Pembroke Road within a residential catchment in Ruislip. The address lies within the applicant's 'red-line' submission and neighbouring No.53 falls within the 'blue-line' ownership boundary. It is proposed to convert the existing 4 bedroom detached dwelling in single tenure to 4 maisonettes (2x2 & 2x1 bedroom units). The 2 existing carriageway crossings are to remain unaltered to serve the proposal.

The application site lies in relative proximity of Ruislip Manor station with availability to a number of bus routes and exhibits a PTAL of 3 which is considered as moderate and assists in discouraging dependency on the private motor car. This new application is essentially a renewal of a 2019 permission (68788/APP/2019/2659).

Parking Provision:

Local Plan: Part 2 Policy DMT 6 requires that new development will only be permitted where it accords with the council's adopted parking standards unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network.

It is proposed to covert the existing 4 bedroom detached dwelling to 4 maisonettes. 6 communal on-plot parking spaces are shown with an additional 2 spaces within the 'blue-lined' plot (at No.53) but outside the 'red-line' envelope. These additional 2 spaces are therefore not considered as relevant as such provision would displace and reduce on-plot provisions for No.53 which is considered unacceptable.

The proposal would require an on-plot provision of up to 1.5 parking spaces per unit in order to fully comply with Hillingdon's adopted parking standard resulting in a provision of 6 spaces which is the quantum proposed. By contrast for a PTAL rating of 3, the London Plan (2021) parking standard demands up to 0.75 of a space for each unit equating to a maximum of 3 spaces hence there is an

over-provision. However, as this is a renewal of permission that was determined under differing standards prevailing within previous local and regional planning/transport policy, the original consented quantum of 6 spaces in total is considered acceptable.

There are two banks of tandem parking proposed to the flank of the build and these need to function independently for obvious reason. Each bank of 2 spaces should therefore be allocated to each of the larger 2-bedroom units which is confirmed on plan.

In terms of cycle parking there would be a provision of 1 secure and accessible space for each of the flatted units totalling 4 spaces in order to conform to Hillingdon's cycle parking standard. 6 spaces are proposed in a suitably located position hence there are no further observations.

Electric Vehicle Charging Points (EVCP's):

In line with the London Plan (2021), within any final parking quantum there is a requirement for a minimum 20% 'active' EVCP provision with all remaining spaces being designated as 'passive' provisions. In this case, a single space should be dedicated as an 'active' space with the remaining 5 spaces designated as 'passive' in order to future proof for anticipated demand. This aspect is not indicated on-plan but can be secured via planning condition.

Vehicular Trip Generation:

Local Plan: Part 2 Policies DMT 1 and DMT 2 require the council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

As a consequence of the relatively small scale of redevelopment, any vehicular trip generation uplift is predicted to be negligible and therefore does not raise any specific highway concerns.

Vehicular Access:

These are to remain without alteration and are considered fit for purpose.

Operational Refuse Requirements:

Refuse collection would continue to be conducted from Pembroke Road.

In order to conform to the council's 'waste collection' maximum distance collection parameter of 10m i.e. distance from a refuse vehicle to the point of collection, arrangements should ensure that waste is positioned at a collection point within this set distance. The proposed bin storage area is positioned on the property frontage hence the above parameter is met. There are no further observations.

Conclusion:

The application has been reviewed by the Highway Authority who are satisfied that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns, in accordance with Local Plan: Part 2 Development Plan Policies DMT 1, DMT 2 & DMT 6 and Policies T4, T5 and T6 of the London Plan (2021).

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The NPPF (2021) encourages the effective use of land in meeting the needs for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. An important component of this is to ensure that as much use as

possible of previously-developed or 'brownfield' land is made.

Policy GG4 of the London Plan (2021) seeks to create a housing market that works better for all Londoners, those involved in planning and development must: A) ensure that more homes are delivered; and C) to create mixed and inclusive communities, with good quality homes that meet high standards of design and provide for identified needs, including for specialist housing.

Policy H1 of the London Plan (2021) states that Boroughs should optimise the potential for housing delivery on all suitable and available sites through their Development Plan and planning decisions, especially the following sources of capacity: e) small sites (see Policy H2Small sites).

Policy H2 of the London Plan (2021) states that Boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making in order to:
1) significantly increase the contribution of small sites to meeting London's housing needs
2) diversify the sources, locations, type and mix of housing supply
3) support small and medium-sized housebuilders
4) support those wishing to bring forward custom, self-build and community-led housing
5) achieve the minimum targets for small sites set out in Table 4.2 as a component of the overall housing targets set out in Table 4.1.

Policy DMH 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that:
A) The net loss of existing self-contained housing, including affordable housing, will be resisted unless the housing is replaced with at least equivalent residential floorspace.
B) The Council will grant planning permission for the subdivision of dwellings only if:
i) car parking standards can be met within the curtilage of the site without being detrimental to the street scene;
ii) all units are self contained with exclusive use of sanitary and kitchen facilities and provided with individual entrances and internal staircases to serve units above ground floor level;
iii) adequate amenity space is provided for the benefit of residents; and
iv) adequate living space standards are met.

Policy DMH 4 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that residential conversions and the redevelopment of dwellings into new blocks of flats will only be permitted where:
i) it is on a residential street where the proposal will not result in more than 10% of properties being redeveloped into flats;
ii) On residential streets longer than 1km the proposed redevelopment site should be taken as the midpoint of a 1km length of road for assessment purposes;
iii) the internal floor area of the original building to be converted is at least 120 sqm; and
iv) units are limited to one unit per floor for residential conversions.

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

Based on a 1km survey of Pembroke Road, the proposed creation of flats at the application site would not result in more than 10% of properties being redeveloped into flats. Accordingly, the proposed development is not contrary to Policy DMH 4 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020). There is no objection, in principle, to the creation of additional residential units in this location in land use terms.

It is important to note planning permission has already been granted for an identical scheme to that currently being proposed under application reference 68788/APP/2019/265. This approved planning permission is of material consideration and carries considerable weight.

HOUSING MIX:

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

Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that the Council will require the provision of a mix of housing units of different sizes in schemes of residential development to reflect the Council's latest information on housing need. The Council's current information on housing need indicates a substantial borough-wide requirement for larger affordable and private market units, particularly 3 bedroom properties (i.e., family sized units), as identified in the Strategic Housing Market Assessment 2016.

The proposed development would provide 2 x one-bedroom flats and 2 x two-bedroom flats. Although no family sized units are being proposed, the quantum of flats and housing mix being proposed would be identical to the scheme previously approved under application reference 68788/APP/2019/265. Given that no objection or grounds for refusal were previously raised in respect to the proposed housing mix, it is considered that it would not be defendable or reasonable to introduce this issue as a new ground for refusal.

7.02 Density of the proposed development

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

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

The site is located approximately 310 metres from Ruislip Town Centre and has a PTAL rating of 3. Based on the total site area of 0.067 hectares, the proposed scheme would have a density level of 149 habitable rooms per hectare and 60 units/hectare. The units per hectare density level would exceed the range set out in Table 5.2 of the Hillingdon Hillingdon Local Plan: Part 2 -Development Management Policies (2020). However, the proposed density levels are identical to the scheme approved under application reference 68788/APP/2019/265. It is therefore considered that it would not be appropriate or

reasonable to introduce the exceedance of the Council's recommended density level for units per hectare as a new ground for refusal.

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

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

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

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

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

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

Policy DMHD 1 of the Local Plan: Part 2 - Development Management Policies (2020) states that planning applications relating to alterations and extensions of dwellings will be required to ensure that: i) there is no adverse cumulative impact of the proposal on the character, appearance or quality of the existing street or wider area.

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

As previously stated, the proposed development being considered under this current application is identical to the scheme previously approved under planning permission reference 68788/APP/2019/2659. The delegated report for application reference 68788/APP/2019/265 states the following in respect to the proposal's impact on the character and appearance of the host property and the surrounding area.

"The proposed two storey side extension would be in line with the main building line, the same height as the proposed roof and the width would be less than half that of the original dwelling. It would also be set in a minimum of 1.6m, increasing to some 2.75m, from the boundary with No.49. The roof would reflect the design of the existing main roof of the house, although with a crown top, which is similar to that on the adjoining property, No.53, and the proposal would retain the design of the existing house. It is considered that this extension would not detract from the architectural integrity of the original house, would be subordinate to the main house and would not result in an unacceptable closing of the

visual gap between the properties. As such, this element of the proposal would comply with Policies BE13, BE15 and BE19 of the Hillingdon Local Plan (November 2012) and Section 5.0 of HDAS: Residential Extensions.

The proposed first floor rear element would extend the full width of the property over the existing single storey rear extension. The resulting rear elevation that would be of a similar appearance to the neighbouring property at 53 Pembroke Road. Taking into consideration the height and depth of the existing single storey rear extension together with the proposed first floor and the distance from the neighbouring properties to either side, the proposal would not be out of character with the original house and the surrounding area. It would result in a property of similar size and appearance to 53 Pembroke Road. As such, the extension would comply with Policies BE13, BE15 and BE19 of the Hillingdon Local Plan (November 2012) and Section 3.0 and 4.0 of HDAS: Residential Extensions.

The proposed roof conversion would comprise rooflights to the front and rear elevation, similar to the roof conversion at the neighbouring property, No. 53 Pembroke Road. It is considered this element of the proposal would not be out of character and appearance with the original house and the street scene. As such, the roof conversion would comply with Policies BE13, BE15 and BE19 of the Hillingdon Local Plan (November 2012) and Section 7.0 of HDAS: Residential Extensions".

The Council has adopted a new Local Plan since the determination of application reference 68788/APP/2019/265. The policy objectives set out in Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) are consistent with the superseded Hillingdon Design and Accessibility Statement (HDAS), in respect to achieving a high quality design development that integrates with the surrounding area. It is therefore considered that the previously approved scheme under planning permission 68788/APP/2019/265 should be given significant weight, despite the adoption of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

It is acknowledged that the proposal would not be fully compliant with Policy DMHD 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) which states that: i. two storey side extensions to detached properties should be set-back a minimum of 1 metre behind the front elevation ii. side extensions should not exceed half the width of the original property; and iii. Large crown roofs on detached houses will not be supported. Nonetheless, as a result of the generous plot width of the site, the detailing and materials matching the original property, and because the scheme is for a flatted development, it is considered that the proposed two storey side/rear extension would not appear disproportionate in size and scale when compared to the original host dwelling.

As highlighted in the above extract from delegated report 68788/APP/2019/265, a crown roof profile is featured on the neighbouring property at No. 53 Pembroke Road. Furthermore, whilst there is an element of crown roof in the centre of the proposed roof, the flat roof element is not considered to be excessive in size, and its visibility would be alleviated by the hipped roof faces surrounding its perimeter. It is therefore considered that the proposed roof profile would not detract from the visual amenities of the street scene on Pembroke Road.

It is acknowledged that the Ruislip, Manor Way Conservation Area lies to the north of the site. Also, further to the north-west of the site, and beyond the rear of No.47 Pembroke Road, is Midcroft, Ruislip Area of Special Local Character. In accordance with the NPPF (2021), it is important to consider whether the setting of these heritage assets would be affected by the development. In light of the preceding paragraphs, and noting the surrounding context of the site, it is considered that the proposal would have a neutral

effect on the setting of the Conservation Area and Area of Special Local Character.

Having regard to the considerations detailed above, it is considered that the current proposal would not cause harm to the character and appearance of the host property or the surrounding area. The proposal would therefore comply with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policies D3 and D4 of the London Plan (2021) and the NPPF (2021), in this respect.

7.08 Impact on neighbours

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

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

Paragraph 5.40 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that: "For the purposes of this policy, outlook is defined as the visual amenity enjoyed by occupants when looking out of their windows or from their garden. The Council will expect new development proposals to carefully consider layout and massing in order to ensure development does not result in an increased sense of enclosure and loss of outlook."

Paragraph 5.41 of the Hillingdon Local Plan: Part 2 (2020) states that "The Council will aim to minimise the impact of the loss of daylight and sunlight and unacceptable overshadowing caused by new development on habitable rooms, amenity space and public open space. The Council will also seek to ensure that the design of new development optimises the levels of daylight and sunlight..."

No. 49 Pembroke Road is located to the west of the application site. This detached neighbouring property has been extended by a single storey front extension and single storey side/rear extensions. The proposed front building line of the development would be set-behind the front building line of number 49. As such, the proposed development would not result in a loss of light or outlook to the front elevation windows at No. 49.

It is observed that No.49 Pembroke Road contains side elevation windows which face towards the application site. However, the first floor side windows at No. 49 serve non-habitable rooms and the ground floor side windows serve as secondary windows for habitable rooms with principal windows fitted in either the front or rear elevations. There would be a separation distance of approximately 4.5 metres between the side walls of No. 49 and the proposed development. Due to this separation distance, it is considered that any impact on morning sunlight would be minimal. The proposed development would not breach the 45-degree line of sight taken from the nearest first floor habitable room window at No.49. Taking these factors into account, it is considered that the proposal would not unduly impact on the living conditions of No.49, in terms of loss of light, outlook, sense of enclosure or overbearing impact.

No. 53 Pembroke Road is a detached neighbouring property located to the east of the

application site. The proposed two storey side/rear extension would be attached to the western side wall of the application property. As such, the proposed development would not result in a loss of light or outlook for the front elevation windows at No. 53. It is noted that No.53 does not contain any side windows in its western elevation, and would be separated from the proposed development by in excess of 9 metres. Furthermore, the proposed development would not breach the 45-degree line of sight taken from the nearest first floor rear habitable room windows at No. 53. Given these circumstances, it is considered that the proposal would not adversely impact on the living conditions of No. 53, in terms of loss of light, outlook, sense of enclosure or overbearing impact.

In respect to privacy, it is noted that the scheme would contain first floor windows and roof lights in its rear elevation. The outlook from these windows would not be dissimilar to the first floor windows fitted in the existing property at the site. As such, it is considered that the proposal would not give rise to a material loss of privacy or overlooking, in this regard. In the event of an approval, a condition would be secured requiring the first floor side window facing No. 49 Pembroke Road to be obscure glazed and non-opening up to 1.8 metres of the finished floor level. This condition would not prejudice the quality of accommodation afforded to future occupiers of this proposed dwelling as the first floor window serves as a secondary window to the open plan kitchen/living room. The primary windows serving the open plan kitchen/living room are fitted in the rear elevation. Thus, ensuring that this habitable room would be afforded with an adequate level of outlook and natural light.

Whilst there would be some potential for increased levels of on-site activity to generate noise and disturbance, the site would nevertheless continue to be used in an exclusively residential capacity. The provision of proposed flats is not considered to lead to such a significant change in the local noise environment to warrant a refusal on this basis. As such, it is considered that the proposal would not cause harm to neighbouring living conditions, in terms of noise and disturbance.

The concerns raised by neighbouring residents have been duly noted. However, having regard to the above, it is considered that the proposal would not cause unreasonable harm to the living conditions of neighbouring occupiers, in compliance with Part B) of Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

7.09 Living conditions for future occupiers

INTERNAL AMENITY SPACE PROVISION:

Policy DMHB 15 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development will be required to comprise good design and create inclusive environments whilst improving safety and security by incorporating specific measures, which includes ensuring adequate defensible space is provided.

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

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

- A one storey dwelling with 1 bedroom, 2 person occupancy should provide a GIA of at

least 50 square metres; and
- A two storey dwelling with 2 bedrooms, 4 person occupancy should provide a GIA of at least 84 square metres.

The proposed development would provide the following:

Ground floor level:
Left hand side flat - One bedroom, 2 person occupancy measuring 53 square metres.
Right hand side flat - One bedroom, 2 person occupancy measuring 63 square metres.

First floor and loft space level:
Left hand side flat (duplex)- Two bedroom, 4 person occupancy measuring 85 square metres.
Right hand side flat (duplex)- Two bedroom, 4 person occupancy measuring 100 square metres.

As demonstrated above, all the proposed flats would meet the minimum space standard requirements set out in Policy D6 of the London Plan (2021). All of the proposed bedrooms would exceed the minimum floor area standards set out in part (4) of Policy D6 of the London Plan (2021).

It is noted that the bedrooms within the loft space would be served by roof lights which means future occupiers would not be afforded with direct outlook. However, bedrooms are primarily used for sleeping and can be differentiated from the primary living space located in the open plan kitchen/lounge of each of the flats. All the bedrooms and open plan kitchen/lounge located on the ground and first floor levels would be served by windows fitted in the front or rear elevations of the building. It is therefore considered, on balance, that the overall internal amenity space for future occupiers would be acceptable, in respect to outlook. Also, it is worth highlighting that the level of outlook afforded to future occupiers was deemed acceptable in the identical scheme which was previously approved under application reference 68788/APP/2019/2659.

As stated in the previous section of this report, a condition would be secured requiring the first floor side window facing No.49 Pembroke Road to be obscure glazed and non-opening up to 1.8 metres of the finished floor level of the room it would serve. This side window would serve the open plan kitchen/lounge. However, this side window is a secondary window with the subject habitable room being primarily served by the rear elevation windows. It is therefore considered that the recommended condition would not prejudice the overall quality of accommodation for the future occupants of the proposed first floor (left) flat, in terms of outlook and natural light.

It is recognised that future occupiers of the upper floor flats would have to walk past the front elevation bedroom windows of the ground floor flats to access the communal amenity space. However, there is sufficient space on the front forecourt to accommodate a degree of defensible space in the form of soft landscaping to the front of these bedroom windows of the proposed flats. This would require a slight adjustment to the two front car parking spaces, by moving them closer towards site frontage (whilst retaining their horizontal orientation). This matter would be resolved by the imposition of a landscaping planning condition, if planning permission were to be granted.

The proposed two car parking spaces located on the site front forecourt would be positioned horizontally to the front elevation of the host building. This arrangement has been carefully devised to help mitigate issues with loss of privacy and overlooking for the future occupiers of the proposed ground floor flats. Although the preceding paragraph

recommends that the two front car parking spaces are moved closer towards the site frontage (which would be dealt with by means of a condition), Officers would continue to require these car parking spaces to remain a horizontal orientation.

The submitted site plan indicates that the proposed car parking spaces to the front of the property would be allocated to the proposed ground floor flats. This arrangement is welcomed by Officers as it would reduce potential noise and disturbance for the future occupiers of the proposed ground floor flats as it would be these occupiers who would be utilising the front car parking spaces. To ensure this proposed arrangement is adhered to, a parking allocation plan would be secured by condition, in the event of an approval.

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

EXTERNAL AMENITY SPACE PROVISION:

Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all new residential development and conversions will be required to provide good quality and usable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.3. Table 5.3 states that:
-1-bedroom flats should be provided with at least 20 square metres of private amenity space; and
-2-bedroom flats should be provided with at least 25 square metres of private amenity space.

Paragraph 5.70 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states:
"Dwellings on upper floors should all have access to a private balcony or terrace, where this is consistent with the overall design of the building. Houses and ground floor flats should have private gardens. The Council is keen to improve the quality of housing in the Borough and therefore communal provision of private outdoor space is generally not supported unless there are strong planning reasons and the proposed scheme is of high quality with clear planning merits."

The proposed development would provide 2 no. x one-bedroom flats and 2 no. x two-bedroom flats, requiring 90 square metres of external amenity space in total.

Based on the plans submitted, the proposed ground floor residential units would have direct access to dedicated garden spaces measuring 19 square metres each. The remaining two flats would be served by communal amenity space measuring 156 square metres (this figure only accounts for useable amenity space). In total, the proposal would provide 175 square metres of external amenity space.

The submitted plans clearly show that these garden spaces would be demarcated by boundary treatment measuring 900mm high with hedge planting, of which full details would be secured by condition in the event of an approval. Whilst the gardens for the proposed ground floor flats would marginally fall below the recommended requirement of Table 5.3 by a deficit of 1 square metre, the overall usability and functionality is considered to be adequate.

As stated above, the upper floor flats would not be afforded with any private external amenity space provision which means that the proposed development would not be fully

compliant with the requirements of Table 5.3 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020). However, it is considered that an on balance assessment should be applied as per the recommendations of Paragraph 5.70 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

In this case, it is considered that the provision of balconies for the upper floors would not be appropriate given the suburban context of the site. As such, the provision of external amenity space in the form of a communal garden to the rear of the site is considered to be an acceptable solution. This stance would be consistent with the approach taken with the identical scheme previously approved under application reference 68788/APP/2019/2659. The communal garden, coupled with the dedicated gardens spaces for the proposed ground floor flats, would exceed the total requirement of private amenity space set out in Table 5.3. Thus, providing good quality external amenity areas for the future occupants of the proposed dwellings.

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

7.10 Traffic impact, Car/cycle parking, pedestrian safety

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

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

Policy DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that proposals must ensure that safe and efficient vehicular access to the highway network is provided, schemes do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents. Also, that impacts on local amenity and congestion are minimised and there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing roads.

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

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

PARKING PROVISION:

Appendix C, Table 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that 1 and 2 bedroom flats should be provided with 1 to 1.5 spaces. Based on this, the proposal for 2 no. x one-bedroom flats and 2 no. x two bedroom flats requires a maximum of 4 to 6 car parking spaces.

Policy T6.1 of the London Plan (2021) states that development comprising up to 2 bed units in outer London with a PTAL rating of 2 to 3 should provide a maximum of 0.75 car

parking spaces per dwelling. For the proposed development, this would equate to 3 car parking spaces, which is a lesser requirement than the Council's
adopted Car Parking Standards.

Based on the Transport for London's WebCAT planning tool, the application site has a PTAL rating of 3 (moderate). The proposal includes the provision of six on-site car parking spaces. The additional two car parking spaces shown on the submitted drawings at No.53 Pembroke Road have been discounted because this neighbouring site does not form part of the curtilage of the application site (represented by the red line boundary on the submitted Site Location Plan).

It is acknowledged that the proposed on-site car parking provision would exceed the maximum car parking standards set out in the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and the London Plan (2021). However, the Council's Highways Officer has commented that as this current application is a renewal of a planning permission that was determined under differing standards prevailing within previous local and regional planning/transport policy, the original consented quantum of 6 spaces in total is considered acceptable, in this particular instance.

The Council's Highways Officer has commented that each bank of 2 car parking spaces should be allocated to each of the proposed two-bedroom flats (as indicated on the submitted drawings). In the event of an approval, a condition would be secured requiring that a Parking Allocation Plan is submitted to the Council for consideration.

In light of the above, it is considered that the proposal would not significantly exacerbate the demand for road parking that would result in harm to highway safety or the efficient working of the local highway network.

ELECTRIC VEHICLE CHARGING POINTS:

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

ACCESSIBLE PARKING:

It is acknowledged that the proposed development would not provide any disabled car parking provision. However, Appendix C, Table 1 of the Hillingdon Local Plan: Part 2-Development Management Policies (2020) does not contain a specific requirement for such a provision to be provided for a development proposal of this size, especially given the number of on-site car parking spaces being proposed. Furthermore, Policy D7 of the London Plan (2021) does not require any provision of accessible housing for a proposal of this nature, which means that the proposed flats are unlikely to be attractive to those with mobility requirements. On this basis, the absence of an accessible car parking space is considered to be acceptable, in this instance.

VEHICULAR ACCESS AND TRIP GENERATION:

All six of the proposed car parking spaces would measure 2.4m x 4.8m, as required by Appendix C, Table 1 of the Hillingdon Local Plan: Part 2 - Development Management

Policies (2020). The proposed car parking spaces are positioned in a manner which would allow vehicles to safely manoeuvre into and out of them. No alterations are being proposed to the two existing vehicle crossovers, and these are considered to be fit for purpose by the Council's Highways Officer.

BICYCLE PARKING:

For a development of this size, Appendix C, Table 1 of the Hillingdon Local Plan: Part 2-Development Management Policies (2020) requires 1 on-site cycle space to be provided for 1 or 2 bed units. For the proposed development, this would equate to 4 cycle spaces.

The submitted plan shows a cycle store would be provided within the communal garden, adjacent to the mutual boundary shared with No.49. Whilst there is no objection, in principle, to the location of the cycle store, full details in respect to its dimensions, capacity and design would be secured by condition, in the event of an approval.

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

7.11 Urban design, access and security

Covered in other sections of this Committee Report.

7.12 Disabled access

Paragraph 3.7.1 of the London Plan (2021) states that "Policy D7 Accessible housing should apply to all dwellings which are created via works to which Part M volume 1 of the Building Regulations applies, which, at the time of publication of this Plan, generally limits the application of this policy to new building dwellings. The proposal is for the erection of extensions to the host property to facilitate its conversion into four flats. As such, the accessibility requirements set out in Policy D7 of the London Plan (2021) are not applicable in this instance. This stance is supported by the Council's Access Officer who has raised no objection to the proposed development, in terms of accessibility.

7.13 Provision of affordable & special needs housing

Policy H2 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) states that housing provision is expected to include a range of housing to meet the needs of all types of households, and the Council will seek to maximise the delivery of affordable housing from all sites over the period of the Local Plan. For sites with a capacity of 10 or more units, the Council will seek to ensure that the affordable housing mix reflects housing needs in the borough, particularly the need for larger family units. This is supported by Policy DMH 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

The proposal is for less than 10 residential units and does not meet the threshold in order to require affordable housing provision. As such, the proposal is not contrary to Policy H2 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) and Policy DMH 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

7.14 Trees, landscaping and Ecology

TREES AND LANDSCAPING:

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

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies

(2020) states that landscaping and tree planting should enhance amenity, biodiversity and green infrastructure.

Policy DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states:
A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.
B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.
C) Where space for ground level planting is limited, such as high rise buildings, the inclusion of living walls and roofs will be expected where feasible.
D) Planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees. Where the tree survey identifies trees of merit, tree root protection areas and an arboricultural method statement will be required to show how the trees will be protected. Where trees are to be removed, proposals for replanting of new trees on-site must be provided or include contributions to offsite provision.

The application site does not form part of a Conservation Area and is not subject to a Tree Preservation Order. It is considered that no trees of merit would be affected by the proposal. The existing boundary trees and vegetation would need to protected during the development process. To resolve this matter, a condition would be secured requiring the submission of a method statement outlining the sequence of development and details of tree protection fencing. Also, full soft and hard landscaping details would be secured by condition.

Subject to the above conditions, it is considered that the proposed development would not cause harm to any trees at or adjoining the site and that the proposed and retained soft landscaping would help to soften the overall appearance of the proposed development. The proposal would therefore accord with Policies DMHB 11 and DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy G1 of the London Plan (2021).

ECOLOGY:

Policy DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that if development is proposed on or near to a site considered to have features of ecological or geological value, applicants must submit appropriate surveys and assessments to demonstrate that the proposed development will not have unacceptable effects. The development must provide a positive contribution to the protection and enhancement of the site or feature of ecological value.

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

In the event of an approval, an informative would be secured advising that should

protected species be found at the site, the applicant(s) must fulfil their duties under the Wildlife and Countryside Act 1981 (as amended).

7.15 Sustainable waste management

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

The proposed site plan indicates a 'bin area' would be provided to the front of the site. The Council's Highways Officer has commented that the location of the bins would conform with the Council's 'waste collection' maximum distance collection parameter of 10 metres, i.e. distance from a refuse vehicle to the point of collection. In the event of an approval, a condition would be secured requiring details of a bin store (including its dimensions, design and external finish) to be submitted to the Council for consideration. This condition is considered to be necessary to help screen the bins appearance to minimise the visual impact to the surrounding street scene. Also, the existing group of Fir trees which would be retained as part of the proposed development would help to provide additional screening.

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

7.16 Renewable energy / Sustainability

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

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

The proposal involves extensions to an existing property rather than the erection of a new building. It would therefore not be reasonable to require the development to achieve at least a 10% improvement beyond Building Regulations 2013.

7.17 Flooding or Drainage Issues

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

Policy DMEI 9 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that proposals that fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused. Policy DMEI 10 states that development within areas identified at risk from surface water flooding which fail to make adequate provision for the control and reduction of surface water runoff rates will be refused.

The site lies within Flood Zone 1 of the Environment Agency's Flood Risk Map. This means the site is classified as being at low risk and defined as having a less than 1 in 1,000 probability of fluvial and tidal flooding. As such, there are no restrictions on development, including more vulnerable uses such as Use Class C3 (dwellinghouses), in

this location, in terms of fluvial and tidal flood risk.

The site lies within a Critical Drainage Area (according to the Council's GIS map). When comparing the footprint of the proposed extensions to the area of unbuilt land at the site, it is considered that the proposed development would not significantly exacerbate the risk of surface water flooding at the site over and above the existing circumstances.

The proposal does not involve the erection of an entire new building. It would therefore not be appropriate or reasonable to secure a condition requiring the submission of a sustainable water management scheme, that incorporates sustainable urban drainage systems (SuDs). Instead, the following informative would be attached to the decision notice, if planning permission were to be granted.

"The site lies in a Critical Drainage Area (CDA) as identified in the Surface Water Management Plan (SWMP) for Hillingdon. A CDA is the catchment area from which surface water drains and contributes to drainage problems. All developments in this area must contribute to managing the risk of flooding from surface water by reducing surface water runoff from the site. Therefore the applicant should minimise the water from your site entering the sewers. No drainage to support the extension should be connected to any existing surface water sewer, other than as an overflow. Water run-off from any roof or hard paving associated with the development should be directed to a soakaway, or tank or made permeable. A water butt should be incorporated."

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

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

Covered in other sections of this Committee Report.

7.20 Planning obligations

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

The Council adopted its own Community Infrastructure Levy (CIL) on 1st August 2014. The Hillingdon CIL charge for residential developments is £95 per square metre of additional floor space. This is in addition to the Mayoral CIL charge of £60 per square metre. CIL rates are index linked. The proposal involves the erection of new dwellings and is therefore CIL liable if planning permission were to be granted.

7.21 Expediency of enforcement action

Not applicable 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.

10. CONCLUSION

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

11. Reference Documents

National Planning Policy Framework (July 2021)
The London Plan (March 2021)
Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)
Hillingdon Local Plan Accessible Hillingdon Supplementary Planning Document (September 2017)
Technical Housing Standards - Nationally Described Space Standard (March 2015)
Circular 06/2005: Biodiversity and Geological Conservation (August 2005)

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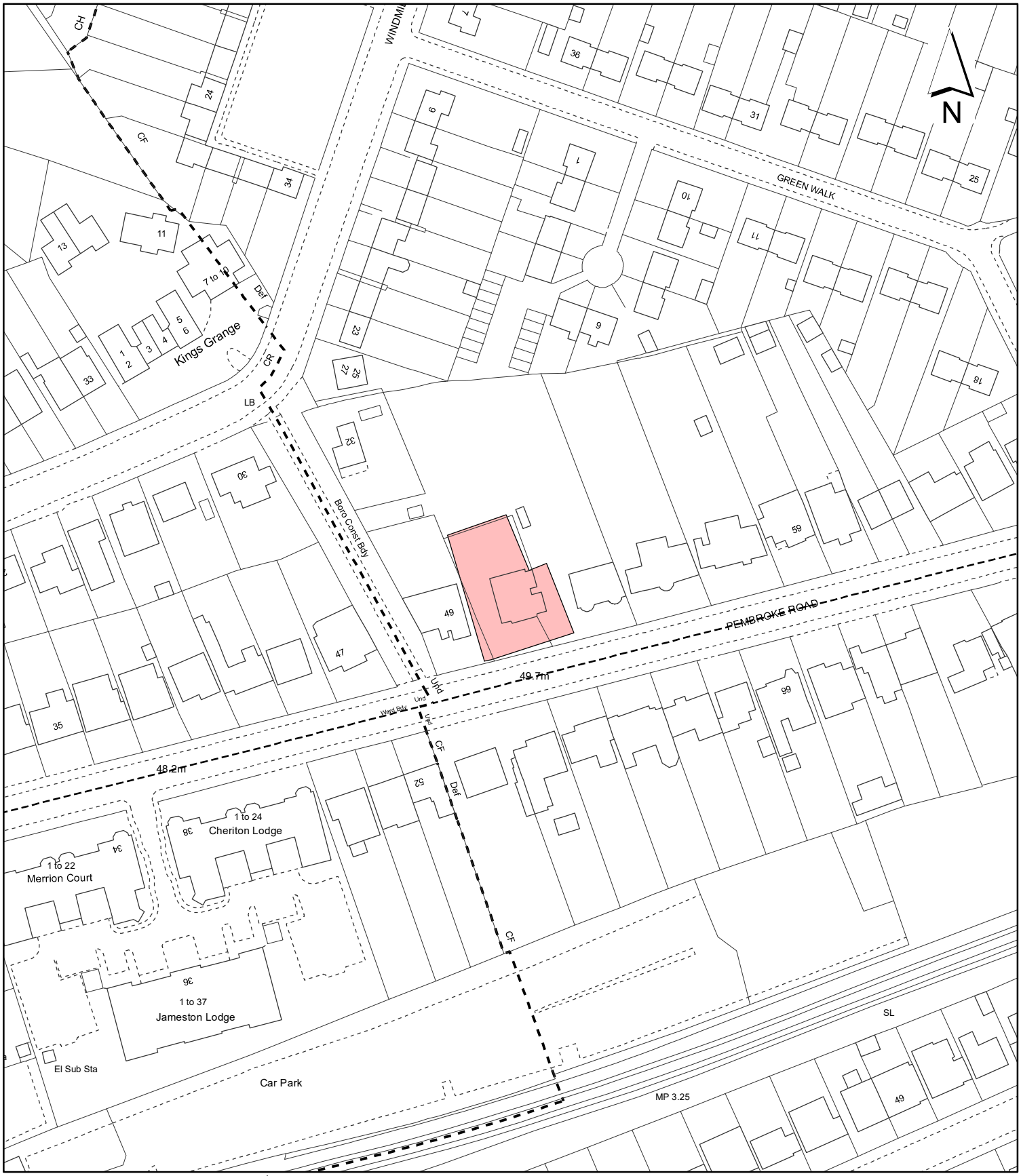

Notes:

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Planning Application Ref:
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Scale:
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Planning Committee:
Borough

Date:
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HILLINGDON
LONDON