

Item No. Report of the Interim Director of Planning, Regeneration & Public Realm**Address** 18 IVER LANE COWLEY UXBRIDGE**Development:** Demolition of existing dwelling and erection of 4 x self-contained units including 1 x studio unit, 2 x 1-bed units and 1 x 3-bed unit with associated landscaping, parking, refuse and recycling.**LBH Ref Nos:** 19016/APP/2023/20**Drawing Nos:** 1851 P101
1851 P203
1851 P206
1851 P201
1851 P202
1851 P203
1851 P205**Date Plans Recieved:** 04/01/2023**Date(s) of Amendment(s):****Date Application Valid:** 04/01/2023**1. SUMMARY**

The application site is a rectangular plot on the northern side of Iver Lane, about 140m west of Cowley High Street and one property removed from Frays River to the west. The borough boundary and Green Belt lie beyond. The surrounding area is predominantly of medium density terraced development though with a more traditional semi detached character to Iver Lane and employment and pub uses to the west.

The proposal involves the demolition of the existing bungalow and its replacement with a two storey, four unit flat building comprising one x studio, two x 1-bed and one x 3-bed flat. The application is a resubmission following the refusal of 19016/APP/2022/1277 on 5 October 2022 which proposed five units (two x 1-bed and three x 2-bed) with landscaping and parking. It was refused for five reasons - excessive bulk and scale and subsequent harm to the character of the area and the adjacent Cowley Lock Conservation Area, harm to neighbour amenity, lack of internal amenity, poor dwelling mix and the absence of a legal agreement to secure parking permit restrictions.

The amendments made in this scheme have satisfactorily resolved the above concerns and approval is recommended on the basis that the net increase in residential accommodation is supported in the planning balance. It is conditional on replacement landscaping (Condition 3), tree protection (Condition 4), drainage details (Condition 5), biodiversity enhancements (Condition 6), schedule of materials (Condition 7) and delivery of allocated parking (Condition 12). As the parking arrangements involve three spaces for four units, one unit has no on-site parking. Approval is subject to the successful completion of a legal agreement to ensure that future residents of the three units not being provided with on site parking cannot apply for a permit to join any parking management scheme.

There are no objections from the Council's Highways or Access Officer, though there have been objections received from local residents, including a petition with 30 signatures against the development. The primary issues relate to the establishment of a residential flat building in this location (principle of development), relationship with the surrounding area and dominance, loss of light and overlooking (neighbour amenity).

The application is being reported to the Borough Planning Committee owing to the submission of the petition.

2. **RECOMMENDATION**

That delegated powers be given to the Director of Planning, Regeneration and Public Realm to grant planning permission, subject to the following:

Subject to a legal agreement with the Local Planning Authority that prohibits future residents of the three units with on site parking from applying for a permit to join any parking management scheme in the vicinity of the site of the new development, and subject to the following conditions:

1 T1 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 plans numbered 1851 P101, 1851 P201, 1851 P203, 1851 P205 and 1851 P206, all received 4 January 2023 and shall thereafter be retained/maintained for as long as the development remains in existence.

Notwithstanding the approved details, the west facing side windows to the ground floor of the development are to be non obscure glazed.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan Part 2 2020 and the London Plan 2021.

3 RES9 Landscaping details

No development shall take place until a hard and soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1) Details of soft landscaping including replacement planting in the front garden to offset trees approved to be removed, with planting plans (at not less than a scale of 1:100), written specification of planting and cultivation works to be undertaken and a schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate.

2) Details of hard landscaping including permeable paving, levels and finishes to the rear terrace, elevations and floor plans of refuse storage and cycle storage structures, means of enclosure/boundary treatments, car parking layouts (including demonstration that at least one parking space is served by an electrical charging point), external lighting and any other structures.

3) Schedule for Implementation

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

REASON

To ensure that the proposed development will preserve and enhance the visual amenities

of the locality and provide adequate facilities in compliance with policies DMHB 11, DMHB 12, DMHB 14, DMEI 1 and DMT 2 of the Hillingdon Local Plan Part 2 (2020) and Policy G5 of the London Plan (2021).

4 RES8 Tree Protection

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

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

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

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

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

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

2.a There shall be no changes in ground levels;

2.b No materials or plant shall be stored;

2.c No buildings or temporary buildings shall be erected or stationed;

2.d No materials or waste shall be burnt; and

2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

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

REASON

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

5 SUS5 Sustainable drainage details

No development shall take place until full sustainable drainage details for the development have been submitted to and approved in writing by the Local Planning Authority. These shall include consideration of the drainage hierarchy with a drainage plan showing pipe locations, details and levels, details of ground investigations, calculations demonstrating the performance of soakaways or capacity of attenuation features to cater for 1 in 100 year flood event with a 40% allowance for climate change and runoff controlled at greenfield rates, or better and maintenance arrangements for the life of the development. The approved measures are to be maintained thereafter for the life of the development.

REASON

To ensure that surface water run off is managed in accordance with DMEI 10 of the Local Plan Part 2 2020 and Policy S1 13 of the London Plan 2021.

6 RES19 Biodiversity enhancement details

No development shall take place until a scheme to protect and enhance ecological features of the site has been submitted to and approved by the Local Planning Authority. Details shall include the control and removal of invasive non-native plant species, ongoing garden management and relevant best practice guidance, location and types of ecological enhancement options for birds, insects and bats, wildlife friendly planting, hedgehog doorways and an appropriate external lighting scheme to protect against harm to foraging bats. The approved details shall be implemented prior to occupation and maintained for the life of the development.

REASON

In order to encourage a wide diversity of wildlife on the site in accordance with policy DME1 7 of the Hillingdon Local Plan Part 2 (2020) and Policy G5 of the London Plan (2021).

7 RES7 Materials

No development shall take place until details of all materials and external surfaces, including roofing, walls, window and door treatments, paving, rainwater goods and rear decking, 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 Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

8 H10 Swept path details

No development shall take place until swept path drawings for the three parking spaces have been submitted to and approved in writing by the Local Planning Authority. The car park shown on the approved plans shall be constructed prior to occupation of the development, thereafter permanently retained and used for no other purpose than parking and turning of vehicles.

REASON

To ensure safe pedestrian movement and forward vehicular movement from the site in accordance with Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two (2020) and Policy T6.1 of the London Plan (2021).

9 OM19 Construction management plan

No development shall take place until a demolition and construction management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall detail:

- a) The phasing of development works
- b) Types of vehicles accessing the site, including their ability to enter the shared driveway without affecting neighbouring properties
- c) The hours during which development works will occur
- d) How vehicles will access the site whilst protecting existing trees on the site and neighbouring sites
- e) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities)
- f) 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)

- g) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process
- h) The storage of demolition/construction materials on site

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

REASON

To safeguard the amenity of surrounding areas in accordance with Policy BE1 of the Hillingdon Local Plan Part 1 (2012).

10 NONSC Accessibility details

Prior to any works 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. The ground floor dwellings hereby approved shall accord with the requirements of Policy D7 of the London Plan and shall not be occupied until certification of compliance with the technical specifications for an M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, 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 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).

11 RES16 Sustainability details

The dwelling(s) shall be constructed so as to minimise carbon emissions in accordance with London Plan targets. No development shall commence until a signed design stage certificate confirming this level has been received. The design stage certificate shall be retained and made available for inspection by the Local Planning Authority on request. The development must be completed in accordance with the principles of the design stage certificate and the applicant shall ensure that completion stage certificate has been attained prior to occupancy of each dwelling.

REASON

To ensure that the objectives of sustainable development identified in Policy DME1 2 of the Hillingdon Local Plan Part 2 (2020) and Policy SI2 of the London Plan (2021) are achieved.

12 RES22 Parking details

Prior to the occupation of the development hereby permitted, details of on-site car parking, including details of allocation and dedication to which of the residential units shall be submitted to and approved in writing by the Local Planning Authority. The details submitted shall demonstrate that three of the four residential units hereby approved shall be allocated one parking space each. The approved parking arrangements shall remain allocated and dedicated in such manner for the life-time of the development.

REASON

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

13 H15 Cycle storage and Electric Charging points

The development hereby permitted, shall not be occupied until the cycle storage and EV charging facilities have been provided in accordance with the approved plans. Thereafter,

these facilities shall be permanently retained on site.

REASON

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policy DMT 6 of the Hillingdon Local Plan Part 2 (2020) and Policy T6.1 of the London Plan (2021).

14 HO7 No roof gardens

Access to the single storey flat roof over the development 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).

15 RES13 Obscure glazing

The first floor side facing windows 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 and DMHD 1 of the Hillingdon Local Plan Part 2 (2020).

INFORMATIVES

1 I47 Damage to Verge - For Council Roads:

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

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

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

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

2 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 I73 Community Infrastructure Levy

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.

4

Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions.

A proposal to discharge ground water to the public network would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed online.

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed online.

5

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

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British

Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

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

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

6

The Council is aware of the presence of land, situated within 250 metres of the subject site, with the potential to emit landfill gas. However, at this stage the risk of gas migration is considered minimal due to the age, nature and location of the fill materials. It is recommended that the building is designed and constructed to prevent the possible entry of any migrating landfill gas. Please contact your building surveyor and/or architect if you require advice concerning suitable construction techniques.

7 170 Positive and proactive

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.

3. CONSIDERATIONS

3.1 Site and Locality

The site is on the north side of Iver Lane, opposite its junction with Curran Close and approximately 10m east of the Fray's River. The plot size is approximately 530m², it is relatively flat and is occupied by a single storey bungalow with dual pitched roof with roof slopes to the side boundaries. The entrance to the dwelling is from the front and side of the building. The property has a large front and rear garden with side extensions. The site allows for vehicular access via an existing dropped kerb. The on-site garage and driveway allow for parking of up to three vehicles in tandem layout.

To the west is a largely identical bungalow with Fray's River and the Uxbridge Industrial Estate beyond. To the east are a series of four semi detached buildings.

Site Constraints:

- Settlement Limits
- Hillingdon Air Quality Management Area
- Colne Valley Archaeological Priority Area
- Cowley Lock Conservation Area (to the south)
- River Bank (20m) Protection Area
- Flood Zone 1
- Public Transport Accessibility Level (PTAL) of 1b
- Potentially contaminated land
- Landfill buffer zone

3.2 Proposed Scheme

The proposal involves the following:

- Demolition of existing bungalow.
- Erection of two storey flat building comprising four flats (one x studio, two x 1-bed and one x 3-bed).
- Parking for three vehicles at the front.
- Associated site works, including amenity space and landscaping with bin storage at the front and cycle storage at the rear.

3.3 Relevant Planning History

19016/APP/2022/1277 18 Iver Lane Cowley Uxbridge

Demolition of existing dwelling and erection of 5 x self-contained units, including 2 x 1-bed units and 3 x 2-bed units together with associated landscaping, parking, refuse and recycling

Decision: 05-10-2022 Refused

Comment on Relevant Planning History

19016/APP/2022/1277 involved the demolition of the existing detached dwelling with a new building comprising five flats consisting of three x 2 bed and two x 1 bed flats with landscaping, amenity space and parking. It was refused on 5 October 2022 for the following reasons:

1) Harm to the character of the area

Due to its depth, bulk, scale, massing, footprint and design, the proposed building would form an oversized, uncharacteristic and visually incongruous form of development, which would fail to harmonise with the established character and appearance of the street scene. The proposal would therefore be detrimental to the visual amenities of the streetscene and character of the surrounding area, and would fail to preserve or enhance the setting of the designated Cowley Lock Conservation Area, all contrary to Policy BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 1, DMHB 4, DMHB 11, and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies HC1, D1 and D3 of the London Plan (2021) and the National Planning Policy Framework (2021).

2) Harm to neighbour amenity

Due to its depth, size, siting and design, the proposed building would be overbearing and would lead to a harmful sense of enclosure, loss of outlook and loss of privacy to 16 Iver Lane, thus significantly harming the residential amenity enjoyed by the occupiers of this neighbouring property. The proposal would therefore be contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and paragraph 130 (f) of the NPPF (2021).

3) Lack of family housing

The proposed development fails to provide any three or more bedroom (family sized) units. Robust justification has not been provided to demonstrate that the provision of family sized units would be unsuitable or unviable. The proposal would therefore not provide a suitable mix of housing to support sustainable, inclusive and mixed communities, contrary to Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy H10 of the London Plan (2021) and the National Planning Policy Framework (2021).

4) Parking Management Scheme

No legal agreement is in place to prohibit future residents of the proposed development from applying to join the Council's on street parking management scheme. In the absence of such an agreement, the Council's Parking Management Scheme is likely to be overutilised, leading to roadside parking, congestion and reduced highway safety. The proposal would therefore be contrary to Policy DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policy T4 and T6 of the London Plan (2021).

5) Insufficient internal amenity

The applicant has failed to demonstrate with the submission of detailed section drawings that the second floor 1-bedroomed unit would have sufficient internal floor to ceiling heights to provide good quality residential accommodation. Furthermore, the proposed ground floor flat situated at the front of the building would have inadequate levels of privacy to its bedrooms, by virtue of the proximity of the parking/access court and lack of defensible space. The proposal therefore fails to provide a satisfactory standard of living accommodation for future occupiers of the development, in conflict with Policies DMHB 15 and DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy D6 of the London Plan 2021 and the Technical housing standards - nationally described space standards.

4. **Planning Policies and Standards**

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)

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
PT1.H1 (2012) Housing Growth

Part 2 Policies:

DMCI 7 Planning Obligations and Community Infrastructure Levy
DMEI 2 Reducing Carbon Emissions
DMEI 1 Living Walls and Roofs and Onsite Vegetation
DMEI 7 Biodiversity Protection and Enhancement

DMEI 9	Management of Flood Risk
DMEI 10	Water Management, Efficiency and Quality
DMEI 11	Protection of Ground Water Resources
DMEI 12	Development of Land Affected by Contamination
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMH 4	Residential Conversions and Redevelopment
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 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 D1	(2021) London's form, character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP G1	(2021) Green infrastructure
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature
LPP H1	(2021) Increasing housing supply
LPP H2	(2021) Small sites
LPP HC1	(2021) Heritage conservation and growth
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF15	NPPF 2021 - Conserving and enhancing the natural environment
NPPF16	NPPF 2021 - Conserving & enhancing the historic environment

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Neighbour consultation

A total of 23 residents were consulted between 10-31 January 2023 but owing to suggestions that no letters were received, the consultation period was extended to 14 March 2023. A petition was received with 30 signatures. The contents requested "planning permission to be refused". Submissions were also received from four properties which raised the following concerns:

- Non-compliance with parking requirement

Officer comment: The parking standard is a maximum requirement and on that basis, the proposal complies. Approval is subject to the parking being allocated one space per unit and the fourth unit being car free.

- Lack of neighbour notification or site notice

Officer comment: It is confirmed that the application was consulted upon in accordance with planning legislation and the Council's Statement of Community Involvement. There was no requirement for a site notice. Nonetheless, due to resident concerns with a lack of receipt of letters, the application was reconsulted in good faith.

- Conflict between footpath and turning space within the site
- Insufficient parking
- Insufficient access
- Harm to the local highway network/increased traffic congestion

Officer comment: With a 6m aisle width, there is likely to be identifiable overlap between the pedestrian path and the turning space. However, swept path plans are required in Condition 8. The level of parking is policy compliant and is satisfactory, subject to prohibition against joining the local parking scheme, as secured by legal agreement. Traffic generation is acceptable and access via the existing driveway is not opposed. The proposal is acceptable to the Council's Highways Officer and no objection raised.

- Increased noise

Officer comment: The density of the development is wholly appropriate for the location and is not unreasonable on noise disturbance grounds.

- Inadequate internal space for 3 bed flat

Officer comment: The 3 bed unit measures 81m², which accords with the minimum standards.

- Excessive scale and bulk in comparison to neighbouring properties
- Over development of the site

Officer comment: The scale and form of the development is appropriate within its plot and compatible with surrounding development, as noted in Section 7.07.

- Sense of enclosure, loss of outlook and loss of privacy to 16 and 20 Iver Lane

Officer comment: The revisions to the scheme have resolved the amenity issues raised in the previous refusal and on that basis, no objection is raised.

- Increased flood risk

Officer comment: Flooding and drainage issues are acceptable, as noted at Section 7.17 and Condition 5.

- Loss of bungalow
- Loss of family home

Officer comment: The loss of the family home is not opposed when weighed against the increase in housing and the varied unit mix.

Statutory consultation

Greater London Archaeological Advisory Service: No objection.

Environment Agency: No objection.

Internal Consultees

Highways Officer:

No objection on parking and traffic grounds, subject to conditions relating to the following:

- Delivery of EV charging points (Condition 13)
- Parking spaces being allocated to each flat (Condition 12)
- Swept path plans showing forward movement from the site (Condition 8)
- Prohibition against joining the parking scheme for units with on-site parking (legal agreement)

Access Officer:

No objection, subject to details of step free access.

Refer to Condition 10.

Contaminated Land Officer:

No objection subject to condition relating to restrictions for importation of soil.

Officer comment: Given the minimal change to ground levels, there would not be any soil importation onto the site and the condition does not meet the six tests for its inclusion, as it is not necessary.

Waste Officer:

No comments received.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Housing Provision

Policy NPPF1 of the Hillingdon Local Plan Part 1 - Strategic Policies (2012) requires a proactive approach to sustainable development. Planning applications that accord with the

policies in the Hillingdon Local Plan will be approved without delay, unless material considerations indicate otherwise. Policy DMH 1 of the Hillingdon Local Plan Part 2 (2020) states that the net loss of existing self-contained housing will be resisted unless the housing is replaced with at least equivalent residential floorspace. Policy H1 of the Hillingdon Local Plan Part 1 (2012) addresses annual housing growth of 425 dwellings per year, where this can be achieved, in accordance with other Local Plan policies.

The proposal involves the demolition of a two bedroom dwelling and its replacement with four flats or a total of six bedrooms. This is a net increase in bedrooms and residential accommodation which is supported in principle. The development would make a small additional contribution to the Borough's housing need.

Flat Development

Paragraph 69 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement and are often built out relatively quickly. Paragraph 119 seeks effective use of land in meeting the need for homes. However, this is subject to a consideration against Policy DMH 4 of the Hillingdon Local Plan Part 2 (2020), which permits the redevelopment of dwellings into flats where no more than 10% of the street has been redeveloped into flats.

Iver Lane is 275m in length before it reaches Green Belt and 490m to the borough boundary. There are 21 properties on the southern side and 13 properties on the northern side for a total of 34 properties. These include a hall, two pubs and industrial warehouse, giving a somewhat varied context. One building in the street is divided into flats - at 15-17 Iver Lane. The addition of a second such building within the street would equate to 6% of the total, which complies with Policy DMH 4.

Loss of Existing Dwelling/Unit Mix

Strategic Objective 7 (SO7) of the Hillingdon Local Plan Part 1 (2012) aims to address housing needs in Hillingdon. The type of dwellings should reflect housing needs identified in the Borough, particularly the need to provide more family homes with adequate garden space. Policy H10 of the London Plan (2021) and Policy DMH 2 of the Hillingdon Local Plan Part 2 (2020) require 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 need indicates a substantial borough-wide requirement for larger affordable and private market units, particularly three bedroom properties.

The proposal involves the loss of a non-family sized dwelling and therefore the provision of additional accommodation is not contrary to SO7. The previous scheme was refused in part because it failed to provide any three or more bedroom (family sized) units. Robust justification had not been provided to demonstrate that the provision of family sized units would be unsuitable or unviable. It was therefore concluded that the previous proposal would not provide a suitable mix of housing to support sustainable, inclusive and mixed communities.

In the current application the mix has been altered, with one 3-bed dwelling (25%) alongside three other studio/1-bed flats. The inclusion of a 3 bed flat resolves the previous concern. Given the modest scale of the development, the site location near the high street (which is supportive of smaller dwellings) and when noting the net increase in accommodation, the mix is broadly acceptable.

7.02 Density of the proposed development

Policies D1, D3 and GG2 of the London Plan aim to make the best use of land and

proactively intensify the use of land to support additional homes through a design-led approach that optimises the capacity of sites. Higher density developments should generally be in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. This should be interpreted in the context of Policy H2 of the London Plan which supports well-designed new homes on small sites below 0.25 hectares in size. Policy DMHB 17 of the Hillingdon Local Plan Part 2 (2020) specifies a density of 35-100 units or 105-300 rooms per hectare.

The proposed density is 75 units or 113 rooms per hectare which is within the scope of Policy DMHB 17. However, numerical densities are more appropriate to larger sites and what is of greater significance is local context. The key consideration is whether the development would integrate with the character of the area, and respect residential amenity considerations. This is discussed below.

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

Archaeology

Policy DMHB 7 of the Hillingdon Local Plan Part 2 (2020) aims to ensure that sites of archaeological interest are not disturbed or satisfactory measures are taken to mitigate impacts through archaeological fieldwork. The site is within the Colne Valley Archaeological Priority Area but the Greater London Archaeological Advisory Service has advised that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. This is due to its small scale and as it is sited mostly on the footprint of the existing dwelling.

Conservation Area

The site is opposite the Cowley Lock Conservation Area and the Council has a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area, including its setting (Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990). Paragraphs 199-202 of the NPPF require consideration of the harm to the significance of the Conservation Area.

Policy DMHB 4 of the Hillingdon Local Plan Part 2 (2020) seeks to ensure that development on the fringes of a Conservation Area preserves or enhances the character or appearance of the area, including through high quality design and resisting the loss of buildings and features. Policy HC1 of the London Plan seeks to conserve significance, by being sympathetic to the assets' significance and appreciation within their surroundings.

Due to its depth, bulk, scale, massing, footprint and design, the previous scheme was viewed as an oversized, uncharacteristic and visually incongruous form of development, which would fail to harmonise with the established character and appearance of the street scene. This extended to failing to preserve or enhance the setting of the designated Cowley Lock Conservation Area.

The previously refused development had a footprint of 166m², building width of 9.7m and a height of 5.5m (eaves) to 9.25m (ridge) with a front and rear facing hip projection and side and front facing dormers creating a relatively busy building and roof form. The officer report identified the primary issues as excessive footprint, height, width and depth, the blank side wall, a lack of any pedestrian definition to the front elevation and the intrusive nature of the dormers.

The subject application has a footprint of 154m², building width of 9.7m (though 7.7m at first floor level) and a height of 5.5m (eaves) to 8.5m (ridge). The front and rear projections and the dormers to the front and side roof planes have been removed and a

front door has been added. A standard hipped roof to the front and rear are proposed. Collectively, these changes have resulted in a design and form that is more compatible with the area and there is no longer any undue impact upon the setting of the Conservation Area opposite.

7.04 Airport safeguarding

Not applicable.

7.05 Impact on the green belt

The site is 130m from the Green Belt and would not have an adverse impact upon its openness.

7.07 Impact on the character & appearance of the area

Policy BE1 of the Hillingdon Local Plan Part 1 - Strategic Policies (2012) seeks a quality of design that enhances and contributes to the area in terms of form, scale and materials, is appropriate to the identity and context of the townscape and would improve the quality of the public realm and respect local character.

Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020) states that new development will be required to be designed to the highest standards and incorporate principles of good design, including harmony in consideration of the height of surrounding structures. Policy DMHB 12 of the same plan requires integration with the surrounding area.

Noting the proportions of the building above, as amended in the subject application, the proposed development is two storeys in height with a typical pitched roof, with at least 1.5m to the boundary (more at the eastern side of the first floor). At this height and building separation, it fits comfortably within the site and accords with the predominant character of the area which is of two storey developments. Whilst it will adjoin a single storey bungalow to the west, this property is an anomaly rather than an example of typical building forms and scale. There are no longer bulk and scale concerns with this revised development proposal.

The design is much less complicated than the previously refused scheme. A front door provides building activation, the hipped roof form is uncluttered and cohesive within the streetscene. The building width is much reduced at first floor level which provides very generous building separation and adds some transition to the single storey bungalow to the west. The ground floor flat eastern side extension has a flat roof. Whilst not typical in a new build development, it relates appropriately to the single storey flat roofed garage across the eastern boundary.

The building will be setback 10m from the street, which is suitably within the stepped setback of the street, with 20 Iver Lane to the west at 11.5m and 16 Iver Lane to the east at 6.1m. The alignment is broadly consistent with the building line and there is no adverse disruption in the street. The building line at the rear extends about 8m beyond 16 Iver Lane (and the other semi detached properties) to the east but it is consistent with 20 Iver Lane to the west. With adequate garden depth, no neighbour impacts and some cohesion when measured with the outbuildings/garages on properties to the east, there is no unacceptable disruption to the landscape character achieved to the rear. Overall the siting and alignment of the dwelling accords with the predominant character.

A parking area with three parking bays is proposed at the front of the site which will necessitate removal of some small shrubs and trees. This will have a net impact on the landscape character of the site, but it is not uncharacteristic of the area and would be subject to replacement planting in Condition 3. A bin store to the eastern boundary would not add excessive clutter to the street.

Boundary treatments are unclear but details are required by Condition 3. By virtue of being a flat building, permitted development rights need not be removed.

7.08 Impact on neighbours

Policy DMHD 1 and DMHB 11 of the Hillingdon Local Plan Part 2 (2020) seek to ensure a satisfactory relationship with adjacent dwellings and no unacceptable loss of outlook, amenity, daylight and sunlight to neighbouring occupiers.

To the west is a largely identical bungalow (20 Iver Lane) and to the east is a two storey semi detached dwelling (16 Iver Lane). There is open space over the rear boundary to the north associated with the terraced development in Heritage close though there are no buildings in the immediate vicinity, there is a significant setback to the boundary and heavy vegetation cover on the boundary such that no concerns are raised. The streetscene is not atypical and with a 10m setback from the front boundary, no issues are raised in respect of the relationship with properties across the road.

- To 16 Iver Lane

The previous scheme was refused, in part, because "due to its depth, size, siting and design, the proposed building would be overbearing and would lead to a harmful sense of enclosure, loss of outlook and loss of privacy to 16 Iver Lane." More specifically, the officer report refers to the sheer size and proximity of the building towering over the rear garden area and overlooking from a first floor kitchen/dining room window and the rear balcony.

The subject application includes no habitable side facing windows on the first floor, the removal of the balcony and a ground floor setback of 1.5m and a first floor setback of 3.4m. As such, the previously identified issues are resolved.

More broadly, the ground floor of the proposed development still extends 8.2m beyond the rear building line of 16 Iver Lane but it aligns with the garage on the neighbouring property, which has no setback from the boundary. At 6.7m, the projection at the first floor is slightly less and in combination with the generous side setback, there would be adherence to the 45 degree line and no undue perception of dominance or sense of enclosure. A single first floor window within the neighbouring side elevation would be impacted but it does not serve a habitable room and as such, no issue of amenity is raised. Taking account of the orientation and compliance with 45 degree guideline, there would be no undue harm in relation to daylight/sunlight. There are three first floor side facing windows within the proposed development, all to non habitable spaces and these are noted as obscure glazed but to be secured in Condition 15 nonetheless.

- To 20 Iver Lane

The proposed building will not extend significantly beyond the front and rear building lines of the neighbouring property and is setback 1.6m from the boundary which is 650mm more than the corresponding elevation at 20 Iver Lane. There is a non habitable bathroom window and a dining/living room window within the neighbouring elevation, though the latter is a secondary window with the main opening northwards to the rear garden. Despite its two storey height, there are no unacceptable impacts. There is no incursion of the 45 degree line back towards the rear elevation of its neighbour. Sunlight and daylight would be adequately maintained and the setback from the side boundary is adequate to prevent any dominance or sense of enclosure.

The ground floor side facing windows are shown as obscure glazed but this appears unnecessary given the existing boundary fence achieves satisfactory screening to the

neighbour. At first floor level, there is a side facing living room window to each of the flats (as well as a bathroom window to the studio) but they are shown as obscurely glazed. Whilst the outlook is over the roof of the bungalow opposite, the use of obscure glazing is appropriate as it would otherwise restrict the future development potential of 20 Iver Lane. There would not be an adverse effect on the internal amenity of the two units. At 4.5m from the front or rear elevations, the windows serve a secondary purpose and the light and outlook to the very back of these rooms would not be unreasonable.

A rear facing ground floor terrace is proposed for the use of the 3 bed flat at the rear. There is no expectation that it would involve any raising above existing ground level to the extent where it could pose overlooking concerns. However, for confirmation, these details are required by Condition 3.

7.09 Living conditions for future occupiers

Internal Amenity

Policy DMHB 16 of the Hillingdon Local Plan Part 2 (2020) requires a minimum internal space standard based on occupancy and number of floors as follows:

- The unit at the front of the ground floor (1 bedroom, 2 person) requires a minimum of 50m². At 50m², compliance is achieved.
- The unit at the rear of the ground floor (3 bedroom, 4 person) requires 74m². At 81m², compliance is achieved. It is noted that 11m² of this floorspace is within the hallway leading from the front of the building. Whilst not wholly desirable, it is not unreasonable when accounting for the exceedance of the requirement.
- The first floor studio (1 person) requires 39m². At 39m², compliance is achieved.
- The flat at the rear of the first floor (1 bedroom, 2 person) requires 50m². At 51m², compliance is achieved.

All of the units meet the minimum standards. There is also compliance with bedroom sizes (single and double) and widths. There is provision for storage for all but the studio unit. Given its size and occupancy this is acceptable on balance. The living spaces are generously sized. Internal amenity is therefore acceptable.

Policy D6 of the London Plan aims for dual aspect dwellings with a design that provides sufficient daylight and sunlight that is appropriate for its context. The units are all dual aspect and even with obscure glazing, the upper parts of side facing windows can be opened and a degree of cross ventilation can be achieved. The two units at the rear are north facing but will still have sunlight through the morning and afternoon via the side elevations. There is also an uninterrupted green outlook to the rear which offsets any limitation of direct sunlight. On this basis no objection is raised.

The previous application was refused, in part, because of substandard internal amenity, or at least a lack of information to confirm that there was no adverse impact and because the bedroom windows of the ground floor flat opened onto the car park at the front of the building, thereby raising privacy concerns. The issue of head height related to the loft unit and this aspect has been removed from the subject scheme. A landscape buffer has also been introduced at the front of the building such that the previous reason for refusal is sufficiently resolved.

External Amenity

Policy DMHB 18 of the Hillingdon Local Plan Part 2 (2020) requires a minimum outdoor amenity space of 20m² for the proposed studio and 1 bed flats and 30m² for the 3 bed flat or 90m² in total. A 25m² terrace is provided at the rear of the ground floor for use by

the 3 bed flat. There is no provision for private amenity space for the remaining flats. Rather, the rear garden, separated from the private terrace for the 3 bed flat, will be used. It measures 140m² which exceeds the above cumulative requirement.

The area is north facing and has a relatively dense canopy cover such that sunlight will be constrained. It is also disconnected from the front entrance though side access is generous and not uninviting. However, it is removed from the road and would provide a tranquil area. Whilst not wholly ideal, the arrangement is still appropriate in the context of the site. The officer report for the previously refused scheme raised no objection to the provision of outdoor amenity space and on this basis, no objection is raised.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Traffic impact

Policy DMT 1 of the Hillingdon Local Plan Part 2 (2020) requires that development be sustainably located, with access to public transport, walking, cycling, services and facilities, with accessible and convenient access through the site, adequate servicing and delivery and no adverse transport, air or noise impacts.

There is a local bus stop which is served by the 583, this is a non-TfL bus service and only operates Monday to Friday with a limited frequency. The proposal site has a PTAL rating of 1b indicating that its access to public transport is poor when compared to London as a whole suggesting that there will be a strong reliance on the private car.

The proposal will increase potential traffic generation when measured against the existing residential dwelling. However, the Council's Highways Officer advises that peak period traffic movement into and out of the site would not be expected to rise above two to three additional vehicle movements during the most crucial and sensitive peak morning and late afternoon/early evening traffic periods. Such potential uplift is marginal in generation terms and can be absorbed within the local road network without notable detriment to traffic congestion and road safety.

Parking

- Car parking

Policy DMT 6 of the Hillingdon Local Plan Part 2 (2020) requires accordance with the 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. For a development of four flats of the sizes proposed, the proposal would require a provision of 5 parking spaces. However, Policy T6.1 of the London Plan, which is the overriding policy, seeks compliance with the relevant parking standards, in this case being a maximum of 3.25 spaces.

Parking along Iver Lane is controlled by a parking management scheme C1 which restricts parking to permit holders only Monday to Friday 09:00 and 17:00h, with parking bays being located outside of the site. The proposal includes a car park with three spaces at the front of the property. This accords with policy and the Council's Highways Officer raises no objection although this is conditional on the parking being allocated to specific units (Condition 12) and the future occupants of the three units provided with on site parking not being entitled to the residential parking scheme to avoid any prospective purchasers of the unit seeking to park on local streets. This formed a reason for refusal in the previous scheme on the basis that the application was to be refused on other reasons. But because the application is recommended for approval, the approval is conditional on completion of the s106 legal agreement.

No visitor parking is proposed though this is not unacceptable given the small scale of the development.

- Cycle parking

Policy DMT 6 of the Hillingdon Local Plan Part 2 (2020) and Policy T5 of the London Plan require one cycle space for the studio and 1 bed units and two spaces for the 3 bed unit. This equates to five spaces. A storage area is located at the rear of the property which shows a capacity of eight spaces. As the quantum has been exceeded, no objection is raised. Final details are required in Condition 3.

- EV charging

Policy T6.1 of the London Plan requires that 20% of spaces should have active charging facilities, with passive provision for all remaining spaces. One active space is required and in the absence of such detail, this is conditioned at Condition 3.

- Disabled parking

Policy T6.1 of the London Plan and Appendix C(9) of the Local Plan require disabled persons parking for new residential developments. One disabled parking space has been shown alongside the front entrance which satisfies requirements.

Access

Policy DMT 2 of the Hillingdon Local Plan Part 2 (2020) requires safe and efficient vehicular access, safe and convenient access for cyclists and pedestrians and management of existing and future traffic flows and mitigation, where necessary. Policy T4 of the London Plan also states that development proposals should not increase road danger. Section 4.7.1 of the Hillingdon Domestic Vehicle Footway Crossover Policy requires pedestrian visibility which states that obstructions be kept to a maximum height of 0.6m.

The existing shared crossover and access will be used, which is acceptable. Aisle width is 6m allowing forward movement from the site, though the Council's Highways Officer has sought swept path plans in Condition 8 as confirmation. Given the driveway is shared, there will also be acceptable sightlines for pedestrian movement. There are no issues with vehicular splays given the generous verge in front of the property.

Construction

A detailed construction management plan will be a requirement given the scale of the development with reference to construction related routing, frequency and construction related parking arrangements, wheel washing, thereby avoiding/minimising potential detriment to the surrounding public realm during the build programme. This is outlined at Condition 9.

7.11 Urban design, access and security

Paragraph 92 of the NPPF and Policy DMHB 15 of the Hillingdon Local Plan Part 2 (2020) require healthy, inclusive and safe places so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion. The proposal exhibits relatively positive design outcomes. Window openings provide good surveillance of the street and the parking court and the side setbacks do not create an enclosing environment. The cycle storage is acceptable but also secure on siting grounds being at the rear.

7.12 Disabled access

Policy D7 of the London Plan requires all new housing, as a minimum standard, 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. Level access is not shown between the car park and the ground floor lobby and this is required by Condition 10. With the disabled parking space, the front ground floor unit would be designated as accessible. The open plan layout and generously sized main bedroom and bathroom are such that this is achievable.

7.13 Provision of affordable & special needs housing

The proposal is below the threshold for affordable housing.

7.14 Trees, landscaping and Ecology

Trees and Landscaping

Policy G5 of the London Plan seeks to integrate green infrastructure to contribute to urban greening and Policy DMHB 14 of the Hillingdon Local Plan Part 2 (2020) requires the retention and enhancement of existing landscaping, trees, biodiversity or other natural features, landscaping that supports and enhances biodiversity and amenity and replanting of new trees.

The application was not supported by any arboricultural details though the proposed site layout plan suggests that the proposal would have no adverse impact on significant trees. Two modestly sized trees at the front of the site alongside several shrubs will be removed to accommodate the proposed car parking area. There is likely to be some minor landscaping works in the rear garden though the mature vegetation at the rear of the site is removed from the proposed footprint of the replacement building. Nevertheless, tree protection details are required in Condition 4.

Broadly, there will be an immediate net loss of landscape character within the front garden and this will have some consequence for the setting of the street. However, it is not out of character with the wider area and a landscape scheme is required by Condition 3.

Ecology

Section 15 of the NPPF and Policy DMEI 7 of the Hillingdon Local Plan Part 2 (2020) aim for the retention of existing features of biodiversity or geological value within the site and enhancement and net gain of biodiversity within a proposed development. Policy DMEI 7 requires appropriate surveys and assessments to demonstrate that the proposed development will not have unacceptable effects. Policy DMEI 5 of the same plan also states that development in Green Chains (such as watercourses) will only be supported if it conserves and enhances the visual amenity and nature conservation value of the landscape.

The application was not supported by any ecological details but the previous application did not raise issue with the potential for building on the site on the basis that "The site does not contain any ponds, open woodland or dense scrub and shrubbery. There are no protected sites of ecological interest adjacent to the site. It is therefore considered that the likelihood of protected species being present at the site is low."

On the basis of the above stance and to ensure consistency in decision making, no further objection is raised. However, there still remains the very low potential that the existing building could be used for bat roosts. Accordingly, an informative is included to outline that any disruption of a bat roost as part of the demolition of the existing building is a criminal offence.

Paragraph 174 of the NPPF seeks biodiversity net gain (BNG) within development proposals. There is good potential for biodiversity enhancements (such as woodpiles, wildlife friendly fencing and bird and bat boxes) within the site, and subject to securing details of suitable enhancements, the proposal would result in a satisfactory ecological outcome. These details are secured by Condition 6.

7.15 Sustainable waste management

A bin store is shown alongside the eastern boundary. It is capable of accommodating six x 240L bins. The Council uses sack collection but the principle of the bin store is still acceptable. It is sufficiently proportioned to accommodate the likely waste, recycling, green waste and food waste from the proposed development. Its siting is acceptable on streetscape grounds given it is located to the side of the property though final details are required in Condition 3. Odour wise, there is unlikely to be any significant issues subject to waste being suitably stored.

The positioning would allow for conformity with the accepted distance collection standards of 10m from the point of collection on the public highway and 30m from each flat. There is convenience for residents and no undue issue for collection, with kerbside collection occurring as existing. The above parameters are satisfied and the Council's Highways Officer raises no objection.

7.16 Renewable energy / Sustainability

Policies BE1 and DME1 2 of the Hillingdon Local Plan (Part 1 and Part 2 respectively) seek to achieve reductions in carbon dioxide emissions through energy efficient design and effective use of low and zero carbon technologies, including the use of SUDS, water efficiency, lifetime homes and sustainable design and construction techniques to increase the re-use and recycling of construction, demolition and excavation waste and reduce the amount disposed to landfill. No such details have been submitted and whilst it is feasible that minimum standards to meet Building Regulations would bring a satisfactory outcome, Condition 11 seeks final sustainability details prior to commencement.

7.17 Flooding or Drainage Issues

Flooding

Policy SI12 of the London Plan states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. The property is in Flood Zone 1 and there is no change to the classification of the use such that there is no significant flood risk within the site or impacts elsewhere. The proposal is therefore acceptable.

Drainage

Policy SI13 of the London Plan 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 DME1 10 of the Hillingdon Local Plan Part 2 (2020) states that developments are required to include a drainage assessment demonstrating that appropriate sustainable drainage systems (SuDS) have been incorporated.

The site is not in a Critical Drainage Area and not shown to be at risk from surface flooding. The application form refers to discharge to the private sewer. In terms of the drainage hierarchy, the first option for drainage is via a sustainable drainage system, or an existing water course, soakaway and then main sewer. No drainage details have been submitted, therefore it remains unclear why discharge to the sewer is required. The previously refused application referred to "a SuDS condition to ensure that water was adequately and appropriately managed on site". Whilst not necessarily opposed in principle, further details of the proposed drainage arrangements would be required in

Condition 5 to ensure that all proactive steps have been undertaken to ensure the best management of on site drainage.

7.18 Noise or Air Quality Issues

Air Quality

Policy DMEI 14 of the Hillingdon Local Plan Part 2 (2020) states that development should demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants.

The site falls within the Air Quality Management Area, but given the relatively minor scale of development and continued residential use of the site, no real concerns are raised.

Condition 9 (Construction Management Plan) will aid with minimising pollution during the construction process.

Noise Disturbance

Section 15 of the NPPF requires consideration of noise disturbance on sensitive receivers within the development or on surrounding land uses.

The density of the development is 4 units, six bedrooms, nine persons and this is appropriate for its site and the surrounding area. By contrast, the semi detached properties to the east are 3 and 4 bed dwellings, which is not too dissimilar to the subject proposal. The rear terrace will be for the sole use of the rear ground floor unit, which is not unlike other properties. The rear garden will be communal but likely usage will be limited given the connectivity to the internal areas of the units.

Internally, the layout and siting of rooms is broadly acceptable. Non habitable spaces such as bathrooms within separate units are sited together. There is some overlap with living spaces on the upper units directly above sleeping areas of the units on the ground floor but it is limited in its extent. Given that the development is a new build and will be required to be built to Building Regulations, no objection is raised.

7.19 Comments on Public Consultations

See above.

7.20 Planning obligations

Policy DMCI 7 of the Hillingdon Local Plan Part 2 (2020) refers to the delivery of sufficient infrastructure alongside development whether by planning obligations or the Community Infrastructure Levy (CIL). The CIL charge for residential developments is £95/m², in addition to the Mayoral CIL charge of £60/m². With a net increase in dwellings and floorspace, the proposal would be CIL liable.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

Land Contamination

Policy DMEI 12 of the Hillingdon Local Plan Part 2 (2020) states that development on potentially contaminated sites will be expected to be accompanied by at least an initial study of the likely contaminants. There is no change to the land use and the surrounding area is residential in nature. The Council's Contamination Officer raises no objection subject to a condition relating to soil importation. However, as noted previously, this is not relevant as no significant level changes are being proposed.

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

The principle of establishing a residential flat building at the site accords with policy. Issues identified in the previously refused application for a similar scheme have been satisfactorily addressed, such that the development now represents a development of appropriate scale and form without any undue neighbour amenity, highways, landscaping or ecological impacts.

The proposal would contribute towards the Council's housing supply targets which weighs in favour of the scheme. There are no in-principle objections to the unit mix, including when considered against the loss of the existing dwelling. It results in economic activity associated with the construction phase and through Community infrastructure Levy. Weight applied is moderate.

There is a degree of social benefit associated with a mix of dwelling types including one larger dwelling. The level of amenity afforded to the future occupants is of sufficient standard. Overall, social outcomes should be afforded moderate weight.

There are acceptable environmental benefits. The scale of the building is modestly proportioned, there is no drastic tree removal and ecological enhancements can be incorporated without any major issue. Cumulatively, the environmental benefits could be considered as minor.

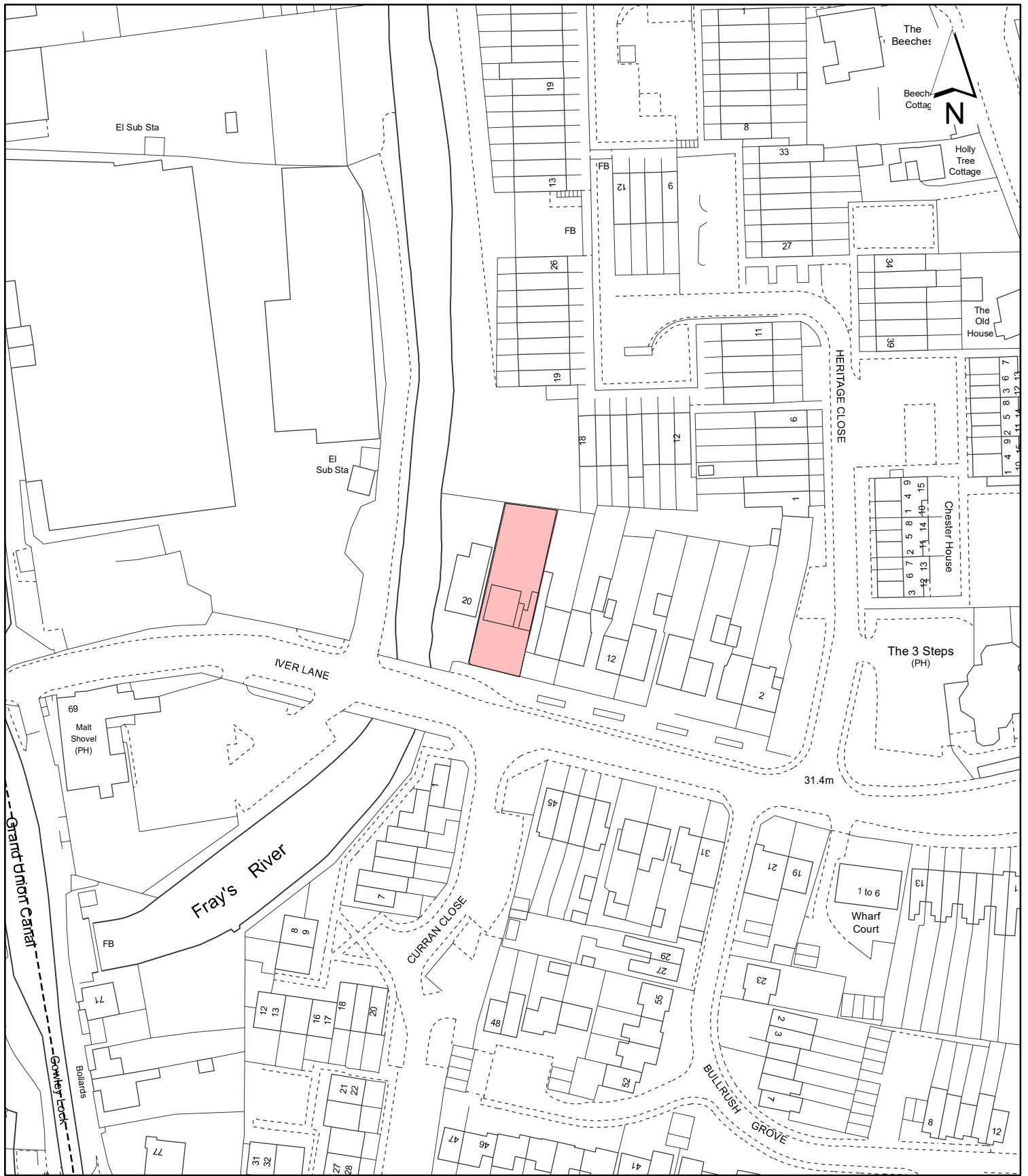
The proposal is considered to comply with the Development Plan and no material considerations indicate that the policies of the development plan should not prevail. Consequently, it is recommended that planning permission be granted, subject to the legal agreement and conditions outlined at Section 2 of this report.

11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)
The London Plan (March 2021)
National Planning Policy Framework (NPPF) (July 2021)
National Planning Practice Guidance (NPPG)
Technical Housing Standards - Nationally Described Space Standard (2015) (as amended)

Contact Officer: Simon Taylor

Telephone No:



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:

18 Iver Lane

LONDON BOROUGH OF HILLINGDON
Residents Services Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:
19016/APP/2023/20

Scale:
1:1,250

Planning Committee:
Borough

Date:
April 2023

