A

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

Address R/O 25-31 WARREN ROAD ICKENHAM

Development: Erection of 4 no. two storey, detached houses, with habitable accommodation in roof space, garage and associated landscaping, parking and installation of vehicular crossover.

LBH Ref Nos: 77265/APP/2022/2845

Drawing Nos: Daylight, Sunlight, and Overshadowing Impact Assessment, dated September 2022, Ref: PR513_V0
Planning Statement prepared by Barker Parry Town Planning Ltd dated 25th October 2022
22/3521/10 Rev. A
22/3521/11 Rev. A
22/3521/12 Rev. A
22/3521/13 Rev. A
22/3521/14 Rev. A
22/3521/15 Rev. A
22/3521/16 Rev. A
22/3521/17 Rev. A
22/3521/18 Rev. A
22/3521/19
22/3521/20
Construction Management Plan dated October 2022
DS20042201.03 (Tree Protection Plan)
Ecological Survey by AA Environmental Ltd dated 6th October 2022
Survey 1:200 @ A1 (Ground levels)
567:001 (Refuse Vehicle AutoTrack Layout)
Site Location Plan
Design and Access Statement dated August 2022
Tree Survey Report by Patrick Stileman Ltd, dated 19th May 2022, Ref: DS20042201

Date Plans Recieved: 09/09/2022 **Date(s) of Amendment(s):** 09/09/2022

Date Application Valid: 09/09/2022

1. SUMMARY

The application proposes the erection of 4 no. two storey, detached houses, with habitable accommodation in the roof space, garages and associated landscaping, parking and installation of a vehicular crossover.

With regards to the criteria of Policy DMH 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), it is considered that the proposed development passes the 'exceptionality test'. It is therefore considered, on balance, that the principle of introducing four detached dwellings on land originally forming the rear gardens of numbers 25-31 Warren Road is acceptable. In reaching this position, due weight has also been afforded to the fact that the existing properties on Heythrop Drive and Walnut Tree Close have been built on land that encompasses the former rear gardens of neighbouring properties on Warren Road and Woodstock Drive.

Having regard to the siting, scale, height, massing and design, it is considered that the proposed dwellings would not cause harm to the character and appearance of the area. The proposed development would not unduly impact on the living conditions of neighbouring residential occupiers. The proposed dwellings would provide a high standard of internal and external amenity space for future occupiers. The Highways Department is satisfied that the proposal would not present a risk to road safety, hinder the free flow of traffic, or lead to parking stress.

The proposal would deliver a high quality housing development which would widen the choice of family housing in the Borough, in accordance with the relevant planning policies and guidance in the Development plan.

It is therefore recommended that planning permission is granted, subject to the imposition of relevant 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 22/3521/10 Rev. A, 22/3521/11 Rev. A, 22/3521/12 Rev. A, 22/3521/13 Rev. A, 22/3521/14 Rev. A, 22/3521/15 Rev. A, 22/3521/16 Rev. A, 22/3521/17 Rev. A, 22/3521/18 Rev. A, 22/3521/19, 22/3521/20 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 RES6 **Levels**

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed dwellings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON
To ensure that the development relates satisfactorily to adjoining properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

4 OM19 **Construction Management Plan**

Notwithstanding the submitted Construction Management Plan (dated October 2022) and the accompanying drawing ref. 22/23521/19, prior to the commencement of any site clearance, demolition or construction work, a revised demolition and construction management plan and drawing shall be submitted to and approved in writing by the Local Planning Authority. The plan shall detail:

(a) The phasing of development works
(b) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours)
(c) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities)
(d) 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)
(e) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process
(f) The storage of demolition/construction materials on site
(g) The location on site of any site office

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

REASON
An updated Construction Management Plan is required because the report received on 26.10.22 lacks sufficient detail and includes unacceptable construction hours, and the location of the two storey site office should be relocated away from neighbouring site boundaries. This is to safeguard the amenity of surrounding areas in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

5 RES7 **Materials (Submission)**

Prior to the commencement of any works above damp proof course level, details of all materials and external surfaces shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such. Details should include information relating to make, product/type, colour and photographs/images.

REASON
To ensure that the development presents a satisfactory appearance in accordance with Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan Part 2 (2020).

6 NONSC **Non Standard Condition**

Prior to the commencement of the development hereby approved, a sustainability and energy statement shall be submitted to and approved in writing by the Local Planning Authority. The sustainability and energy statement shall demonstrate how a 10% reduction in carbon dioxide emissions beyond Building Regulations requirement Part L 2013 (TER Baseline) has been achieved including full technology specifications and locations. Thereafter, the development shall be carried out in accordance with the approved details.

REASON
To ensure the development contributes to minimising the effects of, and can adapt to a changing climate in accordance with Policies DMEI 2 and DMEI 10 of the Hillingdon Local Plan: Part 2- Development Management Policies (2020) and Policy SI 2 of the London Plan (2021).

7 NONSC **Non Standard Condition**

Prior to any works on site above damp proof course level, details of step free access via all points of entry and exit shall be submitted to, and approved in writing, by the Local Planning Authority. Such provision shall remain in place for the life of the building.

REASON

To ensure housing of an inclusive design is achieved and maintained in accordance with Policies D5 and D7 of the London Plan (2021).

8 NONSC **Non Standard Condition**

At least one dwelling hereby approved shall be constructed in accordance with the technical specifications for an M4(3) dwelling. The remaining dwellings shall be constructed in accordance with the technical specifications for an M4(2) dwelling as set out in Approved Document M to the Building Regulations (2010) 2015.

No dwelling shall be occupied until certification of compliance with the above technical specifications has been submitted to, and approved in writing, by the Local Planning Authority. All such provisions must remain in place for the life of the buildings.

REASON
To not only allow the Building Control body to require the development to comply with the optional Building Regulations standards, but to also ensure the appropriate quantity and standard of accessible and adaptable housing is constructed and maintained in accordance with policy D7 of the London Plan.

9 NONSC **Non Standard Condition**

No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management and water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme
shall:
i. Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
ii. Include a timetable for its implementation; and
iii. Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:
iv. Provide details of water collection facilities to capture excess rainwater;
v. Provide details of how rain and grey water will be recycled and reused in the development;
vi. Provide details of how the dwellings will achieve a water efficiency standard of no more than 110 litres per person per day maximum water consumption (to include a fixed factor of water for outdoor use of 5 litres per person per day in accordance with the optional requirement defined within Approved Document G of the Building Regulations).

Thereafter the development shall be implemented and retained/maintained in
accordance with these details for as long as the development remains in existence.

REASON
To ensure the development does not increase the risk of surface water flooding in accordance with Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan Part 2 (2020) and Policies SI2 and SI 13 of the London Plan (2021).

10 NONSC **Non Standard Condition**

The demolition and construction works of the development hereby approved shall be carried out strictly in accordance with the tree protection measures specified in the Tree Survey Report by Patrick Stileman Ltd, dated 19th May 2022, Ref: DS20042201 and

approved drawing DS20042201.03 (Tree Protection Plan).

REASON
To ensure that trees and other vegetation can and will be retained 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).

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

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

1. Details of Soft Landscaping
1.a Planting plans (at not less than a scale of 1:100) including the proposed 13 new trees as specified in the application
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 to provide secure and accessible parking for at least 2 cycles per dwelling
2.c Means of enclosure/boundary treatments
2.d Car Parking Layouts (including demonstration that at least 1 active and 1 passive electric charging point shall be provided per dwelling)
2.e Permeable Hard Surfacing Materials

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

5. Details of ecological enhancements

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, and DMHB 14 of the Hillingdon Local Plan Part 2 (2020) and Policies G5 and T6.1 of the London Plan (2021).

12 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.

13 HO7 **No roof gardens**

Access to the ground floor flat roofs of the development hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, balcony, patio or similar amenity area.

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

14 RES12 **No additional windows or doors**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (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 side walls or side roof slopes of the dwellings hereby approved.

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

15 RES13 **Obscure Glazing**

The first floor side windows detailed on approved drawings 22/3521/12 Rev. A, 22/3521/13 Rev. A, 22/3521/14 Rev. A and 22/3521/15 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).

16 RES14 **Outbuildings, extensions and roof alterations**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification); no garage(s), shed(s) or other outbuilding(s), nor extension

or roof alteration to any dwellinghouse(s) shall be erected without the grant of further specific permission from the Local Planning Authority.

REASON
To protect the character and appearance of the area and amenity of residential occupiers in accordance with policies DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

17 NONSC **Non Standard Condition**

Prior to commencement of development, details of the access and connection to Heythrop Drive shall be submitted to the local planning authority for approval in writing. These details shall include the proposed materials and layout of the access including visibility splays, and a timetable for implementation. The access shall be implemented in accordance with the approved details prior to first occupation of any of the dwellings hereby approved and thereafter retained and maintained for the lifetime of the development.

REASON
To ensure suitable access to the site in accordance with Policy DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policies T4, T6 and T6.1 of the London Plan (2021).

18 NONSC **Non Standard Condition**

Prior to commencement of development, an Air Quality Management Assessment shall be submitted to the Local Planning Authority for approval in writing. This shall demonstrate that the development will be at least air quality neutral and shall set out details of any required mitigation measures. Thereafter, the development shall be carried out strictly in accordance with the approved details and mitigation measures.

REASON
To accord with Policy DMEI 14 as the site is located in a designated Air Quality Management Area.

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 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).

3 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.

DMEI 10	Water Management, Efficiency and Quality
DMEI 14	Air Quality
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMH 2	Housing Mix
DMH 6	Garden and Backland Development
DMH 7	Provision of Affordable Housing
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP G7	(2021) Trees and woodlands
LPP H1	(2021) Increasing housing supply
LPP H10	(2021) Housing size mix
LPP H2	(2021) Small sites
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
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
NPPF8	NPPF 2021 - Promoting healthy and safe communities
NPPF9	NPPF 2021 - Promoting sustainable transport

4 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.

5 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.

6 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.

7 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 site is located on the north side of Warren Road and encompasses parts of the former rear gardens of numbers 25-31 Warren Road. It includes trees that are protected by Tree Preservation Orders (TPO) nos. 740 and 793. It is noted that the trees at the site make a positive contribution to the sylvan quality of the area, by providing a visual break between the respective housing developments on Walnut Tree Close and Heythrop Drive. Access to the site would be gained from extending the turning head on Heythrop Drive.

The surrounding area is generally residential in character, mainly comprising detached properties. It is important to note that properties on the south side of Heythrop Drive originally formed part of the residential gardens of numbers 33 to 57 Warren Road. The properties on the north side of Heythrop Drive originally formed part of the residential gardens of numbers 30, 32-48 Woodstock Drive. The western boundary of the application site adjoins the residential gardens of numbers 1 to 3 Walnut Tree Close. The houses on Walnut Tree Close encompass part of the rear gardens of 17, 19, 21 and 23 Warren Road.

The site is not the subject of heritage policies. According to the Council's GIS, the site is designated within the Hillingdon Air Quality Management Area, Flood Zone 1 and has a Public Transport Accessibility Level (PTAL) of 1b (poor).

3.2 Proposed Scheme

The application proposes the erection of 4 no. two storey, detached houses, with habitable accommodation in the roof space, garages and associated landscaping, parking and installation of a vehicular crossover.

It should be noted that the above proposal description reflects the amended wording that was agreed in writing by the agent. Neighbouring residents were re-consulted based on this revised wording (as discussed in Section 6 of this Committee Report).

3.3 Relevant Planning History

Comment on Relevant Planning History

There is no relevant planning history attached to the application site.

However, it should be noted that planning permission has already been granted for the erection of dwellings on the former residential gardens of neighbouring properties on Warren Road. These approved dwellings have been built and form part of the well-established character of the area. Due weight has therefore been afforded to the following planning permissions.

In 2017, planning permission was granted at Appeal for the erection of 5 detached dwellings on the former rear gardens of numbers 17, 19, 21 and 23 Warren Road and the creation of a new access road from Applewood Close (LPA reference 62396/APP/2006/3042, Appeal reference APP/R5510/A/07/2050307/NWF). This scheme has been built and the approved dwellings are now known as numbers 1 to 5 Walnut Tree Close.

In 1987, outline planning permission was granted at Appeal for the houses on Heythrop Drive. Subsequent, planning applications were then submitted and approved in phases, i.e. 36883/F/93/1852 - numbers 15 to 19; 36883/G/93/1903 - numbers 1 to 7, 36883/M/95/935 - numbers 10 to 13, 6883/P/95/935 - numbers 21 & 22, 36883/T/95/1151 - 1 house, and 36883/X/98/498 - 1 house.

Please refer to Section 7.01 of this Committee Report for the 'principle of development' assessment.

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:

DMEI 10	Water Management, Efficiency and Quality
DMEI 14	Air Quality
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMH 2	Housing Mix
DMH 6	Garden and Backland Development
DMH 7	Provision of Affordable Housing
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP G7	(2021) Trees and woodlands
LPP H1	(2021) Increasing housing supply
LPP H10	(2021) Housing size mix
LPP H2	(2021) Small sites
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
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

NPPF8 NPPF 2021 - Promoting healthy and safe communities

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

12 neighbouring properties were originally consulted on 26th September 2022. Four additional properties were consulted on 3rd October 2022 and 28 further properties were consulted on 11th October 2022. Following the receipt of revised drawings, neighbouring properties were re-consulted for an additional 14-days with consultation expiring on 18th November 2022.

Representations from 28 neighbouring properties have been received in objection to the proposal. In addition, an objection has been received from the Ickenham Residents Association (detailed below) and an e-petition with 58 signatories (also detailed below) has been received.

The matters raised in the individual representations from neighbouring properties are summarised as follows:
- Overlooking and loss of privacy
- Felling of trees
- Harm to protected trees at the site
- Construction hours should be restricted, in the interest of residential amenity
- Right to light
- Noise, disruption and pollution
- Insufficient capacity in schools and doctors
- A three-metre high fence should be erected to the rear of Nos. 6 and 7 Windrush Close to deter criminals
- Land registry schedule requires residents on Heythrop Drive to pay for repairs and maintenance of the road
- The construction hours and duration would result in unacceptable impacts on the living conditions of neighbouring properties.

PLANNING OFFICER RESPONSE: Material planning considerations will be discussed in the following sections of this report. In the event of an approval, a condition would be secured requiring full details in respect to boundary treatment and means of enclosure. The concerns raised in respect to land ownership obligations are not considered to be material planning considerations. Comments regarding provision of schools and medical facilities are duly noted, however this would not constitute a reasonable ground for refusal in this case. For developments of the scale proposed, infrastructure contributions are predominantly addressed through the CIL regime (refer to section 7.20 of this report).

An e-petition against the application with 58 signatories was received by the Council. The grounds for opposition are as follows:

"We call upon Hillingdon Council to immediately reject this poorly thought-out and damaging application which will adversely affect the quality of life for residents in Heythrop Drive and adjacent roads both in the short term and long term. We call upon Hillingdon Council to immediately refuse this plan and send it back to the developers for further consideration with an instruction that if they

wish to move ahead with the plan they only do this after comprehensive and detailed consultation with all Hillingdon Residents affected in Heythrop Drive and adjacent roads to the satisfaction of all residents.

London Borough of Hillingdon has failed to carry out consultation with nearly all residents of Heythrop Drive despite the fact this plan would involve a 20%+ extension of the road and 4 new large detached houses."

PLANNING OFFICER RESPONSE:

In terms of the consultation process, 12 of the nearest neighbouring properties to the application site were consulted, as per the requirements of Planning legislation and Hillingdon's Statement of Community Involvement. However, during the course of the planning application process, letters were subsequently sent to all of the properties on Heythrop Drive to ensure a thorough consultation process has been carried out.

Ickenham Residents Association has submitted the following comments:

"This is an application for a back garden development - in fact over 4 back gardens. This Association objects in principle to developments in back gardens and we trust you will take this into consideration when coming to your decision"

PLANNING OFFICER RESPONSE:

This matter is addressed in section 7.01 of this report concerning the principle of the development.

Ministry of Defence Safeguarding- RAF Northolt:

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

The application is: Erection of 4 no. two storey, detached houses, with habitable accommodation in roof space, garage and associated landscaping, parking and installation of vehicular crossover on land rear of 25-31 Warren Road (with access from Heythrop Drive), Ickenham.

The application site occupies the statutory safeguarding zone(s) surrounding RAF Northolt. In particular, the aerodrome height, technical and birdstrike safeguarding zones surrounding the aerodrome and is approx. 3.17 km from the centre of the airfield.

After reviewing the application documents, I can confirm the MOD has no safeguarding objections to this proposal.

Internal Consultees

COUNCIL'S TREES OFFICER:

(Original comments received on 03.10.2022)

The proposed trees for removal are all category C trees (this is acceptable) and the locations for replacement trees appear appropriate.

We would need further details as to their tree protection plans and method statement to determine likely impact on the remaining trees, although if you are minded to approve this could be covered under a pre-commencement condition.

In response, the applicant has submitted a Tree Protection Plan (drawing no. DS20042201.03) which includes an Arboricultural Method Statement. Also, the drawing shows details of the no-dig zones, temporary ground protection and protective fencing that would be installed around the retained trees.

The Council's Trees Officer has reviewed the additional details that have been provided and has raised no objection, subject to the tree protection measures being adhered to.

COUNCIL'S ACCESS OFFICER:

(Original comments received on 30.09.2022)

This proposal for 4 dwelling houses raises accessibility concerns. Policy D7 of the 2021 London Plan requires all new housing to be designed and constructed as accessible and adaptable in accordance with M4(2) as set out in Approved Document M to the Building Regulations (2015 edition).

Revised plans should be requested prior to any grant of planning permission to address the following issues.
1. Step free access into the dwellings is required. Details should be submitted to satisfy the above policy requirement.
2. The entrance level WCs are too small, do not achieve the required clear access zones or otherwise meet the provisions set out in section 2.27(c) of Approved Document M, volume 1 (2015 edition).
3. Whilst re-evaluating the plans, particular attention should also be paid to the entrance lobby arrangement and to spatial requirements within the bedrooms, bathrooms and kitchen area. The plans should be amended accordingly to demonstrate compliance with the technical specifications within Approved Document M to the Building Regulations (2015 edition).
Conclusion: Details should be submitted prior to any planning approval."

The applicant has submitted revised drawings to address the above points. The Council's Access Officer is satisfied with the revised drawings, and has recommended two conditions in the event that planning permission were to be granted. Suitable conditions have been adopted in this recommendation for approval.

COUNCIL'S NOISE OFFICER:

The proposed residential development is enclosed within an established residential area hence I have no further comment to make.

COUNCIL'S HIGHWAYS OFFICER:

Site Characteristics:

The site is located within an extensive private residential catchment in Ickenham situated just north of the A40. The substantive plot consists of vacant land which lies to the rear of 25-31 Warren Road and is to be accessed via the eastern (and part private/unadopted) section of a 'double-legged' cul-de-sac (Heythrop Drive) which feeds off Woodstock Drive. This 'leg' would effectively be extended to front all four plots.

4 new four-bedroom detached dwellings are proposed (plots 1-4) with a newly created access at the north-eastern unadopted end of Heythrop Drive with a total of 13 on-plot parking spaces.

The immediate roadways are devoid of parking controls and the site address exhibits a public transport accessibility level (PTAL) rating of 1b which is considered as 'very poor' and therefore

encourages a higher dependency on the ownership and use of private motor transport.

Parking Provision & Internal Parking Layout:

Hillingdon 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.

London Plan (2021): Policy T6.1 (Residential Parking) requires that new residential development should not exceed the maximum parking standards as set out in table 10.3.

In line with the adopted Hillingdon parking standard, the maximum parking requirement for all four plots would equate to a maximum of 2 spaces per unit whilst, by contrast for a PTAL rating of 1b, the London Plan (2021) parking standard demands a marginally lesser 1.5 spaces per unit.

Plots 1 to 3 display 3 spaces per unit (garage plus 2 on-plot spaces) whilst plot 4 displays a double garage with 2 on-plot spaces totaling 4. This exceeds the local and regional standard.

However, in this specific case this excess is considered acceptable as it reduces the potential for untoward parking displacement within and outside the site envelope resulting from the higher dependency on the private motor car due to the 'very poor' PTAL rating and absence of on-street parking controls.

Electric Vehicle Charging Points (EVCP's):

In line with the London Plan (2021), within the final parking quantum there is a requirement for a minimum of 20% 'active' EVCP provision with all remaining spaces being designated as 'passive' provisions. The applicant confirms that 1 'active' EVCP will be provided per dwelling which is welcomed and considered acceptable. However, all of the remaining spaces should also be designated as 'passive' provisions which has not been confirmed by the applicant, hence this aspect should be secured by way of planning condition.

Cycle Parking:

In terms of cycle parking there should be a provision of 2 secure and accessible spaces for each unit to conform to the adopted borough cycle parking standard. The applicant confirms that this level of provision will be inclusive to the each of the new garages which is considered acceptable.

Site Access and Internal Site Layout:

Access would be facilitated via a new opening from Heythrop Drive (unadopted highway and situated on the eastern flank of the site). There is no in principle objection to the proposed new opening (which incidentally, the Highway Authority (HA) has no direct jurisdiction over) onto Heythrop Drive which is private in tenure at the proposed connection point.

The principle of the new internal access road is also considered acceptable in the site circumstance supported by the internal layout and arrangement of the new roadway within the site envelope broadly conforming to the Department for Transport's (DfT) - Manual for Streets (MfS) (circa 2007) best practice for road and parking layouts. Owing to the proposed turning head within the site envelope, the layout will allow for passenger & refuse/delivery vehicles using the site to enter and leave the site in a forward gear which is the recommended practice on highway safety grounds as demonstrated by the submitted swept path analysis.

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.

The proposal would clearly increase traffic generation from the site as compared to the existing dormant plot. However, with 4 new units connecting onto Heythrop Drive, any resultant vehicular movement would be considered minimal and relatively insignificant in highway impact terms. It is noted that the Planning Inspectorate is highly likely to take a similar view if the application were to be refused on excessive traffic generation and appealed thereafter. Hence, in conclusion, any likely uplift would be considered marginal in generation terms and therefore can be absorbed within the local road network without notable detriment to traffic congestion and road safety. There are no further observations.

Operational Refuse Requirements:

Refuse collection would be conducted via the extended roadway commencing from Heythrop Drive. In order to conform to accepted 'waste collection distances' from the public highway, any waste should be positioned within 10m of a refuse vehicle on the roadway. The indicated bin store positioning for each plot broadly conforms to the above parameter hence there are no further observations.

Construction Logistics Plan (CLP):

A full and detailed CLP would be a requirement given the constraints and sensitivities of the local residential road network in order to avoid/minimise potential detriment to the public realm. It will need to be secured under a suitable planning condition.

Conclusion:

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

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Paragraph 119 of the NPPF (2021) states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Policy GG4 of the London Plan (2021) seeks to ensure that more homes are delivered. This is reinforced by Policy H1 of the Local Plan: Part 1 - Strategic Policies (2012) which gives general support to housing provision to meet and exceed the Council's minimum strategic dwelling requirement, where this can be achieved in accordance with other Local Plan policies.

Policy DMH 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that there is a presumption against the loss of gardens due to the need to maintain local character, amenity space and biodiversity. In exceptional cases a limited scale of backland development may be acceptable, subject to the following criteria:
i) Neighbouring residential amenity and privacy of existing homes and gardens must be maintained and unacceptable light spillage avoided;
ii) Vehicular access or car parking should not have an adverse impact on neighbours in

terms of noise or light. Access roads between dwellings and unnecessarily long access roads will not normally be acceptable;
iii) Development on backland sites must be more intimate in mass and scale and lower than frontage properties; and
iv) Features such as trees, shrubs and wildlife habitat must be retained or re-provided.

Policy DMH 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) does not define what constitutes an 'exceptional case' where a limited scale of backland development may be acceptable, nor does the supporting text contain a definition of this term. However, the supporting text to Policy DMH 6 explains that the Council's restrictive approach has been informed by the 2016 London Plan and reflects the direct and indirect value of gardens which includes the contribution to local character. Based on the wording of Policy DMH 6, it is considered that the policy presumption against development upon residential garden, is in the interest of maintaining local character, amenity space and biodiversity.

Whilst it is noted that the land forming the application site is under separate ownership from numbers 25-31 Warren Road, its designation as former rear garden land would nevertheless remain unchanged. The glossary in Hillingdon Local Plan: Part 1 - Strategic Policies (2012) defines 'back-land development' as "Development of 'landlocked' sites behind existing buildings, such as rear gardens and private open space, usually within predominantly residential areas. Such sites often have no street frontages." Based on this definition, it is considered that the application site would constitute as 'backland development' and that Policy DMH 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) should be applied.

With regards to criteria i) of Policy DMH 6, it is considered that the proposed development would not unduly impact on the living conditions of neighbouring residential occupiers for the reasons discussed in section 7.08 of this Committee Report. Given the position of the proposed access point and on-site car parking spaces, it is considered that no adverse impact would be caused for neighbouring occupiers, in terms of noise or light. The proposal therefore complies with criterion ii) of Policy DMH 6. The layout of the proposal has been devised so that the proposed dwellings would be provided with a street frontage that is consistent with the existing properties on the southern side of Heythrop Drive. For the reasons discussed in Section 7.07 of this Committee Report, it is considered that the proposed development would not cause harm to the character and appearance of the area. As such, the objectives of criterion iii) have been complied with.

All the Category A and B TPO protected trees would be retained as part of the proposed development. Several Category C trees would be loss. However, the Council's Tree Officer has raised no objection to the loss of these specific trees due to their limited health and low visual amenity value. Furthermore, weight has been given to the 13 new trees being proposed to mitigate the loss of the Category C trees. The planting of the proposed new trees would be secured through the imposition of a condition, if planning permission were to be granted. The submitted Ecology Report confirms that the likelihood of protected species being present at the site is low. The proposal therefore complies with criterion iv) of Policy DMH 6.

Also, due weight has been afforded to the fact that the existing properties on Heythrop Drive and Walnut Tree Close have been built on land that encompasses the former rear gardens of neighbouring properties on Warren Road and Woodstock Drive. Refer to Section 3.3 of this Committee Report for the relevant planning history.

Given the factors set out in the preceding paragraphs, it is considered that it could be

contended that the proposed development would pass the exceptionality test set out in Policy DMH 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020). However, this is subject to the other planning considerations discussed in this Committee Report, and the proposal being in accordance with all of the relevant planning policies and guidance within the Development Plan.

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, as identified in the Strategic Housing Market Assessment 2016.

In accordance with Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), developments should demonstrate how the provision of family housing has been optimised, to address local needs. The proposed development would provide 3 x four-bedroom houses, which would make a contribution towards the Borough's need for family sized housing. Accordingly, it is considered that the proposal would consist of an appropriate housing mix in accordance with Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy H10 of the London Plan (2021).

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 per hectare and 35-50 units per hectare for sites in non-town centre areas with a PTAL rating of 0-2.

The site is located within a non-town centre area (i.e. more than 800 metres away from the closest town centre) and has a PTAL rating of 1b (very poor). Based on a total site area of 0.24 hectares, the proposed scheme would have a density level of 16 units per hectare and 129 habitable rooms per hectare. Whilst the unit number per hectare would be low in relation to the density range quoted above, it is considered that this is more reflective of the immediate local area. Furthermore, it is noted that the number of habitable rooms per hectare would accord with the density range set out in Policy DMHB 17 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

Notwithstanding the density range set out in Policy DMHB 17, it is considered that what is of greater significance to the determination of this application is the local contextual

factors. The key consideration is therefore whether the development would acceptably integrate with the character and appearance of the locality and would respect residential amenity considerations, rather than the consideration of the numerical density of the proposal. Please refer to the other 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.

7.04 Airport safeguarding

Policy DMAV 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that the Council will ensure that uses such as housing, education and hospitals are not located in areas significantly affected by aircraft noise without acceptable mitigation measures.

The application site is within 3km of the RAF Northolt Zone. However, as the site is within an established residential area within this zone, it is considered that visibility and audibility of aircraft operations associated with RAF Northolt would not be of significant harm to the living conditions of future occupiers. It is therefore considered that it would be unreasonable to refuse the application on the ground of harm to the residential amenity of the future occupiers, in respect to aircraft noise associated with RAF Northolt. The Ministry of Defence has also confirmed that they do not have any safeguarding concerns with the proposal.

7.05 Impact on the green belt

Not applicable.

7.07 Impact on the character & appearance of the area

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

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. It should take into account aspects including the scale of the development considering the height, mass and bulk of adjacent structures; building plot sizes and established street patterns; building lines and streetscape rhythm and landscaping.

Policy DMHB 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) re-emphasises the need for new development to be well integrated with the surrounding area and provides design criteria as to how this would be achieved.

Heythrop Drive is characterised by detached properties set back from the highway by front driveways and front gardens. The properties on Heythrop Drive comprise a consistent pattern of three different housing designs, all of which contain hipped roof profiles. Thus, creating a strong degree of uniformity between the properties in terms of their architectural style.

The proposal would involve the erection of four detached dwellings at the site, which would be consistent with the detached housing type on Heythrop Drive. The physical siting of the proposed dwellings would not detract from the street scene. This is because the proposed dwellings would be broadly in alignment with the established front and rear building line of the existing properties on the southern side of Heythrop Drive.

The ground levels on Heythrop Drive increase in gradient from east to west. This change in ground level is reflected in the built form of existing properties on the southern side of

Heythrop Drive which increases in height from east to west. As shown on the submitted street elevation drawing, the ridge height of the proposed dwellings also gently increases in eaves and ridge height from east and west. It is therefore considered that the proposed development responds well to the established roof line. Thus, ensuring that the height of the proposed dwellings appear visually coherent with the neighbouring houses.

The proposed plot width would range between approximately 13.8 metres to 17.5 metres, which is comparable to other properties within the vicinity of the site. Each of the proposed dwellings would be set-in from the side boundaries and would have sufficient areas for rear gardens. It is considered that the proposed dwellings would sit comfortably within their respective plots, and that the established rhythm of the street scene would be retained. Full details in respect to the proposed site levels and finished floor levels of the proposed dwellings would be secured by way of a condition, in the event of an approval. This condition is considered necessary in the interest of visual amenity.

In terms of design, the proposed dwellings have been designed to complement the architectural style of the existing dwellings on Heythrop Drive. In particular, the proposed main hipped roof profiles would match that of the existing properties on Heythrop Drive. In addition to this, incorporation of the front gable projections, side chimney stacks and bay front windows on Plots 1 and 3 would ensure the proposed dwellings are well articulated, whilst appearing in-keeping with the character of the surrounding street scene.

The proposed dwellings would have dormers fitted in their rear roof slope. It is noted that no other properties on Heythrop Drive has yet been extended in this manner. However, this in itself does not necessarily mean that the dormers would be harmful to the visual amenities of the area. The proposed dormers would be modest in size, and set-down from the ridge line, set-in from the sides and set-up from the eaves. It is therefore considered, on balance, that the dormers would appear as sympathetic and subservient features when viewed from the rear gardens of neighbouring properties.

It is acknowledged that there is some distinction between the design of the proposed dwellings. However, this distinction would provide interest across the proposed front elevations, which would complement the housing styles of the existing dwellings on Heythrop Drive. Most notably, the proposed dwelling on Plot 4 would have a double detached garage positioned at a ninety degree angle to its front elevation. However, the siting and design of this proposed double garage would match the double garage located on the opposite bookend of the highway on Heythrop Drive.

Full details of the external finishes and materials would be secured by condition, in the event of an approval. Also, hard and soft landscaping details would be secured by condition. Refer to Section 7.13 of this Committee Report for the planning assessment in respect to trees and landscaping.

In light of the above, it is considered that the siting, scale, height and design of the proposed dwellings would be acceptable on design grounds and that a high quality development would be delivered. The proposal would not cause harm to the character and appearance of the street scene of the surrounding area. The proposal therefore accords with 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).

7.08 Impact on neighbours

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states:
B) Development proposals should not adversely impact on the amenity, daylight and

sunlight of adjacent properties and open space.

Specifically, paragraph 5.38 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states: "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: "For the purposes of this policy [Policy DMHB 11], 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."

The residential gardens of numbers 1 to 3 Walnut Tree Close adjoin the western boundary of the application site. The flank wall of the proposed dwelling on Plot 4 would be positioned approximately 16.5 metres from the closest rear windows at number 2 Walnut Tree Close. There would be a separation distance of approximately 19 metres from number 1 Walnut Tree Close, and 20 metres from the rear elevation of number 3 Walnut Tree Close.

It is acknowledged that the outlook for the neighbouring occupiers at numbers 1 to 3 Walnut Tree Close would change as a result of the proposed development, particularly for the occupiers at number 2. However, the proposed dwelling on Plot 4 has been carefully designed with a hipped roof profile which would help to reduce the overall bulk and massing of the side elevation facing towards the rear elevations of numbers 1 to 3 Walnut Tree Close. With this in mind, and noting the aforementioned separation distances, it is considered that the loss of outlook for the occupiers at Nos. 1 to 3 Walnut Tree Close would not be so significant as to justify a reasonable ground for refusal on this basis.

A Daylight, Sunlight and Overshadowing Impact Assessment has been submitted in support of this application. The report assesses the impact that 'Plot 4' of the proposed development has on the daylight and sunlight access to the neighbouring properties at numbers 2 and 3 Walnut Tree Close.

The report states that assessments were made of the Vertical Sky Component (VSC) and daylight distribution (DD) to measure daylight access to potentially affected neighbouring properties. The BRE guidelines seek for each window to achieve a VSC of 27% or 0.8 times the existing VSC value. Regarding both 2 and 3 Walnut Tree Close, the results of the VSC analysis demonstrate that all 26 windows achieve a VSC greater than 27% or a relative VSC greater than 0.8 times the existing value. The daylight distribution analysis of the 11 rooms across 2 and 3 Walnut Tree Close demonstrates that the proposed scheme does not affect the no-skyline of any of the assessed rooms.

To assess sunlight, the BRE guidelines state that neighbouring windows within 90° due south should receive Annual Probable Sunlight Hours (APSH) of 25%, including at least 5% during the winter months (WPSH). The Daylight, Sunlight and Overshadowing Impact Assessment states that no assessed windows lie within 90° due south, and therefore were not assessed for sunlight access.

BRE Guidelines state that in relation to amenity spaces, for it to appear adequately sunlit throughout the year, at least half of the area should receive at least 2 hours of sunlight on 21st March. The Daylight, Sunlight and Overshadowing Impact Assessment states that the results of the overshadowing analysis indicate that the 2 assessed amenity spaces meet the BRE guidance. The analysis demonstrates that greater than 89% of the amenity spaces at numbers 2 and 3 Walnut Tree Close will receive at least two hours of sunlight on the 21st March under both the existing and proposed conditions; therefore, the BRE Guidelines are achieved.

In light of the aforementioned results of the Daylight, Sunlight and Overshadowing Impact Assessment, it is considered that the proposed development would not result in an unacceptable loss of daylight, sunlight or overshadowing for the occupiers at numbers 2 and 3 Walnut Tree Close and their associated rear gardens. The rear garden of number 1 Walnut Tree Close would adjoin the boundary where the proposed garage serving Plot 4 would be located. Given the single storey nature of the garage, and noting its modest eaves height at 2.3 metres, it is considered that the proposed development would not result in an unreasonable loss of loss of light or outlook for the occupiers at number 1 Walnut Tree Close.

The northern site boundary adjoins the residential gardens of the bungalows at numbers 5, 6 and 7 Windrush Close. The proposed dwellings would be set-away from this boundary by approximately 16 metres (at the closest point). The closest habitable room to habitable room relationship would be between number 7 Windrush Close and the proposed dwellings at Plots 1 and 2. There would be a separation distance of approximately 22 metres between these properties (taking into account the loft conversion that has been approved at No.7 under application 31527/APP/2021/2352. This separation distance would exceed the recommended '21-metre' guidance prescribed by Policy DMHB 11. It is noted that a 4-metre deep single storey rear extension has also been approved at No. 7 under application 31527/APP/2021/2352. However, the windows of this approved extension would face towards the rear boundary treatment, and would be separated from Plots 1 and 2 by approximately 19 metres.

Taking into account the above factors, and noting the southern aspect of the rear gardens at Nos. 5, 6 and 7 Windrush Close, it is considered that the proposed development would not adversely impact on the living conditions of these neighbouring occupiers, in terms of light, outlook, privacy or sense of enclosure. It is noted that a new access point would run adjacent to the boundary of the rear gardens of Nos. 5, 6 and 7 Windrush Close. However, this access would only serve the four proposed dwellings, and is unlikely to create such a significant level of noise and disturbance as to warrant a refusal on this basis. Besides, the existing highway on Heythrop Drive already runs along the rear boundary of Nos. 1, 3 and 5 Windrush Close.

The proposed front building line of the proposed dwelling on Plot 1 would be set-behind the front building line of number 22 Heythrop Drive. The proposed two-storey rear building line of Plot 1 would be in alignment with the rear building line of number 22. The first floor side (west) window at number 22 appears to be serving a non-habitable room. Taking into account these factors, and noting the 2.4 metre set-in from the shared boundary, it is considered that the proposed two-storey front and rear building lines of Plot 1 would not unduly impact on the living conditions of number 22 Heythrop Drive, in terms of loss of light, outlook, overbearing impact and sense of enclosure.

For guidance purposes, the recommended prescribed depth for single storey rear extensions on detached houses is 4 metres, as set out in Policy DMHD 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020). Whilst the proposed

single storey rear element on Plot 1 does not constitute as an extension per se, given its modest depth of 3.1 metres, it is considered that this aspect of the proposal would not adversely impact on the living conditions of number 22 Heythrop Drive.

There would be a separation distance in excess of 30 metres between the rear elevations of the proposed dwellings and numbers 25 to 31 Warren Road. This separation exceeds the recommended 21-metres prescribed within the supporting text of Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020). It is also noted that this separation distance would be similar to the relationship between the existing properties on the south side of Heythrop Drive and numbers 33-57 Warren Road. It is therefore considered that the proposed development would not adversely impact upon the residential amenities of the neighbouring occupiers on Warren Road, in respect to privacy, light, outlook, overbearing impact and sense of enclosure.

The outlook from the proposed dormers would not be dissimilar to the proposed first floor windows. On this basis, and having regard to the separation distances stated in the preceding paragraph, it is considered that a refusal on the grounds that the dormer windows would give rise to a loss of privacy and overlooking would be unreasonable, and unsustainable in the event of an Appeal.

In the event of an approval, a condition would be secured requiring the proposed first floor side windows on Plots 1 to 4 to be obscure glazed and non-opening up to a height of 1.8 metres from the finished floor level. Subject to such a condition, the proposal would not give rise to a loss of privacy or overlooking issues for the neighbouring occupiers at numbers 22 Heythrop Drive and numbers 2 and 3 Walnut Tree Close.

It is recognised that there would be some potential for increased levels of on-site activity to generate noise and disturbance. However, the site would be used in an exclusively residential capacity. It is therefore considered that the provision of 4 dwellings on an established residential street would not lead to such a significant change in the local noise environment to warrant a refusal on this basis.

The representations received from 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 neighbours, in compliance with Policy DMHB 11 part B) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

7.09 Living conditions for future occupiers

INTERNAL AMENITY SPACE:

Policy D6 of the London Plan (2021) sets out the requirements for the gross internal floor area of new dwellings at a defined level of occupancy. Table 3.1 of the London Plan (2021) set outs the same gross internal area space standards set out in the Technical housing standards - nationally described space standard (2015).

Policy DMHB 15 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that the Council will require all new development to ensure safe and attractive public and private spaces by referring to the Council's latest guidance on Secured by Design principles.

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).

Paragraph 5.60 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states, "When assessing the size of households the Council will assume that any bedroom over 11.5 sqm is capable of being occupied by two persons. Similarly any "study", "bonus room" or third living/reception room that is not annotated as a bedroom will be assumed to be capable of serving as a bedroom.

Parts 3) and 4) of Policy D6 of the London Plan (2021) require double bedrooms to have a floor area of at least 11.5 square metres, and for single bedrooms to have a floor area of at least 7.5 square metres.

It should be clarified that the proposal is for four x 4-bedroomed dwellings. Nevertheless it is recognised that the proposed attic room within the loft spaces of the proposed dwellings would be in excess of 11.5 square metres, and therefore could be used flexibly as an additional bedroom. It is therefore considered prudent to assess their implications as bedrooms on the quality of living accommodation.

The proposed development would provide the following:

Plot 1- A five bedroom, 9 person occupancy measuring 208 square metres (excluding the garage)
Plot 2- A five bedroom, 9 person occupancy measuring 224 square metres (excluding the garage)
Plot 3- A five bedroom, 9 person occupancy measuring 208 square metres (excluding the garage)
Plot 4- A five bedroom, 9 person occupancy measuring 212 square metres (excluding the garage)

Policy D6 of the London Plan (2021) does not stipulate the minimum requirement for a 5 bedroom 9-person three-storey dwelling, which is the occupancy level of the proposed dwellings (including the attic room within the loft space). However, with each of the proposed dwellings benefitting from a gross internal floor area of at least 208 square metres, their overall internal floor space is considered to be acceptable. It is also noted that the gross internal floor area of the proposed dwellings would far exceed the largest occupancy level rate for a two-storey dwelling referred to in Table 3.1 of the London Plan (2021), i.e. 132 square metres for a 6 bedroom 8-person two storey unit.

All the proposed bedrooms (and attic room) would exceed the minimum floor area standards set out in parts 3) and 4) of Policy D6 of the London Plan (2021). The proposed dwellings would be dual aspect with all the habitable rooms being served by windows in the front elevation or windows and dormer windows in rear elevation of the building. Thus, providing future occupiers with a reasonable level of natural light and outlook. The proposed dwellings would include ground floor front habitable windows which would face towards their respective driveways. Thus, ensuring an appropriate degree of natural surveillance is achieved.

The proposed single storey rear elements would have a depth of approximately 3.1 metres and ridge height of 3.3 metres. Given their modest dimensions, set-in from the shared side boundary and noting the position of the garage on Plot 2, it is considered that the proposed single storey rear elements would not adversely impact on the levels of light and outlook afforded to the future occupiers of the proposed dwellings.

On the above basis, it is considered that the proposed dwellings would provide

satisfactory internal living conditions for future occupants, in accordance with Policy D6 of the London Plan (2021) and Policies DMHB 15 and DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

EXTERNAL AMENITY SPACE:

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, which requires houses with four bedrooms or more should provide a minimum of 100 square metres of private usable amenity space.

The proposed dwellings would be provided with private amenity space in the form of rear gardens ranging between 153 to 302 square metres. Thus, exceeding the minimum private amenity space standards set by Table 5.3 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020). It is considered that the proposed rear gardens would provide ample space and opportunity for general outdoor activity that prospective occupants could reasonably expect with dwellings of the size and type being proposed.

The proposal would provide the future occupiers of the proposed dwellings with external private amenity provision that is of a sufficient size, usability and functionality, in accordance with 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 T4 of the London Plan (2021) states that where appropriate, mitigation, either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions, will be required to address adverse transport impacts that are identified.

Policy T6 of the London Plan (2021) states that new residential development should not exceed the maximum parking standards set out in Table 10.3. 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.

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 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.

ACCESS:

The proposed development would be accessed via a new opening from Heythrop Drive (an unadopted highway situated on the eastern flank of the site). The Council's Highways Officer has raised no objection, in principle, to the proposed new opening onto Heythrop Drive which is private in tenure at the proposed connection point. The proposed new access point would be 4.8 metres at its connection point with Heythrop Drive, which would be of a sufficient width to permit two vehicles to safely pass each other. The Council's Highways Officer has commented that the layout and arrangement of the new roadway within the site envelope broadly conforms to the Department for Transport's (DfT) - Manual for Streets (MfS) (circa 2007) best practice for road and parking layouts.

Owing to the proposed turning head within the site envelope, the layout would allow for passenger and refuse/delivery vehicles (including emergency appliances i.e. fire tenders) using the site to enter and leave the site in a forward gear, which is the recommended practice on highway safety grounds. This has been demonstrated through the submitted swept path analysis which is based on movements of the Council's refuse collection vehicle. It is therefore considered that the proposal would not materially harm highway safety, in regards to on-site vehicle turning and manoeuvring.

Notwithstanding the Highway Officer's comments that a Unilateral Undertaking is not required, it is considered necessary that a condition is included to ensure the access from Heythrop Drive is implemented prior to first occupation of the development. Details of the materials and layout of the access, and a timetable for implementation shall be submitted to the LPA for approval prior to commencement. This condition is necessary to make the development acceptable in planning terms, by ensuring acceptable access onto Heythrop Drive would be provided in accordance with Policy DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policies T4, T6 and T6.1 of the London Plan (2021).

ON-SITE PARKING PROVISION:

The maximum requirement for a four-bedroom or more dwelling is for up to 2 car parking spaces to be provided on-site to comply with the adopted parking standard set out in Appendix C, Table 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

It is worth noting that Policy T6.1 of the London Plan (2021) states that development comprising 3 plus bed units in outer London with a PTAL rating of 0-1 should provide a maximum of up to 1.5 space per dwelling, which is a slightly lesser requirement than the Council's adopted Car Parking Standards.

In this case, the proposed dwellings on Plots 1 to 3 would each be provided with three on-site car parking spaces in total. This would be in the form of a garage which would accommodate one vehicle and two spaces on the front driveways. The proposed dwelling on Plot 4 would be provided with four car parking spaces in total, i.e. two spaces within the garage and two spaces on the front driveway.

It is acknowledged that the proposed on-site car parking provision would exceed the local and regional car parking standards. However, the Council's Highways Officer has commented that, in this specific case, this excess is considered acceptable. The reason being is that it reduces the potential for untoward parking displacement within and outside

the site envelope, resulting from the higher dependency on the private motor car due to the 'very poor' PTAL rating and absence of on-street parking controls.

In line with Policy T6.1 of the London Plan (2021), there is a requirement for a minimum of 20% 'active' electric vehicle charging points provision within the final parking quantum of development, with all remaining spaces being designated as 'passive' provisions. Although the submitted plans show that electric charging points will be provided, further details are required to ensure that each of the proposed dwellings would be provided with 1 active and 1 passive electric charging point (in compliance with Policy T6.1 of the London Plan (2021)). This matter would be resolved by way of a condition, if planning permission were to be granted.

Accordingly, it is considered that the proposed development would provide a satisfactory number of car parking spaces and that the demand for street parking would not be exacerbated to such an extent that would prejudice highway safety. The proposal would therefore accord with objectives of Policy T6 and T6.1 of the London Plan (2021) and Policy DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), in this regard.

VEHICLE TRAFFIC GENERATION:

The Council's Highways Officer has commented that the proposed erection of four dwellings would increase traffic generation from the site. However, the additional traffic generation along Heythrop Drive would be considered minimal and relatively insignificant in highway safety impact terms. Hence, any likely uplift would be considered marginal in traffic generation terms and therefore can be absorbed within the local road network, without notable detriment to traffic congestion and road safety. There is no evidence that increased traffic movements would have an unacceptable impact on highway safety.

The Highway Officer has recommended that a Construction Logistics Plan be secured. It is noted that the applicant has submitted a Construction Management Plan (received on 26.10.22), however this is not considered acceptable in its current form and therefore condition 4 has been recommended in order to secure a revised report which (amongst other matters) would address the Highway Officer's recommendation to secure a Construction Logistics Plan.

BICYCLE PROVISION:

Policy DMT 5 of the 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.

The submitted plans show that the garages serving the proposed dwellings would contain a wall mounted rack which would accommodate two cycles. The proposed cycle stores would be in a secure, covered and accessible location for future occupants. In the event of an approval, a condition would be secured requiring specific details as to the design and dimensions of the wall mounted racks. Subject to such a condition, the proposal would provide an adequate provision of on-site cycle parking, in compliance with Policy T5 of the London Plan (2021) and Policy DMT 5 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

7.11 Urban design, access and security

Covered in other sections of this Committee Report.

7.12 Disabled access

Policy D5 of the London Plan (2021) seeks to ensure development proposals achieve the highest standards of accessible and inclusive design. Policy D7 of the London Plan (2021) requires for at least 10% of dwellings to meet Building Regulation requirement M4(3) 'wheelchair user dwellings', with all other dwellings meeting Category M4(2) 'accessible and adaptable dwellings'.

During the course of this application, revised plans were submitted to demonstrate wheelchair circulation zones and ground floor W.C. to meet Approved Document M to the Building Regulations (2015 edition). In the event of an approval, conditions would be secured in respect to step-free access details and compliance to ensure the proposed dwellings meet Building Regulation M4(2) and M4(3). Subject to such conditions, the proposed development would comply with Policies D5 and D7 of the London Plan (2021).

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 additional new residential units and therefore 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) in respect of affordable housing provision.

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. This is supported by Policy DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) which 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.

The site is covered by Tree Preservation Orders 740 and 793. A Tree Survey Report prepared by Patrick Stileman Ltd Arboricultural Consultancy (dated 19th May 2022) accompanies this application. The report identifies 24 individual trees, groups of trees and hedges (1 x Category A, 9 x Category B and 14 x Category C).

The submitted Tree Constraints Plan shows that 7 individual/ groups of trees and 1 hedge would be removed in order to facilitate the proposed development. The Council's Trees Officer has raised no objection due to the loss of these trees and hedges, given their

limited health and visual amenity value. It should be noted that all the Category A and B trees would be retained as part of the proposed development. If planning permission were to be granted, a planning condition would secure the proposed tree protection measures. Due to their siting and separation distance, it is considered that the retained trees would not adversely impact on the living conditions of the future occupiers of the proposed dwellings, in respect to loss of light or overshadowing. As such, there is unlikely to be post-development pressure to lop, top or remove the retained trees by future occupiers in the interest of residential amenity.

The proposal would include soft landscaping to the front of the proposed dwellings, which would help to soften and integrate the development site more sympathetically into its surrounding environment. Furthermore, 13 new trees are being proposed which would help mitigate the loss of the trees identified in the preceding paragraph. A condition would be secured to ensure that the private driveway and side pathways leading to the garden are covered in permeable block paving, which would allow surface water runoff to infiltrate and filter through to the subsoil layer. It is therefore considered that the proposed landscaping would make a positive contribution to the visual amenity of the street scene.

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

IMPACT ON PROTECTED SPECIES:

Policy G6 of the London Plan (2021) states that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.

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.

Circular 6/2005: Biodiversity and Geological Conservation- Statutory Obligations and Their Impact Within The Planning System states that where there is a reasonable likelihood of a protected species being present and affected, a survey should be carried out before planning permission is granted. The Circular also advises that surveys should only be required by a planning condition in exceptional circumstances.

An Ecology Statement prepared by AA Environmental Ltd has been provided in support of the application. The Ecology Statement states that "During the walk-over survey, particular attention was paid to record the presence of badgers, bats and herpetofauna (amphibians and reptiles) that may be using the site or present in adjacent habitats". The Statement concludes that there is no evidence of badger or their setts recorded on or adjacent to the site; the existing timber shed on the site and trees provide negligible roosting opportunities for bats; and there were no ponds on the site and therefore no breeding opportunities for amphibians. On this basis, it is considered that the likelihood of protected species being present at the site is low.

Notwithstanding the above, an informative would be secured in the event of an approval advising that should protected species be found at the site, the applicant(s) must fulfil their duties under the Wildlife and Countryside Act 1981.

Also, a condition would be secured requiring an ecological enhancement plan to be submitted to the Council for consideration. Subject to this condition, the proposal would have an acceptable impact on biodiversity interest, in terms of protected species. This would be in compliance with Policy G6 of the London Plan, Policy DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and the NPPF (2021).

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 Council's refuse collection vehicle measures measures approximately 10.4 metres in length and 2.5 metres in width (as confirmed by the Council's Highways Officer). A swept path analysis has been submitted which adequately demonstrates that the Council's refuse collection vehicle of the length required could enter, turn and exit the site in forward gear. The Council's Highways Officer is therefore satisfied that the refuse collection vehicles would be able to satisfactorily service the proposed dwellings without leading to a loss of highway safety.

The Council's 'waste collection' maximum distance collection parameter is 10 metres, i.e., the distance from a refuse vehicle to the point of collection. The submitted plans indicate that the refuse/recycling stores would be provided adjacent to the flank wall of the proposed dwellings. Although the location would marginally fall outside of the '10 metre collection parameter', it is anticipated that future occupiers of the proposed dwellings would move their rubbish to the kerbside on collection days. This arrangement would be no different to how the existing properties on Heythrop Drive are currently being serviced by the Council's refuse collection crew. In the event of an approval, full details of the refuse/recycling stores (including their dimensions, external finishes and design) would be secured by condition.

Subject to the above condition, it is considered that the proposed development would be able to provide a convenient location for 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 (2021) states 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 application was accompanied by an Energy and Sustainability Statement. Whilst the report outlines measures that would be used such as air source heat pumps and double glazed windows, no calculations have been provided to demonstrate that the proposed dwellings would achieve at least a 10% improvement beyond Building Regulations 2013. This matter would be solved by the imposition of a planning condition, in the event of an approval. Also, a condition would be secured requiring the proposed dwellings to achieve as a minimum, a water efficiency standard of no more than 105 litres per person per day

maximum water consumption.

Subject to the above conditions, the proposal would be compliant with Policies DMEI 2 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy SI 2 of the London Plan (2021).

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.

In the event of an approval, a condition would be secured requiring the submission of a sustainable water management scheme, that incorporates sustainable urban drainage systems (SuDs), to be submitted to the Council for consideration. Also, the landscaping condition has been worded in such a manner to ensure that permeable hard surfacing is used for the parking areas serving the proposed dwellings.

Subject to such conditions, 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

NOISE:

Policy D14 of the London Plan (2021) states that in order to reduce, manage and mitigate noise to improve health and quality of life, residential and non-aviation development proposals should manage noise by avoiding significant adverse noise impacts on health and quality of life.

The site would be used in an exclusively residential capacity. As such, in terms of the operational phase of the proposed development, no significant issues are considered to be raised by the proposal, in respect to noise.

Notwithstanding the above, in respect of the construction phase, Planning Officers are of the view that the Construction Management Plan received on 26th October 2022 is not satisfactory. The construction hours stated in the report exceed those stipulated under the Control of Pollution Act 1974. Also, the Construction Management Plan lacks detail in respect to the phasing of development, traffic management and measures to minimise dust and air pollution. This being said, Planning Officers are fully satisfied that these

matters could be resolved through the imposition of a pre-commencement condition (Condition 4) requiring an updated Construction Management Plan to be submitted to the Council for consideration.

AIR QUALITY:

Policy DMEI 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that proposals should demonstrate appropriate reductions in emissions. It adds that, development proposals should, as a minimum:
i) be at least "air quality neutral";
ii) include sufficient mitigation to ensure there is no unacceptable risk from air pollution to sensitive receptors, both existing and new; and
iii) actively contribute towards the improvement of air quality, especially within the Air Quality Management Area.

The site is designated within an Air Quality Management Area. In the event of an approval, a condition would be secured requiring the submission of an Air Quality Management Assessment to demonstrate that the proposed development would be at least air quality neutral. Also, a condition would be secured requiring the submission of a Construction Management Plan (as noted above) to minimise air and other emissions caused during the construction phase. In light of these conditions, and noting the minor scale of the proposal, it is considered that it would not be necessary, fair or reasonable to require an air quality contribution to be secured through a legal agreement.

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.

The Council's Highways Department has confirmed that the existing section of Heythrop Drive that would abut the newly proposed access road is private. There is, therefore, no requirement for the applicants to enter into a Unilateral Undertaking for the carrying out of highways works.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

OTHER MATTERS:

In the event of an approval, a condition would be secured removing permitted development rights from the site to ensure that garages, sheds or other outbuildings, nor extensions or roof alterations to the proposed dwellings at the site are erected without the written consent of the Council. This is considered to be necessary in the interest of safeguarding the character and appearance of the area and amenity of residential occupiers.

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.

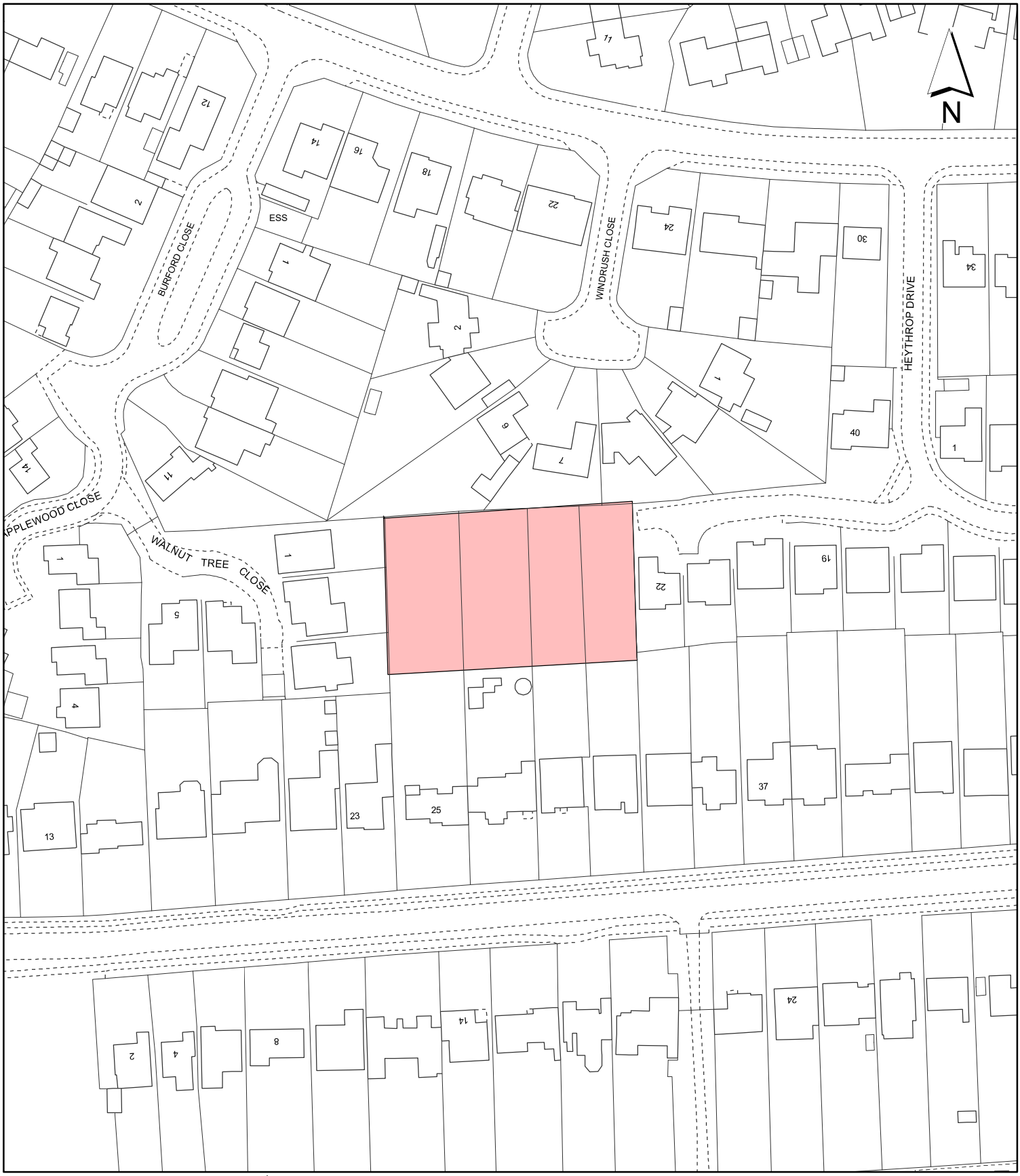
10. CONCLUSION

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)
Planning Obligations Supplementary Planning Document (July 2014)
Technical Housing Standards - Nationally Described Space Standard (March 2015)
Government Circular: Biodiversity and Geological Conservation- Statutory Obligations and their Planning System (2005)

Contact Officer: Nesha Burnham **Telephone No:** 01895 250230



Notes:

Site boundary

For identification purposes only.

This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).
Unless the Act provides a relevant exception to copyright.

© Crown copyright and database rights 2020 Ordnance Survey 100019283

Site Address:

R/O 25-31 Warren Road

LONDON BOROUGH OF HILLINGDON
Residents Services
Planning Section
Civic Centre, Uxbridge, Middx. UB8 1UW
Telephone No.: Uxbridge 01895 250111

Planning Application Ref:
77265/APP/2022/2845

Scale:
1:1,250

Planning Committee:
Borough

Date:
December 2022

HILLINGDON
LONDON