

Report of the Head of Development Management and Building Control

Address: HAYDON HOUSE, 296 JOEL STREET EASTCOTE PINNER

Development: Demolition of the existing building and construction of a four storey building, comprising 13 residential units, including associated landscape works, provision of bicycle and bin storage and car parking space. (following the approved change of use ref. 51321/APP/2022/1861).

LBH Ref Nos: 51321/APP/2023/24

Drawing Nos:

- 166-3EX-01
- 166-3GA--07
- 166-3EX-03
- 166-3EX-04
- 166-3EX-05
- Noise impact assessment
- Fire safety strategy
- Urban Greening Factor
- Daylight and Sunlight Assessment
- Viability Assessment
- Economic statement
- Planning Statement
- Transport assessment
- Air quality assessment.
- Flood Risk assessment
- Preliminary Ecological Appraisal
- Sustainability Statement
- Design and Access Statement
- 166-3EX-00 Site and block plan
- 220666-TMA-LP-1000 Landscape Proposals
- 220666-TMA-LP-3000 Planting Plan
- 166-3GA--01
- 166-3GA--02
- 166-3GA--03
- 166-3GA--04
- 166-3GA--05
- 166-3GA--06
- 166-3EX-02

Date Plans received: 04-01-2023 **Date(s) of Amendments(s):** 05-01-2023

Major Applications Planning Committee - 22nd June 2023

PART 1 - MEMBERS, PUBLIC & PRESS

1. SUMMARY

Planning permission is sought to replace an existing two storey office building with a new 4 storey building comprising 13 no. flats. The proposed works also include associated external works and landscaping.

47 letters of objection were received against the proposed development (this figure includes an objection from the lead petitioner and a Local Councillor). In addition to the objections, a petition with 97 signatures has been received against the proposed development. Objections include: Inadequate parking; loss of privacy; Substandard living standards for future residents and Out of character with the area.

There is no objection, in principle, to the creation of residential units in this location in land use terms. However, concerns are raised that all of the proposed flats would provide no family accommodation.

Whilst the principle of residential development may be acceptable, the building is unacceptable as proposed. due to its scale, bulk, siting and design. The proposal would fail to integrate with the established character and appearance of the area, subsequently resulting in an incongruous and unduly prominent form of development, which would harm the visual amenities and character of the area, including the Eastcote Conservation Area opposite.

The proposal would also cause harm to the amenities of the occupiers of adjoining properties by reason of loss of outlook and privacy as well as a harmful sense of enclosure.

Further, the proposal fails to provide adequate on site parking, which would cause harm to the free flow of traffic on the local highway network and would prejudice pedestrian safety. An objection has been received from the Council's Highways Team in this regard.

The application fails to demonstrate that adequate flood storage compensation will be provided on both a level for level and volume for volume basis, whilst the application has not sufficiently demonstrated the use of the London Plan's drainage hierarchy. The applicant has also failed to demonstrate that the residential development could not be provided on a suitable sequentially preferable and reasonably available site at a lower risk of flooding.

The proposal fails to achieve acceptable standards of accessible and inclusive design. In addition, the proposal would fail to provide satisfactory living conditions for future residents of the block itself, by reason of lack of private and communal external amenity space, adequate defensible space and a poor outlook for some of the proposed units,

The applicant has failed to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of provision of affordable housing, a carbon off set contribution, a public open space contribution and Project Management and Monitoring).

For these reasons, the proposal is considered to be contrary to the development plan and is recommended for refusal as set out in section 2 of this Committee Report.

2. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Non Standard reason for refusal

The application site is located within an area of high flood risk where inappropriate development should be avoided by directing development away from areas at highest risk. The applicant has failed to demonstrate that the residential development could not be provided on a suitable sequentially preferable and reasonably available site at a lower risk of flooding. The proposal fails the sequential test and fails to accord with the Paragraphs 159, 161 and 162 of the NPPF (2021), Planning Practice Guidance; Flood Risk and Coastal Change March 2014, London Plan Policy SI 12 (2021); Policy EM6 of the Local Plan: Part 1 (2012), and Policy DME1 9 of the Local Plan: Part 2 (2020).

2. NON2 Non Standard reason for refusal

Due to its depth, bulk, scale, massing, design and siting, 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 and the adjoining Eastcote Village Conservation Area. The proposal would therefore be detrimental to the visual amenities of the street scene and character of the surrounding area, all contrary to Policies HE1 and BE1 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).

3. NON2 Non Standard reason for refusal

Due to its depth, size, siting and design, the proposed building would be overbearing and would lead to a harmful sense of enclosure and loss of outlook from the windows and gardens of 31 and 30 Deerings Drive and 292 Joel Street, as well as significant overlooking and a harmful loss of privacy to the adjoining occupiers. 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).

4. NON2 Non Standard reason for refusal

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 therefore fails to optimise the site and 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).

5. NON2 Non Standard reason for refusal

The proposed development fails to provide sufficient on-plot car parking thereby potentially leading to

undue displaced on-street parking to the detriment of parking capacity and safety on the public highway, contrary to Local Plan: Part 2 Development Plan (2020) Policies DMT 1, DMT 2 & DMT 6 and Policies T4 and T6 of the London Plan (2021).

6. NON2 Non Standard reason for refusal

The proposal would fail to provide satisfactory living conditions for future residents of the block itself, by reason of lack of private and communal external amenity space, adequate defensible space and a poor outlook for the proposed ground floor and fourth floor units, contrary to Policies DMHB 15 and DMHB 18 of the Hillingdon Part 2 Local Development Plan (2020) .

7. NON2 Non Standard reason for refusal

The scheme has failed to make a policy compliant contribution to affordable housing, or demonstrate that the maximum level of affordable housing can be provided on the site. The submitted Financial Viability Assessment has been assessed by the Council's external consultants, who disagree with the assessor's approach to the Benchmark Land Value. The lack of provision of affordable housing fails to promote social cohesion and mixed communities and fails to ensure that there is a steady supply of lower-rent flats within the borough, or provide discounted home ownership options. This is contrary to London Plan Policies H4 and H5, Policy H2 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012), Policy DMH 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), and the provisions of the NPPF.

8. NON2 Non Standard reason for refusal

The site lies within Flood Zone 3a, which is an area having a high probability of flooding. The applicant has failed to adequately assess the development's flood risk. In particular, the application fails to demonstrate that adequate flood storage compensation will be provided on both a level for level and volume for volume basis. Therefore, the proposed development is expected to impede flood flow and reduce flood storage capacity, thus causing a net loss in floodplain storage and increasing the risk of flooding elsewhere. In addition, the application has not sufficiently demonstrated the use of the London Plan's drainage hierarchy. The proposal therefore fails to accord with Paragraphs 159 and 169 of the NPPF (2021), London Plan Policies SI 12 and SI 13; Policy EM6 of the Local Plan: Part 1 (2012), Policies DMEI 9 and DMEI 10 of the Local Plan: Part 2 (2020). and Planning Practice Guidance; Flood Risk and Coastal Change March 2014,

9. NON2 Non Standard reason for refusal

The proposal fails to achieve acceptable standards of accessible and inclusive design. In particular, the submitted ground floor plan indicates a stepped approach to the ground floor flats and lift lobby from the principal communal entrance. Furthermore the side entrance ramp appears incongruous with the design and would result in an internal layout that is incompatible with the specifications for wheelchair adaptable accommodation, contrary to Policies D5, D7 and D12 of the London Plan and Policy BE1 of the Hillingdon Local Plan: Strategic Policies

10. NON2 Non Standard reason for refusal

The applicant has failed to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of provision of affordable housing, a carbon offset contribution, a public open space contribution and Project Management and Monitoring). The scheme therefore conflicts with Policy, DMCI 7 of the Hillingdon Local Plan Part 2 Development Management Policies (2020), the London Borough of Hillingdon

INFORMATIVES

1. I52 **Compulsory Informative (1)**

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

2.

You are advised that had the Local Planning Authority not refused permission for the above reasons, and had the development been considered acceptable in other regards, it would have required that the applicant enter into a legal agreement to secure planning obligations set out within the Report and Addendum presented to the Major Applications Planning Committee.

3.

The Local Planning Authority has taken into consideration the requirements of the National Planning Policy Framework and has worked pro-actively with the applicant through extensive negotiations to address material planning issues wherever possible. We have made available detailed advice in the form of our statutory policies from the Hillingdon Local Plan: Part One - Strategic Policies (Nov 2012), Hillingdon Local Plan: Part 2 - Development Management Policies (2020); Hillingdon Local Plan: Part Two - Site Allocations and Designations (2020), The London Plan (2021) and Supplementary Planning Guidance, and all relevant material considerations, including the NPPF and other informal written guidance, as well as offering a full pre-application advice service. Notwithstanding these discussions, the scheme was ultimately considered to fail to comply with the development plan for the reasons identified above.

4. I74 **Community Infrastructure Levy (CIL) (Refusing Consent)**

This is a reminder that Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), should an application for appeal be allowed, the proposed development would be deemed as 'chargeable development' and therefore liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This would be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012.

For more information on CIL matters please visit the planning portal page at:
www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

I53 **Compulsory Informative (2)**

The decision to REFUSE planning permission has been taken having regard to the policies and

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

DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 10	Water Management, Efficiency and Quality
DMEI 11	Protection of Ground Water Resources
DMEI 14	Air Quality
DMEI 2	Reducing Carbon Emissions
DMEI 4	Development on the Green Belt or Metropolitan Open Land
DMEI 7	Biodiversity Protection and Enhancement
DMH 2	Housing Mix
DMH 4	Residential Conversions and Redevelopment
DMHB 1	Heritage Assets
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
DMHB 4	Conservation Areas
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 G2	(2021) London's Green Belt
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
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF15	NPPF 2021 - Conserving and enhancing the natural environment
NPPF2	NPPF 2021 - Achieving sustainable development
NPPF4	NPPF 2021 - Decision-Making
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes

3. CONSIDERATIONS

3.1 Site and Locality

The building is located on the western side of Joel Street, in close proximity to its intersections with Deerlings Drive, Kaduna Close and High Road Eastcote. The main access, and principal elevation, front onto Joel Street, with vehicle parking to the rear. The site is bounded on the three remaining sides by residential properties; 292 Joel Street to the north and numbers 26-31 Deerlings Drive to the south and west.

The site's PTAL Rating is 1b,

The building is not listed and there are no listed buildings in close proximity. It lies just outside the boundary of the Eastcote Village Conservation Area.

Haydon House is situated within Flood Zones 2/3.

3.2 Proposed Scheme

Seeks planning permission to demolish the office block and replace it with a three-storey building, with accommodation in the roof, to provide 13 flats, with associated amenity space, bin storage, cycle storage and vehicle parking. This represents an increase of 7 units to that granted under the prior approval process.

3.3 Relevant Planning History

Comment on Relevant Planning History

This application follows a Prior Approval Application (ref 51321/APP/2022/1861) detailed this below:
"Change of use from Class E (Office) to Class C3 (6 no. self-contained flats - (2 x Studio, 2 x 1 Bed 2

People, 2 x 2 Bed 3 People) (Application for Prior Approval under Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended))"

The Prior Approval application was approved in November 2022.

Reference: 22191F/83/1733

Proposal: Erection of two storey office building with associated car parking (involving retention and continued use of No.292 Joel Street for residential purposes) at 292-296 Joel Street, Eastcote

Status: Approved on 31st January 1984.

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 4 Development on the Green Belt or Metropolitan Open Land

DMEI 7 Biodiversity Protection and Enhancement

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DMEI 10 Water Management, Efficiency and Quality

DMEI 11 Protection of Ground Water Resources

DMEI 14 Air Quality

DMH 2 Housing Mix

DMH 4 Residential Conversions and Redevelopment

DMHB 1 Heritage Assets

DMHB 11 Design of New Development

DMHB 4 Conservation Areas

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 G2 (2021) London's Green Belt

LPP G5 (2021) Urban greening

LPP G6 (2021) Biodiversity and access to nature

LPP H1 (2021) Increasing housing supply

LPP HC1 (2021) Heritage conservation and growth

LPP H2 (2021) Small sites

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

NPPF2 NPPF 2021 - Achieving sustainable development

NPPF4 NPPF 2021 - Decision-Making

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

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date: **22nd February 2023**

5.2 Site Notice Expiry Date: **8th March 2023**

6. Consultations

External Consultees

9 neighbouring properties were directly notified of the proposal on 19 January 2023. The application was advertised in the Gazette on 15.2.23.

During the consultation period, 47 letters of objection were received against the proposed development (this figure includes an objection from the lead petitioner and a Local Councillor).

Objections raised have been summarised below.

1) The proposal would represent an overdevelopment of the site and would be out of keeping with the

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character of the area;

- 2) The proposal would have an adverse impact on the amenities of neighbours due to light loss, privacy loss, noise and intensification of the site's use;
- 3) The proposal would have an adverse impact on the local highways network and pedestrian safety;
- 4) Insufficient vehicle parking is proposed and the proposed access changes are dangerous;
- 5) The proposal would increase greenhouse gas emissions and worsen air quality;
- 6) The development would cause surface water flooding and drainage issues;
- 7) The development would set a precedent for future harmful development in the area;
- 8) Concerns that all comments received during the process of the application should be taken into consideration when the application is taken to committee.

In addition to the objections, a petition with 97 signatures has been received against the proposed development. Objections include:

- Inadequate parking;
- Loss of privacy;
- Substandard living standards for future residents
- Out of character with the area.

The desired outcome is noted as: Refusal of planning permission.

Planning Officer Response:

Issues relating to the above mentioned points are considered in the main body of this report.

EASTCOTE RESIDENTS ASSOCIATION (Summary)

We do have grave concerns regarding the flood risk possibility for this area. The Flood Risk Assessment submitted does appear to rely upon very old information. Information from the EA and Thames Water do not include surface water flooding/ critical drainage areas.. The only reference to surface water flooding is the LBH Surface Water Management Plan 2014. There has been some serious surface water incidents in this area since 2014, it now forms part of a Critical Drainage Area .

External Consultees (Additional)

EASTCOTE CONSERVATION PANEL

Within the documentation it is claimed that Hillingdon Borough relies upon 'windfall' developments, such as the proposal, to meet the housing allocation. This is not acceptable, there are many planned developments in the Borough to meet with the required total. Eastcote has more than enough 1 & 2 bedroom dwellings, currently there are at least 30 for sale within Eastcote, many more in the surrounding areas. Basically, we do not need any more 1 & 2 bedroom flats in Eastcote.

Suitability of the site

The development site is opposite to Haydon Hall, part of the Eastcote Village Conservation Area and the river corridor SINCE. The surrounding dwellings are two storey residential buildings which blend with the Conservation Area.

The D&AS is misleading when it is stated that Cheney Street has the only listed nearby building. Much nearer are the Grade II Listed Buildings at Eastcote House Gardens, Haydon Lodge, The Woodman PH, The Case is altered PH, Hornend, The Grange, Ramin, Cuckoo Hill Farm these are just some of the 30+ Listed buildings in Eastcote.

The D&AS shows that there are no other three or four storey buildings nearby, all are two storey. A four

storey building will not enhance the street scene, it will look completely out of place. The design, height, width and bulk of the proposed building will give a very cramped and over dominant aspect to the Eastcote part of Joel Street.

The site is relatively small, the proposed development of a 4 storey building with 13 dwellings and a larger footprint, in close proximity, to the boundary with numbers 29, 30 & 31 Deerings Drive, will cause overshadowing to all of the dwellings and their amenity space. In places the proposed building appears to be less than one metre away from the boundary.

The balconies will overlook the amenity space of all the surrounding dwellings.

The proposed heating source for the building is by air source heat pumps. However, as an ASHP is indicated for each dwelling the outside equipment needed to run such a system is not shown on the drawings. Nor is there any reference to the level of noise created within the Noise Impact Assessment report. Information regarding the positioning of the plant on the outside of the building, to run the ASHPs and a noise evaluation should be included within the documentation.

The roof drawing should also include the lift over run housing, this will add extra height to the building, it appears to have been omitted from the documentation.

This proposal is an over development of the site, it is an un-neighbourly form of development.

Flood Risk

The site of this proposed development lies with Zones 2/3b, it is also a Critical Drainage Area (CDA). The river passes this site in a culvert which appears to be less than 20 metres away from the proposed building line. We believe that a certificate should be obtained from the EA, before any work can be approved.

Culverts can collapse in severe weather, as happened in nearby roads in the severe floods of 1977. The proximity of the river to the site would cause flooding. The FRA does not take into account the recent problems suffered by Joel Street. Eastcote Tennis Club suffered severe damage to the playing courts from surface water flooding. The water swept down from Northwood Hills at the rear of buildings, washing out gardens depositing garden sheds into different positions. There cannot be any guarantee which direction water will take.

High Road Eastcote and Joel Street sit in the Pinn valley, with land draining from both Northwood Hills and as far away as Harrow. When there has been a significant wet spell both winter and summer the ground water level rise and underground streams come up to the surface. Of historical note this area in the Medieval period was known as 'Well Green alias Long Marsh', which gives a good description of the area. Until the post war development Eastcote had many natural ponds this have been infilled to aid development. The developments have changed the natural flow of the ground water.

The FRA states that Sequential Test and Exception Test part A were not part of the scope of the report. Flooding from the river seems to be the only consideration, not the surface water flooding which does greatly affect this area. There is no evidence to show that the proposed SUDs will stop increased flooding to the surrounding area. Part of the proposed hard landscaping is not permeable, all hard landscaping should be permeable in a flood risk area. The proposed operation of the SUDs does not seem adequate, with large amount of water being pumped into the storm drain in an area where the storm drains often surcharge in heavy rainfall.

It is also stated that there will be void under the building to contain water, but how much water this will hold or how this water will be moved into the drainage system is not clear.

The advice to residents to sign up the EA flood alert is frankly stupid, as the EA does not give warning of surface water flooding only possible river flooding. Because of the position of this site flood zone, 3b/2 plus CDA, it should not be considered for development.

Parking

The proposal allows for 8 parking spaces, the Hillingdon Plan has the requirement of 1.5 spaces per dwelling, in an area with a PTAL of 1b. To comply with regulations 19.5 spaces for 13 dwellings, plus extra for visitors, would be required. The amount of spaces offered, less than half of the requirement, is not acceptable in an area where there is no on street parking available. Nearby there is Eastcote Tennis Club and Jungle Monkeys, the latter causes a great deal of problem with users parking indiscriminately in the surrounding roads, Deerings Drive and Kaduna Close, both of which are narrow cul-de-sacs. Joel Street is a bus route and at this point, near to the junction with High Road Eastcote, the road is narrow, there are always queues of traffic waiting to turn onto the High Road, plus a bus stop. The application should be refused for inadequate on-site parking.

Living conditions for future residents

There are many areas within this proposal that will not supply good living conditions to future residents. Outlook: the flats on the 3rd floor have a small window to the living area, which will give direct sunlight for only 1.5 hours a day, this is not acceptable. Other habitable rooms within the flats only have horizontal roof lights in the ceiling, therefore, these rooms have no outlook at all.

The ground floor flats all side windows look directly onto a wooden fence, in some cases less than a metre away from the windows, this cannot be classed as a good outlook, nor will there be an adequate light level without the need for the use of electric light. Most of the bathrooms do not have access to natural light and ventilation. Possibly some form of ventilation will be installed, there is no report to show how much noise any such system will create.

Amenity space: This space is only provided by balconies. Those situated to the front of the building, which will be within a few metres of the main road, therefore these areas will be swamped with car fumes as vehicles queue at the nearby junction with the High Road. The size of these balconies cannot be described as usable amenity space they are much too small. Flat 12, 2 bed 4 person dwelling has only a 5m² allocation.

The London Plan considers any 2 bedroom dwelling as a family home. Therefore, this development could support a maximum of 10 children. Small balconies cannot be considered suitable amenity space for this number of children. The nearest park with a children's equipped playground is more than 400 metres away at Warrender Park.

The need for suitable outdoor amenity space was highlighted during the recent lockdowns. It cannot be estimated if this will happen again. During the lockdown periods flat dwellers without access to private outside space suffered mentally far more than those with gardens.

This development will not supply good quality housing.

Trees and Landscaping

A full tree report is not included within the application. It is not clear from the Landscaping plans, which trees are on the site and what will be removed. One tree is a street tree, any building works will be close

enough to cause root damage to this tree. Please note the footprint of the building has been altered the front building line being moved forward nearer to this tree. A full tree report, with root protection measurers should be submitted before a decision is made.

The proposed planting scheme does not include any trees, small shrubs and plants only.

Ecology

The Ecology Report states clearly that the building is likely to have bat roosts. That a further survey should be carried during the time frame May - August. Although the report mentions other areas that have a recorded bat population it does not mention High Grove Woods SINC and Warrender Park both of which are located nearby and are frequented by bats. The River Pinn is a foraging ground for bats which roost and fly from Eastcote House Gardens/Long Meadow SINC. Again, this area is a matter of yards away. Bats are sensitive to light pollution, the design of the 3rd floor of this proposed building has horizontal roof lights as means of daylight to the habitable rooms, these roof lights are installed on a flat roof, which means all light spill will be directed upwards, thereby causing a great deal of light pollution at a higher level than street lighting and normal household lighting.

The benefits of a green roof will be small, most of the roof will be covered with solar panels and roof lights, leaving small fragmented areas for vegetation. There would, presumably be a lift shaft over run on the roof. This is not shown, this would take away more green roof area also add height to the building. There has not been enough consideration given to accommodating protected species and other ecological benefits.

For the many reasons set out above we ask that the application be refused.

THE RUISLIP, NORTHWOOD AND EASTCOTE LOCAL HISTORY SOCIETY

The Ruislip, Northwood and Eastcote Local History Society is very concerned about this proposal to replace a two storey building with a four storey structure. It will be obtrusive and out of keeping in an area where all the surrounding buildings are low rise ones: no higher than two storeys. The proposed development is located immediately opposite the boundary of the Eastcote Village Conservation Area namely the grounds of Haydon Hall so it will be detrimental to the setting of this important open space. Also the nearby historic site of Eastcote House Gardens with its listed walls, stables and dovecote will be compromised by this inappropriate over development. We therefore request that this application is refused.

ENVIRONMENT AGENCY

Environment Agency Position

In the absence of an acceptable flood risk assessment (FRA) we object to this application and recommend that planning permission is refused.

The proposed building footprint is being increased by 55m², and the applicant has suggested the use of voids underneath the development as a mitigation measure for floodplain storage loss due to the limited extent of the site. This is no longer an acceptable form of floodplain compensation following an update to the Planning Practice Guidance in August 2022. This is in line with Development Management Policy DME1 9 of Hillingdon's Local Plan (adopted in 2020).

Reasons The site lies within Flood Zone 3a, which is land defined by the planning practice guidance as having a high probability of flooding. However, the submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 20 to 21 of the Flood Risk and Coastal

Change section of the planning practice guidance. The FRA does not therefore adequately assess the development's flood risk. In particular, the FRA fails to:

- Demonstrate that adequate flood storage compensation will be provided on both a level for level and volume for volume basis. Therefore, the proposed development is expected to impede flood flow and reduce flood storage capacity, thus causing a net loss in floodplain storage and increasing the risk of flooding elsewhere. It also cannot be guaranteed that the proposed compensation scheme will be able to provide adequate flood storage for the lifetime of the development.

As a result, the proposed development is not safe for its lifetime (including climate change) and is expected to reduce flood storage capacity thereby increasing the risk of flooding to the local community.

In the Displacement of floodwater section (6.1) of the Flood Risk Assessment dated December 2022 (project reference: 3450), the applicant suggests that the new building will be elevated above ground level with floodable voids beneath the structure to mitigate the loss of floodplain capacity. However, the updated Planning Practice Guidance states that the use of voids is no longer considered an acceptable form of floodplain compensation. Whilst the use of voids below buildings may be a suitable approach to mitigating flood risk to the building itself, such techniques cannot be relied upon for compensating any loss of floodplain storage. This is because voids do not allow water to freely flow through them, trash screens get blocked, voids get silted up, and they have limited capacity.

Please be aware that any increase in built development or raising of ground levels within the floodplain (1% annual probability, plus an allowance for climate change, flood extent) will only be considered acceptable if it can be demonstrated the proposed development will not result in a loss of flood storage. Level-for-level and volume-for-volume compensation is the preferred method of mitigation. However, for this to be achievable it requires land on the edge of the floodplain and above the 1% annual probability (1 in 100 year) flood level with an appropriate allowance for climate change to be available.

Overcoming our objection To overcome our objection, the applicant should submit a revised FRA which demonstrates that adequate flood storage compensation arrangements will be made to ensure that there will be no loss in flood storage capacity on site. The best way to compensate for flood storage loss is to recreate an area of floodplain that mimics the area, shape, and volume of the section of floodplain that has been lost by the development. If this cannot be achieved, we are likely to maintain our objection to the application.

If you are minded to approve the application contrary to our objection, please contact us to explain why material considerations outweigh our objection. This will allow us to make further representations.

Internal Consultees

PLANNING POLICY

Principle of development

The site benefits from a prior approval under application reference 51321/APP/2022/1861, with the description "Change of use from Class E (Office) to Class C3 (6 no. self-contained flats - (2 x Studio, 2 x 1 Bed 2 People, 2 x 2 Bed 3 People) (Application for Prior Approval under Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended))". Given this, it is considered that the principle in terms of residential development on the site has been established. However, it should be noted that this is only relates to 6 residential units.

Housing mix

The Local Plan: Part 2, states in Policy DMH2: Housing mix that "The Council will require the provision of a

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mix of housing units of different sizes in schemes of residential development to reflect the Council's latest information on housing need."

Policy H10 of the London Plan sets out that Schemes should generally consist of a range of unit sizes. To determine the appropriate mix of unit sizes in relation to the number of bedrooms for a scheme. The previous prior approval permitted under application reference 51321/APP/2022/1861 on the site would result in 2 x studio flats, 2 x 1-bedroom flats and 2 x 2-bedroom flats. The current application proposes a housing mix comprising of:

o2 x Studio flats (15%)

o5 x 1 bedroom flats (39%)

o6 x 2 bedroom flats (46%)

The proposed mix is not considered to comply with the required housing mix. The application site is located in an area with a low PTAL rating (1b), the application site is located in a residential area located approximately 1 mile south of Northwood Hills underground station and 1 mile north of Eastcote underground station which bus services serving both stations in close proximity to the application site.

As defined within the London Plan (2021) a family sized unit is "a dwelling that by virtue of its size, layout and design is suitable for a family to live in and generally has three, four, five, or more bedrooms." It is considered that the applicant should clarify why it is not possible to introduce a higher percentage of family dwellings on the site. Furthermore, it is recommended that the number of studio flats should be reduced, as set out within the London plan in paragraph 4.10.4 "one-person and one-bed units are the least flexible unit type so schemes should generally consist of a range of unit". Given this, further justification for the proposed housing mix should be provided.

Affordable housing

The Local Plan Part 2 policy DMH7 and London Plan policy H5, sets out that subject to viability and if appropriate in all circumstances, a minimum of 35% of all new homes on sites of 10 or more units should be delivered as affordable housing, with the tenure split 70% Social/Affordable Rent and 30% Intermediate as set out in Policy H2: Affordable Housing of the Local Plan Part 1. The applicant has submitted a viability assessment stating that they are unable to provide any affordable housing on the site and that they are unable to provide any contributions towards off-site affordable housing. It is therefore necessary that the viability assessment is tested by a third-party consultant.

URBAN DESIGN AND CONSERVATION OFFICER

The proposals for the for Haydon House demolish the two storey existing office building to be replaced with a four storey building to accommodate 13 flats.

3.Site Layout

The proposed site layout increases the building footprint reducing the space between the existing buildings along Deerings Close. This approach;

- Delivers built form closer to the neighbouring properties to the south along Deerings Drive with a separation distance to 31 and 30 Deerings Drive of approx. 6m and 9m respectively. These distances are well below the nationally accepted window to window separation distance of 20m. This delivers privacy, outlook, and overbearing impacts for 31 and 30 Deerings Drive and daylight/sunlight impacts for 30 Deerings Drive;
- Fails to provide ground floor defensible space of 3m in depth in accordance with Policy DMHB 18: Private

Outdoor Amenity Space;

- Creates a poor outlook for the proposed ground floor units looking south due to the distance to the boundary fence of between 1 -2m;
- Further reduces the already limited garden area to a strip of landscape along the southern boundary reducing the biodiversity of the site rather than delivering a net gain. Biodiversity enhancement opportunities (such as a green roof) are recommended, these proposals should be included within this full application and not by Condition.
- Removes the horse chestnut, ash and holly trees in the southern area of the site which helps screened the existing building from the houses along Deerings Drive. Tree mitigation proposals should be included as part of this application with a Tree survey;
- Delivers a back land area dominated by car parking. It should be noted that the townscape is arranged as perimeter blocks with back land gardens. The current site breaks with this pattern with existing car parking to the rear. Reducing the number of flats would enable reduced number of car parking space and allow a garden area to be introduced to the rear. This would have the added benefit of providing an area for biodiversity net gain.

4.Built form

The existing building is a 2/2.5 storey office building that fits with the context in terms of its form, height and frontage massing.

The proposals are for a 4 storey building with elevated ground floor for flood risk purposes penetrates well beyond the back building line of the housing along this part of Joel Street. The four storey building height delivers a building of amplified height within the area with no graduation of height to the back land area. Justification for a four-storey building in this location is unconvincing, it is considered an inappropriate response to the suburban context both in terms of height and building form. The site is not a focal corner.

The roofscape with irregular chamfered corners towards the boundary lines and flat top fails to reflect the local architectural characteristic of pitched roofs.

The scheme needs to be revised to respond appropriately to the context in terms of frontage height, building form and subservient building height to the rear. The boundary of the Eastcote Village Conservation Area lies on the opposite side of Joel Street. Policy DMHB4 indicates that development on its fringes should preserve or enhance its character and appearance.

5.Density

The proposals seek to demolish the existing building to deliver a density of 212dph in an area with a top density standard of 100dph as set out in Hillingdon's density standards in Table 5.2 of the Hillingdon Local Plan Part 2. This proposed density which is more than double the density standard is not accepted.

The previous approved application provides 6 self-contained flats delivering a density of approximately 90 dph, which complies with the Hillingdon density standards set out in Table 5.2. Further this change of use application with adaptive re-use of an existing building is in accordance with London Housing design Standards section A1.2 which promotes re-use of existing buildings to minimise the carbon emissions associated with development.

6.Building Identity/Appearance

The appearance of the housing in the immediate context along Joel Street is broadly consistent, arranged in a rectilinear configuration. The materials are mostly double roman red roof tiles/tiles with soffit overhang

to the red brick facades and brick detailing above the windows. The rhythm and arrangement of the windows is consistent and logically arranged within the facade with white frames. Entrance doors are located facing the street. There are no balconies along the street frontage.

The proposed building breaks with the consistent context with the front elevation arranged at an angle to the street with an irregular chamfered roofscape. The materials include green decorative clay roof tiles, with flat junction between the external walls and roof. There are balconies along all elevations and protruding from the roofscape.

It is considered that the angled arrangement of the building, roofscape and facade fenestration should be revised to ensure the building's appearance contribute towards local character reflecting the predominant facade treatments and materials of the immediate context.

It is also considered that the large surface area of the roof would potentially create overheating.

7.Homes and Buildings

All the units meet the housing standards and are dual aspect, this is supported.

HIGHWAY ENGINEER

Site Characteristics & Background

The application site located within a predominantly residential catchment in Eastcote and currently accommodates a two-storey office building with 2 on-plot parking spaces located on the frontage with 7 spaces to the rear of build accessed via an established crossing on Joel Street which is designated as 'classified' in the borough's road hierarchy.

The address exhibits a public transport accessibility level (PTAL) rating of 1b which is considered as 'very poor' and hence elevates the need for ownership and use of private motor transport and the surrounding roadways are generally devoid of parking controls.

The application seeks demolition of the existing build and replacement residential block consisting of 13 flats (2 studios, 5x1 & 6x2 bedroom units) with 7 on-plot parking spaces located to the rear of the site plus a single disabled compliant bay on the positioned on the frontage accessed via the established 'bell mouth' crossing facility which is to remain unaltered.

An earlier prior approval for a change of office use to create a 6-flats (2 studios, 2x1, and 2x2 bedroom units) was granted last year (51321/APP/2022/1861) served by 9 on-plot parking spaces in conformity with the regional London Plan parking standard.

Parking Provision

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

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.

The proposal for the 13 new flats. The maximum parking requirement for the residential units as proposed equates to a maximum of 12-17 on-plot spaces in compliance with the adopted Hillingdon parking standard. By contrast for a PTAL rating of 1b, the London Plan (2021) parking standard demands up to 20 spaces and stipulates that where Local Development Plans specify lower maximum standards, these should be followed.

As 8 spaces (inclusive of one disabled compliant provision) are to be provided, there appears to be an under provision in comparison to the LBH standard that requires a maximum range of provision

commencing from 12 spaces upwards.

The applicant refers to 2011 census data in an attempt to justify a lower parking quantum however this approach is not considered as a precise methodology given that each and every address within a census area can display significant variations in occupancy and ownership/use of private motor transport which do not necessarily follow an area-wide trend. Therefore, guided mainly by the 'very poor' PTAL rating and resultant higher ownership and dependency on private motor transport together with unrestricted local roadways which may bear the brunt of any untoward displaced parking from the proposal, the Highway Authority therefore seeks the maxima figure of 12 spaces in total. The proposal for 8 on-plot spaces is therefore considered unacceptable for the reasons outlined above.

Electric Vehicle Charging Points (EVCP's)

In line with the London Plan (2021), within any final parking quantum there is a requirement for a minimum 20% 'active' EVCP provision with all remaining spaces being designated as 'passive' provisions which in this case equates to 2 'active' and 6 'passive' spaces. This has been acknowledged by the applicant and hence is considered acceptable.

Disabled Compliant Parking

In accord with the Local Plan: Part 2 Policy DMT 6 - 10% of parking spaces should be disabled compliant in-line with final overall provisions. This level of required provision is also replicated by the London Plan (2021) standard. As presented, this would equate to 1 space as proposed which therefore satisfies this aspect.

Cycle Parking

In order to conform to the regional London Plan parking standard, a total of 18 secure and accessible 'long stay' and 2 'short stay' spaces are required. The applicant proposes 24 & 2 spaces respectively which broadly conforms to the above as does the positioning of both components.

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.

Given the scale of proposal and compared with the previous established office use, there are no immediate concerns raised in regard to any generated vehicular activity which is likely to be relatively imperceptible on the local network.

Operational Refuse Requirements

Refuse collection would continue to be conducted from Joel Street.

In order to conform to the council's 'waste collection' maximum distance collection parameter of 10m i.e. distance from a refuse vehicle to the point of collection, arrangements should ensure that waste is positioned at a collection point within this set distance. The proposed bin storage area is integral to the build located toward the site frontage which broadly meets this parameter. There are no further observations.

Conclusion

Refusal on insufficient on-plot parking grounds is recommended as follows:

"The proposed development fails to provide sufficient on-plot car parking thereby potentially leading to undue displaced on-street parking to the detriment of parking capacity and safety on the public highway, contrary to Local Plan: Part 2 Development Plan (2020) Policies DMT 1, DMT 2 & DMT 6 and Policies T4 and T6 of the London Plan (2021)."

FLOOD CONSULTANT

a) Review Summary

This application has not sufficiently demonstrated the use of the London Plan's drainage hierarchy and is proposing the following key items:

- Type of development: Full Application, Major
- Flood risk: Located within fluvial Flood Zones 2 and 3
- Types of conveyance / attenuation features: water butts, geo-cellular storage crates, permeable paving, blue/green roof (Flood Risk assessment, pp. 37-38/130).
- Runoff rate restriction (l/s): 2l/s
- Runoff attenuation volume (m³): The calculations show a storage volume of 41m³ for the blue/green roof and 123m³ from geo-cellular storage crates, which are proposed to discharge via vortex flow control device into the existing Thames Water surface water sewer on Joel Street (Flood Risk assessment, pp. 117/130)
- Maintenance plan: Maintenance tasks and frequencies not provided for each proposed drainage component and maintenance owner not stated (Flood Risk assessment, pp. 91-93/130)

b) Recommendation and Requests

We object to the application for the following reasons:

1. The applicant has not clearly illustrated the locations of proposed water butts as a rainwater harvesting measure.
2. The applicant has not provided calculations for the greenfield runoff rates.
3. The applicant has not provided the greenfield, existing, and proposed runoff volumes (1 in 100 yr 6hr).
4. The applicant has not shown that the total site area (0.74ha) is being used in the calculations.
5. Maintenance tasks have not been provided for all the drainage features.
6. The applicant has not stated who will own the proposed SuDS maintenance tasks.

To address the above, please can the applicant submit information which:

1. Shows the locations of proposed water butts within the associated proposed plan drawings.
2. Calculations demonstrating the greenfield runoff rates supplied should be provided.
3. Shows that the greenfield, existing, and proposed runoff volumes (1 in 100 yr 6 hr) have been calculated.
4. Demonstrates that the total site area (0.74ha) has been used in the calculations.
5. Maintenance tasks are required for the hydrobrake and geo-cellular storage.
6. Identifies who will be responsible for the proposed SuDS maintenance tasks.

NB: The applicant should also obtain consent from Thames Water for the proposed connection to the surface water sewer.

ACCESS OFFICER

This proposal which includes the demolition of an office building and construction of a new residential block containing 13 flats over four storeys has been reviewed with reference to London Plan policy D5, D7 and D12. Policy D7 requires all new housing to be Accessible and Adaptable, with 10% designed as Wheelchair Adaptable or Wheelchair Accessible. The submitted ground floor plan indicates a stepped approach to the ground floor flats and lift lobby from the principal communal entrance, which is contrary to the principal and spirit of this policy. The side entrance 'ramp' appears incongruous with the design and would result in an internal layout that is incompatible with the specifications for wheelchair adaptable accommodation, and the scheme is not supported as follows:

1. The requirement for an accessible car parking space has not been included.
2. All points of entry and exit should be step free and of a design that compliments the overall aesthetics.
3. Given the acceptable provision of only one lift, a minimum of one ground floor unit should be designed and shown on plan to be compatible with these specifications for an M4(3) Wheelchair Adaptable dwelling.

The spatial requirements for such accommodation should be clearly marked to include clear access zones with typical furniture items in place.

4. All remaining units should be designed as M4(2) compliant.

5. To ensure the development can accommodate robust emergency evacuation procedures in accordance with London Plan policy D5 and D12, a minimum of one fire evacuation lift designed to meet the technical standards set out in BS EN 81-76, BS 9991 and/or BS 9999, must be incorporated.

6. The Design and Access Statement should be amended to be specific to the development. The statement should clearly state how the principles of Inclusive Design have been applied, rather than setting out a series of principles.

CONCLUSION: objection. The development falls short of the expected standards at this stage and should be amended or not supported accordingly.

NOISE SPECIALIST OFFICER

Sufficient information has been provided by the Applicant to make a recommendation with respect to noise. It is recommended that no objection is made on noise grounds subject to the inclusion of a suitable condition which should be achievable based on the information provided and considering the context of the proposed development.

'For the lifetime of the development hereby permitted the noise level shall not exceed 35 dB LAeq 16 hrs between 0700 and 2300 and 30 dB LAeq 8 hrs between 2300 and 0700, measured inside any room of any permitted dwelling having regard to the guidance set out in British Standard 8233: 2014, whilst achieving acceptable internal living conditions with respect to ventilation and temperature.'

DAYLIGHT/SUNLIGHT CONSULTANT

With the surrounding properties, of the 38 windows/13 rooms tested for daylight, all, but 1 window and 1 room, meet the target values. All of the windows tested for sunlight meet target values. In addition, all of the amenity areas tested for overshadowing pass the test. With regards to internal daylight for the proposed development, all rooms tested meet the target values. Of the 30 rooms tested for sunlight, 3 fail to meet the target values.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

PROVISION OF HOUSING

London Plan Policy GG4 seeks to, ensure that more homes are delivered, whilst Local Policy H1 provides that the Council will seek to meet and exceed its housing growth targets, with Policy T1 steering development to the most appropriate locations in order to reduce their impact on the transport network and encourage access by sustainable modes including cycling and walking. However it should be noted that this site lies partly within Flood Zones 2 and Flood Zone 3.

The Council's 'Five Year Supply of Deliverable Housing (Sites March 2022)' document, provides that an annual average of 1050 new dwellings need to be completed in order to achieve it's 5-year housing land supply target. The Council can currently demonstrate that it has a healthy 5-year supply of housing land.

Whilst the site lies within an established residential area and is a previously developed site, it is within Flood Zones 2 and 3. The site benefits from a prior approval under application reference 51321/APP/2022/1861 for 6 residential units, albeit the prior approval involved no additional built form within the Flood Zone and was therefore only able to consider the flooding risks on the site, and deemed to be acceptable for that prior approval.

This application however seeks the complete demolition of and redevelopment of a larger footprint of building.

FLOOD RISK AND THE SEQUENTIAL TEST

In accordance with the National Planning Policy Framework (paragraph 162), development in flood risk areas should not be permitted if there are reasonably available alternative sites, appropriate for the proposed development, in areas with a lower risk of flooding. The sequential test establishes if this is the case.

Development is in a flood risk area if it is in Flood Zone 2 or 3, or it is within Flood Zone 1 and the Council's strategic flood risk assessment shows it to be at future flood risk or at risk from other sources of flooding such as surface water or groundwater.

As the site is in an area of high flood risk and unallocated in the Development Plan, a sequential test is required. The applicant has failed to submit a sequential test. It is therefore considered that the application has failed to demonstrate that this development can be avoided and is not necessary in this area of high flooding. Officers consider that it has not been demonstrated by the applicant that this proposal is necessary in this location because all reasonable available sites with a lower risk of flooding have not been discounted.

The LPA do however accept that there is an extant prior approval at this site, however the introduction of more households (above the prior approval) introduces unnecessary risks within the Flood Zone when the Borough has a sufficient supply of reasonably available alternative sites and a healthy 5 year housing land supply.

The proposal fails to accord with the Paragraphs 155 and 158 of the NPPF (2019), Planning Practice Guidance; Flood Risk and Coastal Change March 2014, London Plan 2021 Policy SI 12 ; Policy EM6 of the Local Plan: Part 1 (2012), Policy DME1 9 of the Local Plan: Part 2 (2020).

HOUSING MIX

Policy H10 of the London Plan (2021) states that schemes should generally consist of a range of unit sizes and sets out a number of factors which should be considered when determining the appropriate housing mix on a particular scheme. This includes local evidence of need.

Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires 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. Paragraph 4.6 outlines that there is a substantial borough-wide requirement for larger affordable and private market units, particularly three-bedroom properties. Family housing, as identified in the Council's Strategic Market Housing Assessment is the type of housing most in need in Hillingdon. Family housing is defined within the glossary of the London Plan (2021) which outlines it must generally be of a size that has three or

more bedrooms.

The proposed development includes The current application proposes a housing mix comprising of:

- o2 x Studio flats (15%)
- o5 x 1 bedroom flats (39%)
- o6 x 2 bedroom flats (46%)

There are no 3 bedroom apartments proposed within the block. This is of concern, particularly as no justification has been provided to demonstrate that the provision of family sized units would be unsuitable or unviable as part of the redevelopment proposal.

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).

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.

The site measures approximately 750sqm (0.075ha) and the proposal will thus have a density of some 212 units per ha. This is in an area with a top density standard of 100dph as set out in Hillingdon's density standards in Table 5.2 of the Hillingdon Local Plan Part 2. This proposed density which is more than double the density standard , gives an indication of th overdevelopment of the site and is not supported.

It should be noted however that numerical density levels are considered to be more appropriate to larger sites and are not typically used in the assessment of schemes of this scale. 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 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

In accordance with the council's statutory duties under sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is necessary to have special regard to the desirability of preserving the setting of a listed building and to preserving or enhancing the character or

appearance of a conservation area.

This requirement is borne out through the NPPF, which advises that where a proposed development would lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

The NPPF further advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. Public benefits to offset this harm may follow from many developments and could be anything that delivers economic, social or environmental objectives, and public benefits should flow from the proposed development so that they are of a nature or scale to be of benefit to the public at large and not just of private benefit.

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance. The more important the asset, the greater the weight should be. As such, any harm to, or loss of, the significance of a designated heritage asset (including from development within its setting), should require clear and convincing justification.

In this regard, Policy HC1 of the London Plan (Heritage conservation and growth) states that proposals affecting heritage assets and their settings should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. This is echoed by Policy HE1 of the Hillingdon Local Plan: Strategic Policies (Heritage), which states that the council will conserve and enhance Hillingdon's distinct and varied environment, its settings and the wider historic landscape, which includes designated heritage assets such as statutorily Listed Buildings and Conservation Areas.

In this regard, Policy DMHB 1 of the Hillingdon Local Plan: Development Management Policies (Heritage Assets) states that proposals are expected to avoid harm to the historic environment, and proposals which result in harm will only be allowed if it brings an asset back into viable use, it would provide public benefit that would outweigh the harm or loss, and the proposal would relate appropriately in terms of siting, style, scale, massing, height, design and materials.

Policy DMHB4 of the Hillingdon Local Plan: Development Management Policies states that development on the fringes of conservation areas should preserve or enhance its character and appearance.

The boundary of the Eastcote Village Conservation Area lies on the opposite side of Joel Street specifically, the grounds of Haydon Hall. It is considered that the development will be detrimental to the setting of this important open space.

The surrounding dwellings are two storey residential buildings, which blend with the Conservation Area. The proposed building will be sited a couple of metres closer to the site frontage, and is taller than the building that it replaces. It is considered that the proposal will change the fundamental relationship that the site has with the Conservation Area and its setting. The proposal will therefore harm the character and appearance of the heritage asset.

The Eastcote Conservation Panel has objected to this proposal and the Council's Conservation officer

considers that the scheme needs to be revised to respond appropriately to the context in terms of frontage height, building form and subservient building height to the rear, in order to comply with Policy DMHB4.

It is not considered that the proposal would provide public benefit that would outweigh the harm to the conservation area, as the proposal would fail to relate appropriately in terms of siting, style, scale, massing, height and design, contrary to the above mentioned policies.

7.04 Airport safeguarding

There are no airport safeguarding issues associated with this development.

7.05 Impact on the green belt

The proposal would have no impact on the Green Belt or Metropolitan Open Land.

7.06 Environmental Impact

SUSTAINABLE CONSTRUCTION AND USE OF RESOURCES:

Policy SI 2 of the London Plan (2021) states that residential development should achieve at least a 10% improvement beyond Building Regulations 2013.

Policy DMEI 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies 2020) requires all developments to make the fullest contribution to minimising carbon dioxide emissions in accordance with the London Plan targets (2016 The London Plan).

In the event of an approvable scheme, a condition would be included to ensure details are submitted to confirm the sustainability credentials of the proposed development, including the type of renewable technologies that would be utilised. 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.

This is important, particularly in light of the objections received relating to this issue. More information would also have been requested to clarify any confusion around the provision of solar panels and or green roofs at the site.

Subject to the above conditions, the proposal could 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).

7.07 Impact on the character & appearance of the area

Paragraph 126 of the NPPF (2021) seeks the creation of high quality, beautiful and sustainable buildings.

Paragraph 130 of the NPPF (2021) states 'Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as

increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'

Policies D1 and D3 of the London Plan (2021) require development proposals to be of high quality and to enhance the local context by delivering buildings and spaces that positively respond to local distinctiveness.

Hillingdon Local Plan Part 1: Strategic Policies (2012) Policy BE1 states: 'The Council will require all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods, where people enjoy living and working and that serve the long-term needs of all residents. All new developments should achieve a high quality of design in all new buildings, alterations, extensions and the public realm which enhances the local distinctiveness of the area, contributes to community cohesion and a sense of place.'

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states: 'All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including: i) harmonising with the local context by taking into account the surrounding scale of development, height, mass and bulk of adjacent structures; building plot sizes and widths, plot coverage and established street patterns; building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure; architectural composition and quality of detailing; local topography, views both from and to the site; and impact on neighbouring open spaces and their environment.'

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.

Haydon House is located in Eastcote, a suburban edge of city location of low-density housing, arranged in largely semi-detached pairs with private garden backs, with a two-storey prevailing height. The Eastcote Village Conservation Area covers the Haydon Park on the opposite side of the road. It is therefore, within the setting of the Conservation Area.

The application has been reviewed by the Council's Urban Design and Conservation Officer, whose comments are provided in the Internal Consultees section of this report. A number of concerns have been raised, which are addressed below.

Site Layout

The Urban Design Officer notes that the townscape is arranged as perimeter blocks with back land gardens. The current site breaks with this pattern, The proposed site layout increases the building footprint reducing the space between the existing buildings along Deerings Drive. This approach delivers privacy, outlook, and overbearing impacts for adjoining dwellings and results in a

development which results in a back land area dominated by car parking.

Built form

The existing building is a 2/2.5 storey office building that fits with the context in terms of its form, height and frontage massing. The appearance of the housing in the immediate context along Joel Street is broadly consistent, arranged in a rectilinear configuration. The materials are mostly double roman red roof tiles/tiles with soffit overhang to the red brick facades and brick detailing above the windows. The rhythm and arrangement of the windows is consistent and logically arranged within the facade with white frames. Entrance doors are located facing the street. There are no balconies along the street frontage.

The proposals are for a 4 storey building with elevated ground floor for flood risk purposes, which extends well beyond the back building line of the housing along this part of Joel Street. The four storey building height delivers a building of amplified height within the area, with no graduation of height to the back land area. It is considered an inappropriate response to the suburban context, both in terms of height and building form.

The roofscape with irregular chamfered corners towards the boundary lines and flat top fails to reflect the local architectural characteristic of pitched roofs. The roofscape of the area is characterised by pitched roofs and this is evident in all views on and around the site. The proposed roof design would therefore be out of character with the established roofscape of the area, adding to the bulk, massing and design concerns.

The proposed building breaks with the consistent context with the front elevation arranged at an angle to the street with an irregular chamfered roofscape. The materials include green decorative clay roof tiles, with flat junction between the external walls and roof. There are balconies along all elevations and protruding from the roofscape.

It is considered that the angled arrangement of the building, roofscape and facade fenestration are out of character with the prevailing street scape and fails to ensure the building's appearance contributes towards local character reflecting the predominant facade treatments and materials of the immediate context.

In conclusion, the development is considered to result in a contrived, poorly designed building, which has no similarity to other buildings in the area, making it an uncharacteristic and unsympathetic addition to the area in terms of its design. Due to its oversized footprint and uncharacteristic design, siting in the plot, increased height and increased overall depth when compared with the existing building, the proposed development would be harmful and excessive in context. The building would appear as an oversized form of development which would harm the appearance of the street scene and wider area. The oversized building would be visually at odds with its neighbours from multiple public and private viewpoints. The excessive footprint fills the plot and the bulk is unrelieved given the profile and envelope proposed.

For these reasons, the proposal is considered to be harmful to the character and appearance of Joel Street and the surrounding area contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D1 and D3 of the London Plan (2021) and the National Planning Policy Framework (2021).

7.08 Impact on neighbours

Paragraph 130 (f) of the NPPF (2021) states that new development should seek to 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'

Hillingdon Local Plan Part 2: Development Management Policies (2020) Policy DMHB 11 sets out design guidance for all new development in the borough. Part B of the policy states 'development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.'

Guidance for Policy DMHB 11 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.'

Guidance for Policy DMHB 11 also states: 'For the purposes of this policy, outlook is defined as the visual amenity enjoyed by occupants when looking out of their windows or from their garden. The Council will expect new development proposals to carefully consider layout and massing in order to ensure development does not result in an increased sense of enclosure and loss of outlook. Single aspect dwellings should be avoided.'

Outlook

Due to its height, bulk, depth and close proximity to 31 and 30 Deerings Drive and 292 Joel Street, the proposed development is considered to cause a significant loss of outlook from the rear windows and gardens of those properties. From their rear gardens, the building would appear as an overbearing and visually oppressive structure to the detriment of their amenities. The building would be much higher than the existing structure, with no articulation to the bulk, due to the square envelope the building proposes.

Sunlight/Daylight

When assessing impacts related to the loss of natural light, the Mayor's Housing SPG advises that avoiding harm to habitable rooms is the priority, which are usually defined as any room used or intended to be used for sleeping, cooking, living or eating purposes. Enclosed spaces such as bathrooms or toilet facilities, service rooms, corridors, laundries, hallways, utility rooms or similar spaces are excluded from this definition of habitable rooms.

A standardised method of assessment for calculating the level of impact to neighbouring buildings is prescribed within the BRE's guide to good practice, titled 'Site Layout Planning for Daylight and Sunlight' (June 2022). This guidance document discusses various methods of assessing a proposals impact on access to natural light, and sets out a number of thresholds which, if exceeded, would probably have a noticeable impact on natural light to neighbouring properties.

A day and sunlight impact assessment has been submitted in support of the proposal. The assessment has been reviewed by the Council's external consultant.

Daylight

The following buildings have been assessed within the report:

- 292 Joel Street
- 29 Deerings Drive
- 30 Deerings Drive
- 31 Deerings Drive

Of the 38 windows tested, 37 meet the target values. The window that fails to meet the target value is located at ground floor level at 30 Deerings Drive. This window goes from 6.75% down to 4.16% which is 38% of its former value.

No sky line analysis has also been undertaken to rooms of the above-mentioned properties. Of the 13 rooms analysed, 12 rooms meet the target values. The unknown room is found at ground level at 30 Deerings Drive and is 31% of its former value.

Sunlight

Sunlight analysis has been undertaken and this shows that of the 15 windows tested, all will meet the target values.

Overshadowing

Overshadowing analysis has been undertaken to 5 surrounding amenity areas on Joel Street (290 & 292) and Deerings Drive (29, 30 & 31). All of the amenity areas pass the overshadowing test.

The report demonstrates that the proposal would cause negligible harmful loss of light or overshadowing to neighbouring properties. With the surrounding properties, of the 38 windows/13 rooms tested for daylight, all, but 1 window and 1 room, meet the target values. All of the windows tested for sunlight meet target values. In addition, all of the amenity areas tested for overshadowing pass the test.

The results are accepted, however, do not overcome the concerns raised regarding outlook, enclosure and overbearing impact, contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and paragraph 130 (f) of the NPPF (2021).

Loss of Privacy

Overlooking is also a key issue and forms part of the amenity reason for refusal. The north and south facing side elevation windows at first, second and third floor level would provide views into the gardens of adjoining properties.

The proposed site layout increases the building footprint. reducing the space between the existing buildings along Deerings Drive. This would result in a built form closer to the neighbouring properties to the south along Deerings Drive, with separation distances to 31 and 30 Deerings Drive of approx. 6m and 9m respectively. These distances are well below the local plan policy DMHB11 separation distance of 21m. This delivers privacy, outlook, and overbearing impacts for 31 and 30 Deerings Drive and potential daylight/sunlight impacts for 30 Deerings Drive. In addition, the development would also cause a significant loss of privacy to residents of 292 Joel Street,

It is considered that this entire relationship is contrived, unacceptable and harmful. The proposed development would result in a significant increase in views towards adjoining properties from higher vantage points from the habitable side windows of the proposed flats, causing a harmful loss of privacy to the those property's garden space and windows.

In conclusion, due to its depth, size, siting and design, the proposed building would be overbearing and would lead to a harmful sense of enclosure and loss of outlook from the rear windows and gardens of adjoining properties, as well as significant overlooking and a harmful loss of privacy to their occupiers. The proposal is therefore considered to be detrimental to the amenities of 31 and 30 Deerings Drive and 292 Joel Street, due to overlooking and privacy loss. 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).

7.09 Living conditions for future occupiers

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

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

Policy D6 of the London Plan (2021) sets out the minimum internal floor space standards required for residential developments in order to ensure that there is an adequate level of amenity for future occupants. Also of importance is Policy D6 (8) of the London Plan (2021) which states: The minimum floor to ceiling height must be 2.5m for at least 75 per cent of the Gross Internal Area of each dwelling.

INTERNAL AMENITY SPACE PROVISION:

All the units meet the housing standards and are mainly dual aspect, this is supported. For the above reasons, the proposal would provide satisfactory living conditions in terms of internal amenity space for future residents of the block itself, compliant with the policies noted.

EXTERNAL AMENITY SPACE PROVISION:

Policy D6 of the London Plan and Standard 26 of the Mayor's London Housing SPG sets out that a minimum of 5 sqm of private outdoor open space should be provided for 1-2 person dwellings, with an additional 1 sqm provided for each additional occupant, and this space must achieve a minimum width and depth of 1.5 metres to be functional and fit for purpose.

At a local level, Policy DMHB 18 of the Hillingdon Local Plan (Private Outdoor Amenity Space) requires good quality and usable private outdoor amenity space for all new residential developments but sets higher minimum requirements. Policy DMHB 18 states that applications for residential development should provide adequate levels of private, well designed and located amenity space. The policy advises that 1 bedroom flats should provide 20 sq m and 2 bedroom flats should be provided with 25sqm of private amenity space.

The current application proposes a housing mix comprising of:

- o2 x Studio flats (15%)
- o5 x 1 bedroom flats (39%)
- o6 x 2 bedroom flats (46%)

No communal amenity space is provided as part of the scheme, However, each flat has a private balcony, or in the case of a ground floor flat, a private terrace, amounting to 78.8 sqm.

Using the Hillingdon Local Plan standards, it would be expected that the scheme provides 290 sqm of external amenity space (based on the provision of 20 and 25 sqm of on-site amenity space for one and two bedroom flats respectively), and therefore the provision of 78.8 sqm, falls short of the expected provision, indicating that the development as a whole performs poorly in terms of external amenity space provision.

PUBLIC OPEN SPACE

Policy G4 of the London Plan (Open space) promotes the creation of new areas of publicly-accessible open space, particularly green space, ensuring that future open space needs are planned for, especially in areas with the potential for substantial change or areas of deficiency. Additionally, Policy EM4 of the Hillingdon Local Plan Part 1 (Open Space and Informal Recreation) and Policy DMCI 4 of the Hillingdon Local Plan Part 2 (Open Spaces in New Development) both support the provision of new open space in major developments, or improvements to existing open spaces. Proposals for major new residential development that fail to make provision for new or enhanced open space, or which would result in open space that is inappropriate in type, quality or location, will be resisted. The creation of new open space is to be encouraged wherever practical, although it is recognised that creation of new open spaces may be limited in densely populated areas or because of financial constraints, and in such circumstances, major residential proposals are expected to make appropriate contributions to the delivery of new opportunities, or to the improvement and enhancements of existing facilities off-site.

New major developments are expected to be sited so that a small or local level open space is within 400 metres, a district level open space is within 1200 metres and a metropolitan open space is within 3200 metres of the application site. Where an on-site solution cannot be found, a financial contribution based on the following formula would be sought:
$$\text{Contribution} = (\text{Build Costs} + \text{On-costs}) \times (- \text{Existing Capacity})$$

For the current application, for the uplift of 7 units, comprising 3 x 1 bed 2 person, and 4 x 2 bed 3 person flats would amount to £9,000 and this would be secured as an obligation, in the event of an approval, recognising that the small and tightly constrained nature of the plot means that on-site provision would not be feasible, or lead to the creation of an attractive and useable amount of public open space. However, given that the application is recommended for refusal, negotiations with the applicant have not been pursued.

DAYLIGHT/SUNLIGHT

Daylight

Rooms were tested for daylight using the illuminance method of analysis. Of the 30 rooms contained

within the 13 flats, all rooms met the target values.

Sunlight

Sunlight exposure analysis was undertaken to the 30 rooms. This shows that of the 30 rooms, 27 will meet target values. The three rooms that fell short of the target values are bedrooms located in flats 2, 6 & 10.

The target value for sunlight is 1.5 hours on 21st March. The bedroom in flat 2 (ground floor) will receive 1.2 hours. The bedroom in flat 6 (first floor) will receive 0.5 hours and the bedroom in flat 10 (second) will also receive 0.5 hours.

In summary, with regards to internal daylight for the proposed development, all rooms tested meet the target values. Of the 30 rooms tested for sunlight, 3 fail to meet the target values.

The results are accepted however, do not overcome the concerns raised regarding outlook and lack of private and communal external amenity space.

OUTLOOK

One of the proposed flats only has a small window to the living area, Other habitable rooms within the flats on the third floor only have horizontal roof lights in the ceiling, therefore, these rooms have no outlook at all.

In addition, the development fails to provide ground floor defensible space of 3m in depth in accordance with Policy DMHB 18: Private Outdoor Amenity Space, whilst creating a poor outlook for the proposed ground floor units looking south, due to the distance to the boundary fence of between 1-2m;

CONCLUSION

The proposal would fail to provide satisfactory living conditions for future residents of the block itself, by reason of lack of private and communal external amenity space, adequate defensible space and a poor outlook for the proposed ground floor units looking south and upper floors, contrary to Policies DMHB 15 and DMHB 18 of the Hillingdon Part 2 Local Development Plan (2020) .

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy DMT 2 of the Hillingdon Local Plan Part 2: Development Management Policies (2020) states: 'Development proposals must ensure that:

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

:Policy DMT 5 of the Hillingdon Local Plan Part 2: Development Management Policies (2020) states:
'A) 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:
i) the retention and, where appropriate, enhancement of any existing pedestrian and cycle routes;
ii) the provision of a high quality and safe public realm or interface with the public realm, which facilitates convenient and direct access to the site for pedestrian and cyclists;
iii) the provision of well signposted, attractive pedestrian and cycle routes separated from vehicular traffic where possible; and
iv) the provision of cycle parking and changing facilities in accordance with Appendix C, Table 1 or, in agreement with Council.'

Electric Vehicle Charging Points (EVCP's)

In line with the London Plan (2021), within any final parking quantum there is a requirement for a minimum 20% 'active' EVCP provision with all remaining spaces being designated as 'passive' provisions which in this case equates to 2 'active' and 6 'passive' spaces. This has been acknowledged by the applicant and hence is considered acceptable.

Disabled Compliant Parking

In accord with the Local Plan: Part 2 Policy DMT 6 - 10% of parking spaces should be disabled compliant in-line with final overall provisions. This level of required provision is also replicated by the London Plan (2021) standard. As presented, this would equate to 1 space as proposed, which therefore satisfies this aspect.

Cycle Parking

In order to conform to the regional London Plan parking standard, a total of 18 secure and accessible 'long stay' and 2 'short stay' spaces are required. The applicant proposes 24 & 2 spaces respectively which broadly conforms to the above as does the positioning of both components.

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.

Given the scale of proposal and compared with the previous established office use, the Highway Engineer raises no concerns in regard to any generated vehicular activity which is likely to be relatively imperceptible on the local network.

Operational Refuse Requirements

Refuse collection would continue to be conducted from Joel Street. In order to conform to the council's 'waste collection' maximum distance collection parameter of 10m i.e. distance from a refuse vehicle to the point of collection, arrangements should ensure that waste is positioned at a collection point within this set distance. The proposed bin storage area is integral to the build located toward the site frontage which broadly meets this parameter.

Parking Provision

Policy DMT 6 of the Hillingdon Local Plan Part 2: Development Management Policies (2020) states:
'Development proposals must comply with the parking standards outlined in Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity.'

The Council may agree to vary these requirements when:

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

The Mayor of London adopted a new and revised London Plan in March 2021, consequently the car parking standards set out in the London Plan take precedence over those in the Local Development Plan, except where the Local Plan specifies lower local maximum standards.

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.

The proposal for the 13 new flats. The maximum parking requirement for the residential units as proposed equates to a maximum of 12-17 on-plot spaces, in compliance with the adopted Hillingdon parking standard. By contrast for a PTAL rating of 1b, the London Plan (2021) parking standard demands up to 20 spaces and stipulates that where Local Development Plans specify lower maximum standards, these should be followed.

As 8 spaces (inclusive of one disabled compliant provision) are to be provided, the Highway Engineer notes that there is an under provision in comparison to the LBH standard that requires a maximum range of provision commencing from 12 spaces upwards.

The applicant refers to 2011 census data in an attempt to justify a lower parking quantum however this approach is not considered by the Highway Engineer as a precise methodology, given that each and every address within a census area can display significant variations in occupancy and ownership/use of private motor transport which do not necessarily follow an area-wide trend. Therefore, guided mainly by the 'very poor' PTAL rating and resultant higher ownership and dependency on private motor transport together with unrestricted local roadways, which may bear the brunt of any untoward displaced parking from the proposal, the Highway Authority therefore seeks the maximum figure of 12 spaces in total. The proposal for 8 on-plot spaces is therefore considered unacceptable for the reasons outlined above.

In conclusion, the proposed development fails to provide sufficient on-plot car parking thereby potentially leading to undue displaced on-street parking to the detriment of parking capacity and safety on the public highway, contrary to Local Plan: Part 2 Development Plan (2020) Policies DMT 1, DMT 2 & DMT 6 and Policies T4 and T6 of the London Plan (2021).

7.11 Urban design, access and security

Policy D11 of the London Plan (Safety, security and resilience to emergency) sets out that boroughs should work with the Metropolitan Police Service's 'Design Out Crime' Officers identify the community safety needs and necessary infrastructure to maintain a safe and secure environment and reduce the fear of crime. Proposals should seek to maximise building resilience and minimise potential physical risks, and should include measures to design out crime that deter terrorism, assist in the detection of terrorist activity and help mitigate its effects. These measures should be considered at the start of the design process to ensure they are inclusive and aesthetically integrated into the development and the wider area. Measures to design out crime, including counter terrorism measures should be integral to proposals, taking into account the principles contained in guidance such as the Secured by Design Scheme published by the Police.

Policy BE1 of the Hillingdon Local Plan: Strategic Policies (Built Environment) encourages the

creation of safe and secure environments that reduce crime and fear of crime, antisocial behaviour and risks from fire and arson, having regard to Secure by Design standards.

As such, in the event of an approval, a condition requiring the proposed development to achieve secured by design accreditation in consultation with the Metropolitan Police, could be included within a decision notice, to ensure the proposal meets the requirements of Policy D11 of the London Plan and Policy BE1 of the Hillingdon Local Plan.

7.12 Disabled access

Policy D5 of the London Plan sets out that proposals should achieve the highest standards of accessible and inclusive design by providing high quality people focused spaces that are designed to facilitate social interaction and inclusion, be convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment, and be able to be entered, used and exited safely, easily and with dignity for all. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building, and proposals should ensure they are compliant with Policy D12 of the Plan (Fire safety) and place fire resilience central to the proposal's design.

To provide suitable housing and genuine choice for London's diverse population, including disabled people and families with young children, Policy D7 of the London Plan (Accessible housing) states that all residential development should include at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(3) 'wheelchair user dwellings' and all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

Policy BE1 of the Hillingdon Local Plan: Strategic Policies (Built Environment) requires 10% of new dwellings to be wheelchair accessible, encouraging places of work and leisure, streets, neighbourhoods, parks and open spaces to be designed to meet the needs of the community at all stages of people's lives. In addition, all proposals should incorporate a clear network of routes that are easy to understand, inclusive, safe, secure and connect positively with interchanges, public transport, community facilities and services.

Comments from the Council's Access Officer set out that the submitted ground floor plan indicates a stepped approach to the ground floor flats and lift lobby from the principal communal entrance, which is contrary to the principal and spirit of the above mentioned policies. The side entrance 'ramp' appears incongruous with the design and would result in an internal layout that is incompatible with the specifications for wheelchair adaptable accommodation. In addition, an accessible car parking space has not been provided.

In order for the scheme to be policy compliant, the Council's Access Officer considers that the scheme would need to be amended as follows:

- > All points of entry and exit should be step free and of a design that compliments the overall aesthetics.
- > A minimum of one ground floor unit should be designed and shown on plan to be compatible with these specifications for an M4(3) Wheelchair Adaptable dwelling.
- > All remaining units should be designed as M4(2) compliant.
- > To ensure the development can accommodate robust emergency evacuation procedures in accordance with London Plan policy D5 and D12, a minimum of one fire evacuation lift designed to

meet the technical standards set out in BS EN 81-76, BS 9991 and/or BS 9999, must be incorporated.

In conclusion, it is considered that the development falls short of the expected standards, contrary to Policies D5, D7 and D12 of the London Plan and Policy BE1 of the Hillingdon Local Plan: Strategic Policies.

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).

Part 1 of the Hillingdon Local Plan: Strategic Policies sets out that there is a strategic demand for 50% of all new housing to be affordable, with a tenure split within affordable housing of 78% low-cost rented and 22% as appropriately priced intermediate housing.

Policy H2 of the Hillingdon Local Plan: Strategic Policies (Affordable Housing) states that new residential development should make provision for 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 major residential proposals.

Having regard to the evidence base, and the need to encourage development whilst maximising affordable housing provision, the supporting text to Policy H2 sets out that 35% of all new dwellings should be delivered as affordable housing, with an indicative tenure split of 70% low-cost rent and 30% as intermediate housing, although it is recognised that market conditions in Hillingdon are complex and a one size fits all approach to tenure provision will not be suitable for all areas in the borough.

London Plan Policies H4 and H5 and Policies H2 and DMH7 of the Local Plan provide that, subject to viability and if appropriate in all circumstances, a minimum 35% of all new homes on sites of 10 or more units should be delivered as affordable housing. The scheme will provide a total of 13 no. new residential units and, subject to viability, should provide 4 (rounded down) affordable units.

A Financial Viability Appraisal (FVA) has been submitted in support of the application. It concludes that, on an open market development basis, there is a viability deficit and that no surplus is generated to support any affordable housing contribution (or any other s106 costs). Accordingly, no affordable housing contribution is proposed.

The FVA has been assessed by the Council's external consultants, who disagree with the assessors approach to the Benchmark Land Value and their value of £850,000. Upon the consultant's site visit it was ascertained that the existing building is in a state of disrepair and so the Council's consultants have valued the existing building on an Alternative Use Value (AUV) approach, as refurbishment works would be required to bring the property back into use. A residual appraisal was undertaken, to determine the AUV, due to the level of cost required which would justify a profit.

The lack of provision of affordable housing, fails to promote social cohesion and mixed communities

and fails to ensure that there is a steady supply of lower-rent flats within the borough for people on the council's housing waiting list, or provide discounted home ownership options to help people take the first step on the housing ladder, alongside market housing, ensuring the scheme provides a mix of unit sizes at different price points. On this basis, the lack of affordable housing offer is considered to weight very significantly against the development.

In summary, having reviewed the FVA, it is considered that the scheme can afford to make a policy compliant contribution to affordable housing equivalent to 35%. The lack of provision of affordable housing is therefore contrary to London Plan Policies H4 and H5 and Policies H2 and DMH7 of the Local Plan and is recommended for refusal for the above mentioned reasons.

7.14 Trees, landscaping and Ecology

TREES AND LANDSCAPING:

Policy G5 of the London Plan (Urban Greening) states that major developments should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage.

The Mayor recommends that boroughs seek an Urban Greening Factor (UGF) target score of 0.4 for developments that are predominately residential and a target score of 0.3 for predominately commercial development (excluding B2 and B8 uses which are exempt). In broad terms, the UGF is an assessment of the amount, type and value of natural environment provided on site as a proportion of the overall site area. The assessment assigns each landscape type (e.g. Semi-natural vegetation, intensive green roof to depth of 150mm, extensive green roof to depth of 80mm, amenity grassland, etc) with a 'factor' (1, 0.8, 0.7 and 0.4 respectively for the landscapes listed above). These factors are a simplified measure of various benefits provided by soils, vegetation and water based on their potential for rainwater infiltration as a proxy to provide a range of benefits such as improved health, climate change adaption and biodiversity conservation.

In addition, Policy DMHB 14 of the Hillingdon Local Plan Part 2: Development Management Policies (Trees and Landscaping) sets out that all developments will be expected to retain or enhance biodiversity through the protection of existing landscaping, trees and other natural features of merit, and proposals are required to provide a scheme of hard and soft landscaping to demonstrate this. Moreover, the council will seek to protect existing tree and landscape features and enhance open spaces with new areas of vegetation cover (including the linking of existing fragmented areas) for the benefit of wildlife and a healthier lifestyle.

Furthermore, Policy EM7 of the Hillingdon Local Plan: Strategic Policies (Biodiversity and Geological Conservation) seeks to protect biodiversity features from inappropriate development and encourages the provision of biodiversity improvements from all developments, including green roofs and walls where feasible.

The proposal will result in the removal of the horse chestnut, ash and holly trees in the southern area of the site which helps screened the existing building from the houses along Deerings Drive. The proposal therefore fails to retain or enhance biodiversity through the protection of existing landscaping, trees and other natural features of merit, The proposal reduces the already limited garden area to a strip of landscape along the southern boundary reducing the biodiversity of the site rather than delivering a net gain. However, biodiversity enhancement opportunities (such as a green roof) are proposed.

It is recognised that the existing site, which is almost entirely dominated by hardstanding and built structures, makes virtually no contribution to urban greening and provides little, if any, biodiversity value to the area. An UGF target of 0.30, as suggested as achievable by the applicant, may have been acceptable, which would be secured by way of condition, in the event of an approval.

It is noted that there is limited scope for replacement tree planting. If planning permission were to be granted, it would be recommended that full landscaping details, including replacement tree planting, be secured via condition.

ECOLOGY:

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

The site does not contain any ponds, open woodland or dense scrub and shrubbery. There are no protected sites of ecological interest adjacent to the site. It is therefore considered that the likelihood of protected species being present at the site is low. However, the Ecology Report submitted in support of the application states that the building is likely to have bat roosts. and that a further survey should be carried during the time frame May - August.

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

7.15 Sustainable waste management

Policy SI 7 (Reducing waste and supporting the circular economy) and Policy D6 (Housing quality and standards) of the London Plan require developments to be designed with adequate, flexible, and easily accessible storage space and collection systems that support, as a minimum, the separate collection of dry recyclables (at least card, paper, mixed plastics, metals, glass) and food.

This is supported by the Mayor's Housing SPG which outlines that communal refuse and recycling containers, communal bin enclosures and refuse and recycling stores should be easily accessible to all residents including children and wheelchair users, and located on a hard, level surface. Refuse and recycling stores within buildings should further be located to limit the nuisance caused by noise and smells and maintained to a high hygiene standard.

At a borough level, Policy EM11 of the Hillingdon Local Plan: Strategic Policies (Sustainable Waste Management) states that the council will aim to reduce the amount of waste produced in the borough. To achieve this, the council will require all new developments to address waste management at all stages of a development's life from design and construction through to the end use and activity on site.

Policy DMHB 11 of the Hillingdon Local Plan: Development Management Policies, which sets out that developments should make sufficient provision for well-designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. In practice, this means

residents should not have to travel further than 30 metres to the bin store from their flat, and bin stores should be located within 10 metres of the collection point, with unobstructed room to manoeuvre bins to and from the bin store on collection days.

In this proposal, the refuse and recycling stores would be located within the footprint of the apartment building.

It will be located towards the front of the building, for easy access from the street, and it will have the external door facing on the side of the building. There will be a second door that connect the core of the building to the refuse access, ensuring an easy access to the storage towards the different levels of the building. The refuse and recycling stores, located within the footprint of the apartment building, would be located within 20m of the roadside. A refuse vehicle will park on street, with operatives wheeling bins from the store to the vehicle.

In accordance with the regulations the development will be provided with 5 Four-wheeled bin 1100 litre (138x127x100), which is considered adequate, given the number and size of the properties proposed. These would be designated for storage of general waste or recycling and would be clearly labelled as such.

The proposed residential use of the site would be served by an existing weekly Council operated collection on Joel Street. Some details of waste collections have been provided in the Transport Statement, however, in the event of an approval, further detailed design elements of the refuse store, alongside a comprehensive Waste Management Strategy, could be secured by way of condition to ensure compliance with Hillingdon's standing advice to developers.

7.16 Renewable energy / Sustainability

Policy SI 2 of the London Plan (Minimising greenhouse gas emissions) states that major development should be net zero-carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy, placing an additional requirement to monitor emissions beyond implementation to determine the effectiveness of the mitigation:

1. be lean: use less energy and manage demand during operation
2. be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
3. be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
4. be seen: monitor, verify and report on energy performance.

Policy SI 2 sets targets for carbon dioxide emission reductions in buildings. These are expressed as minimum improvements over the Target Emission Rate (TER) outlined in national building regulations. The current target for residential and non-residential buildings is zero carbon beyond the current Building Regulations Part L 2013.

Major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy and how a minimum on-site reduction of at least 35% beyond Building Regulations will be achieved. Residential development should achieve 10%, and non-residential development should achieve 15% through energy efficiency measures alone. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either through a cash in lieu contribution to the borough's carbon offset fund or off-site, provided that an alternative proposal is identified and delivery is certain. Moreover, major development proposals should calculate

and minimise carbon emissions from any other part of the development, including plant or equipment, that are not covered by Building Regulations (i.e. unregulated emissions).

In addition, Policy SI 3 of the London Plan (Energy Infrastructure) states that all major development proposals shall explore opportunities to maximise the use of on-site renewable energy generation and incorporate demand-side response measures.

Policy EM1 of the Hillingdon Local Plan: Strategic Policies (Climate Change Adaptation and Mitigation) sets out that the installation of renewable energy will be encouraged for all new developments.

An Energy Statement has been submitted in support of this application. This Sustainability & Energy Statement provides an overview as to how the proposed development contributes to sustainable development in the context of the strategic, design and construction considerations.

The statement concludes that by designing to rigorous energy standards, omitting the use of fossil fuels for heating and hot water (air source heat pumps), and implementing a rooftop array of solar photovoltaic panels, the proposed development will achieve a minimum 35% reduction in CO₂ emissions, following the Energy Hierarchy methodology. The remaining 213 tonnes of CO₂ per annum of domestic emissions from the development will be offset through a cash-in-lieu contribution.

Sections 4 and 5 of the statement demonstrate that the siting and design of the proposals support relevant policies relating to sustainable development. This shows that the proposed development:

- will develop a brownfield site;
- is in a location with good access to public transport;
- will promote cycling and walking, and deter private car ownership;
- will minimise internal water consumption to 105 litres per person per day;
- will incorporate measures to improve site biodiversity, including biodiverse planting;
- will not increase the risk of surface water flooding onsite;
- will incorporate low-impact materials, according to the BRE Green Guide to Specification;
- will minimise waste production during construction and maximise the proportion of waste to be diverted from landfill;
- will minimise energy demand through the specification of low U-values and low air permeability to reduce heat loss; and
- will utilise air source heat pump (ASHP) technology to serve the space and water heating demand of the proposed dwellings; and
- will employ rooftop photovoltaic (PV) panels to generate zero carbon electricity on-site.

Whilst no comments have been received from the Council's Energy Officer, it is considered that the proposal would have been capable of achieving compliance with Policy SI 2 and SI 3 of the London Plan, with a 35% improvement over the baseline with any shortfall secured as a carbon offset calculation to be used to fund measures to reduce carbon emissions within the borough. This would be secured by way of condition, and a corresponding obligation to secure the financial contribution.

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 falls within Flood Zones 2 and 3. Also, the Council's GIS shows that the site is designated within a Critical Drainage Area and partially falls within a Surface Water Management Zone. A Flood Risk Assessment accompanied the application, which has been reviewed by the Environment Agency (EA). In the absence of an acceptable flood risk assessment (FRA) the EA object to this application and recommend that planning permission is refused.

The proposed building footprint is being increased by 55m², and the applicant has suggested the use of voids underneath the development as a mitigation measure for floodplain storage loss due to the limited extent of the site. The EA states that this is no longer an acceptable form of floodplain compensation following an update to the Planning Practice Guidance in August 2022. This is in line with Development Management Policy DMEI 9 of Hillingdon's Local Plan (adopted in 2020).

The site lies within Flood Zone 3a, which is land defined by the planning practice guidance as having a high probability of flooding. However, the submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 20 to 21 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not therefore adequately assess the development's flood risk. In particular, the FRA fails to:

- Demonstrate that adequate flood storage compensation will be provided on both a level for level and volume for volume basis. Therefore, the proposed development is expected to impede flood flow and reduce flood storage capacity, thus causing a net loss in floodplain storage and increasing the risk of flooding elsewhere. It also cannot be guaranteed that the proposed compensation scheme will be able to provide adequate flood storage for the lifetime of the development.

As a result, the proposed development is not safe for its lifetime (including climate change) and is expected to reduce flood storage capacity thereby increasing the risk of flooding to the local community.

The applicant suggests that the new building will be elevated above ground level with floodable voids beneath the structure to mitigate the loss of floodplain capacity. However, the updated Planning Practice Guidance states that the use of voids is no longer considered an acceptable form of floodplain compensation. Whilst the use of voids below buildings may be a suitable approach to mitigating flood risk to the building itself, such techniques cannot be relied upon for compensating any loss of floodplain storage. This is because voids do not allow water to freely flow through them, trash screens get blocked, voids get silted up, and they have limited capacity.

DRAINAGE

The Council's drainage specialists consider that this application has not sufficiently demonstrated the use of the London Plan's drainage hierarchy for the following reasons.

1. The applicant has not clearly illustrated the locations of proposed water butt s as a rainwater

harvesting measure.

2. The applicant has not provided calculations for the greenfield runoff rates.
3. The applicant has not provided the greenfield, existing, and proposed runoff volumes (1 in 100 yr 6hr).
4. The applicant has not shown that the total site area (0.74ha) is being used in the calculations.
5. Maintenance tasks have not been provided for all the drainage features.
6. The applicant has not stated who will own the proposed SuDS maintenance tasks.

On this basis, it is considered that the proposed development would not be compliant with the relevant Local and London Plan policies and is therefore considered unacceptable in this regard.

Whilst Officers accept that the provision of new housing weighs in favour of the proposed development, on balance this is not considered to outweigh the harm resulting from the conflict with flood risk policies. The failure of the proposal to adequately address flood and drainage issues, or to meet the sequential test, brings the proposal into conflict with national and local flood risk policy, in line with Paragraph 162 of the NPPF (2021), Policies SI 12 and SI 13 of the London Plan, Policy EM6 of the Local Plan: Part 1 (2012) and Policy DMEI 9 of the Local Plan: Part 2 (2020). The development is recommended for refusal on this basis.

7.18 Noise or Air Quality Issues

NOISE FROM THE PROPOSED DEVELOPMENT:

Policy D13 of the London Plan (Agent of Change) sets out that proposals should mitigate and minimise the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses, improving and enhancing the acoustic environment and promoting appropriate soundscapes. Proposals should first seek to separate new noise sensitive development from major noise sources through the use of distance, screening, layout, orientation, uses and materials, in preference to sole reliance on sound insulation.

Where it is not possible to achieve separation of noise-sensitive development and noise sources without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through applying good acoustic design principles, promoting new technologies and improved practices to reduce noise at source, and on the transmission path from source to receiver.

Additionally, Policy D14 of the London Plan (Noise) states that new noise and other nuisance-generating development proposed close to residential and other noise-sensitive uses should put in place measures to mitigate and manage any noise impacts for neighbouring residents and businesses. Development proposals should manage noise and other potential nuisances by ensuring good design mitigates and minimises existing and potential nuisances with necessary and appropriate provisions including ongoing and future management responsibilities, and proposals should seek to separate new noise sensitive development from existing noise-generating businesses and uses through distance, screening, internal layout, sound-proofing, insulation and other acoustic design measures. It is generally accepted that noise emanating from residential properties is lower than commercial premises, and industrial uses are associated with the highest noise profile.

Furthermore, Policy EM8 of the Hillingdon Local Plan: Strategic Policies (Land, Water, Air and Noise) states the council will promote the maximum possible reduction in noise levels and will minimise the number of people potentially affected by new developments. As such, the council will seek to ensure

that noise sensitive development and noise generating development are only allowed if noise impacts can be adequately controlled and mitigated.

In support of the application, a Noise Impact Assessment has been submitted, which outlines the baseline noise conditions and the effect of the noise levels on the proposed development, identifying mitigation measures where necessary to achieve appropriate acoustic standards. This Noise Impact Assessment has been reviewed by the council's Noise Officer, who confirms that sufficient information has been provided to allow a positive recommendation, subject to the inclusion of a suitable condition which should be met based on the design information provided and considering measurement and prediction uncertainty.

The provision of 13 additional residential units, when compared with the existing office development is not considered to lead to such a significant change in the local noise environment as to warrant a refusal of planning permission on this ground. The comings and goings may well be reduced when compared to the full occupancy levels of the existing office use.

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 not 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 how the above requirements have been addressed. Also, a condition would be secured requiring the submission of a Construction Management Plan to minimise air and other emissions caused during the construction phase. Given the recommendation to refuse, this information has not been requested.

7.19 Comments on Public Consultations

Comments received in response to the public consultation have been summarised in section 6 (above) and addressed within the relevant sections of the 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.

Specifically, planning obligations are used to secure the provision of affordable housing in relation to residential development schemes, and where a development has infrastructure needs that are not addressed through CIL to ensure that development proposals provide or fund improvements to mitigate site specific impacts made necessary by the proposal. Applications which fail to include appropriate planning obligations to make the proposal acceptable will be refused. Planning obligations run with the land, are legally binding and enforceable.

The Community Infrastructure Levy Regulations, the NPPF and Planning Practice Guidance have put three tests on the use of planning obligations into law. In this regard, planning obligations must meet the following tests to be lawful:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonable related in scale and kind to the development.

Had the application been recommended for approval, the following Heads of Terms would be sought, to be secured through a section 106 agreement to ensure policy compliance:

- > Affordable Housing and a review mechanism
- > A cash in lieu contribution to the borough's carbon offset fund
- > Public Open Space contribution

Given that the application is recommended for refusal, negotiations with the applicant have not been pursued. As such, the applicant has failed to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of provision of affordable housing, a carbon off set fund, a public open space contribution and Project Management and Monitoring). The scheme therefore conflicts with Policy, DMCI 7 of the Hillingdon Local Plan Part 2 Development Management Policies (2020), the London Borough of Hillingdon Supplementary Planning Document on Planning Obligations, Policy DF1 of the London Plan and the provisions of the NPPF.

7.21 Expediency of enforcement action

Not applicable to the proposed development.

7.22 Other Issues

FIRE SAFETY

In the interests of fire safety and to ensure the safety of all building users, Policy D12 of the London Plan states that all proposals must achieve the highest standards of fire safety and ensure that they identify suitably positioned unobstructed outside spaces for fire appliances to be positioned on, provide suitable access and equipment for firefighting which is appropriate for the size and use of the development, and provides spaces which are appropriate for use as an evacuation assembly point.

Buildings should be designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire by being constructed in an appropriate way to minimise the risk of fire spread. This should include appropriate fire alarm systems, passive and active fire safety measures, suitable and convenient means of escape and an associated robust evacuation strategy which can be periodically updated and published, and which all occupants can have confidence in. These measures should be set out in a Fire Strategy, prepared by a suitably qualified fire engineer.

In support of the application, a Fire Statement has been submitted, which outlines the basics of fire

safety measures, with the knowledge that further details would be secured at detailed design stage. The submission of these additional details could be secured by condition, in the event of an approval.

CONTAMINATION

Policy EM8 of the Hillingdon Local Plan: Strategic Policies (Land, Water, Air and Noise) states that the council expects proposals for development on contaminated land to provide mitigation strategies that will reduce the impacts on surrounding land uses. Major development proposals will be expected to demonstrate a sustainable approach to remediation that includes techniques to reduce the need to landfill.

The site is unlikely to have significant land contamination present, given the previous use of the land as offices, and the surrounding residential uses. However, in the event of an approval, a Phase 1 Desk Study would be sought, to establish whether current or historical activities at or near the site may have created potentially significant environmental constraints, alongside an appropriate initial Conceptual Site Model and a Preliminary Risk Assessment, identifying plausible contaminant linkages. This would be secured by way of condition, should the application be approved.

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

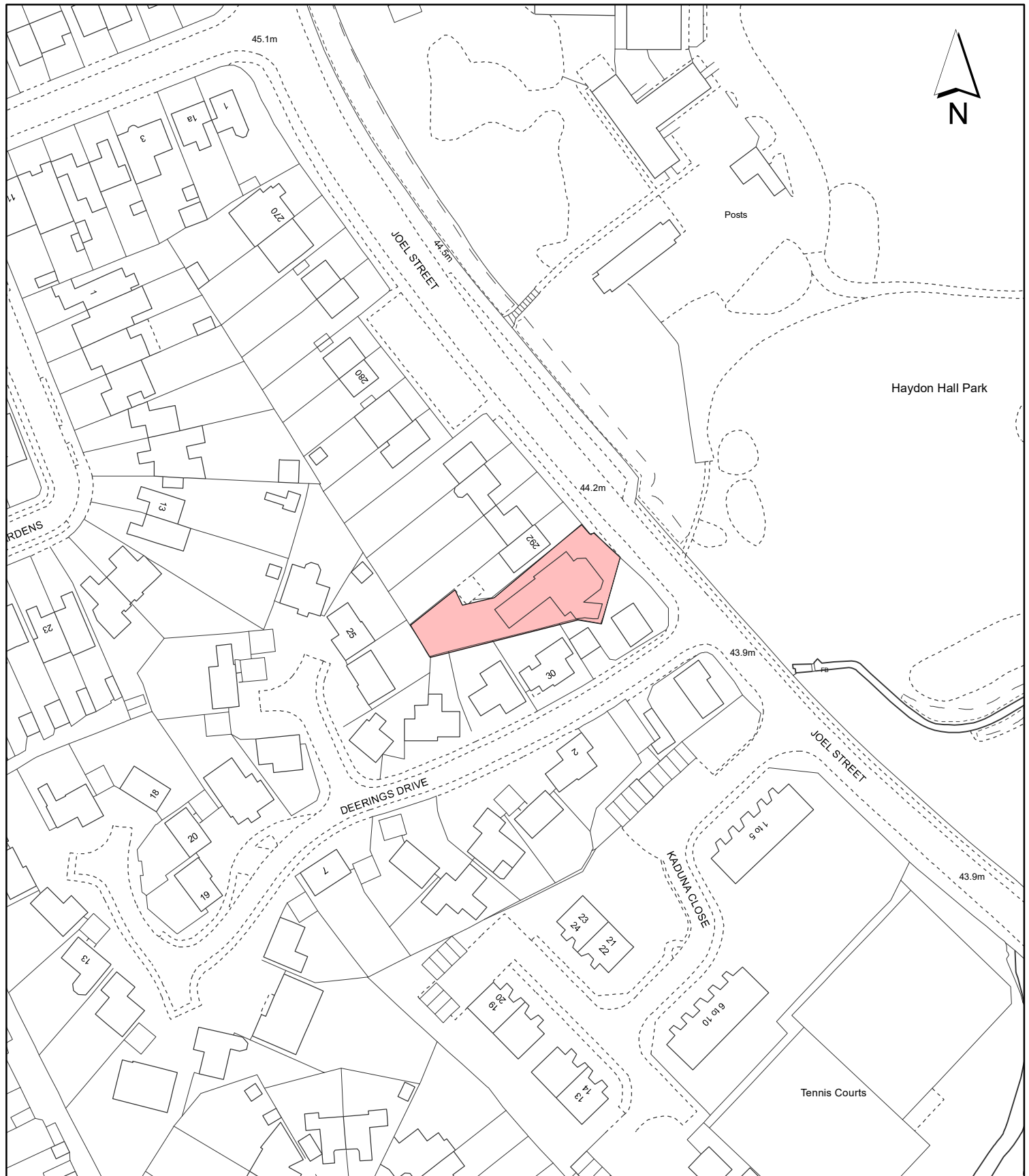
For the reasons set out in this report, it is considered that the proposed development would conflict with national, regional and local planning policies and guidance. The provision of 13 dwellings would not outweigh the identified harm. Consequently, it is recommended that the application be refused for the reasons set out in 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)

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Notes:

 Site boundary

For identification purposes only.

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Site Address:

Haydon House

Planning Application Ref:

51321/APP/2023/24

Planning Committee:

Major

Scale:

1:1,250

Date:

June 2023

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