

Report of the Head of Development Management and Building Control

Address: NORTHWOOD COMMERCIAL SALES/AUTOCENTRE NORTHWOOD LTD
PINNER ROAD NORTHWOOD

Development: Replacement of vacant car sales centre with a 3 storey mixed use development comprising of 1 x 1-Bed Apartment, 7 x 2-Bed Apartments and 1 x 3-Bed Apartment, with associated ground floor undercroft car and cycle parking and ground floor commercial space Use Class E.

LBH Ref Nos: 77460/APP/2022/2480

Drawing Nos: Site Location Plan
CBA-1039-PL-100 Proposed Plans)_Rev C
CBA-1039-PL200 Proposed Elevations_Rev D
922159
Stormwater Drainage Strategy by Simon Beale and Associates, dated 26th July 2022
Stormwater Drainage Design by Simon Beale and Associates
22-182-E-D-500
22-182-E-D-501
Transport Statement by Icen Projects, dated July 2022
01 Rev. A
Phase one Environmental Assessment Report (Preliminary Risk Assessment) by Subardra, dated April 2022, Reference IN22732 CL 001
Geo-Environmental Investigation Report by Subardra, dated July 2022, reference IN22732 CL 002
Noise and Vibration Impact Assessment by Cass Allen, dated 28th April 2022
Design and Access Statement
CBA-1039-SK005 Proposed Ground Floor Plan_Cycle Parking Review
02 Rev. B
03

Date Plans received: 03-08-2022 **Date(s) of Amendments(s):** 03-08-2022

Date Application valid 03-08-2022

1. SUMMARY

PLANNING BALANCE/SUMMARY

The application proposes the replacement of a vacant car sales centre with a 3-storey mixed use development comprising of 1 x 1-Bed Apartment, 7 x 2-Bed Apartments and 1 x 3-Bed Apartment, with associated ground floor undercroft car and cycle parking and ground floor commercial space

(Use Class E).

It should be noted that the Council is currently able to demonstrate a five-year supply of deliverable housing sites. As such, the "tilted balance" as set out in paragraph 11(d) of the NPPF (2021) is not engaged.

The proposal would provide 9 new dwellings in a location with adequate access to services. The proposed commercial unit (with a GIA of 140 sqm) is likely to attract small or medium enterprises. There would also be a small and time-limited economic benefit during the construction phase, as well as some modest social and economic benefits resulting from future occupiers of the proposed flats and the proposed retail use. Given the scale of the proposal these matters would be at most attract moderate weight.

Whilst the proposal may not result in any harm to the character and appearance of the surrounding area or prejudice highway safety, this lack of harm is not a benefit itself. As such, it is considered that neutral weight should be attached to these planning considerations.

Conversely, the proposal would result in substandard forms of living accommodation for future occupiers. In the absence of a daylight, sunlight and overshadowing report, the proposal fails to demonstrate that acceptable levels of light would be provided to the internal habitable and external amenity spaces of the proposed flats. Also, there would be unacceptable overlooking and privacy issues between the proposed flats labelled as Units A01 and A05.

The proposal would therefore conflict with the Development Plan and there are no other considerations, that outweigh this conflict.

An appeal on the grounds of non-determination has been received. Had an appeal not been received, it would have been recommended that planning permission be refused for the reasons set out in Section 2 of this Committee Report.

2. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Non Standard reason for refusal

In the absence of a Daylight, Sunlight and Overshadowing Assessment, it has not been demonstrated that the internal accommodation (in particular the three north-facing single aspect units) and external amenity space provision would achieve adequate levels of daylight and sunlight to meet the standards set in the Building Research Establishment's guidelines (BRE 209 2022). Consequently, the proposal would result in inadequate internal and external living conditions for future occupiers of the proposed development, contrary to Policies DMHB 16 and DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policies D3 and D6 of the London Plan (2021) and the National Planning Policy Framework (2021).

2. NON2 Non Standard reason for refusal

By virtue of their close proximity to each other, orientation and position, the private balcony and

bedrooms serving the proposed flat labelled as Unit A05 would provide direct views into the private balcony space and Bedroom 2 serving Unit A01 and vice versa. The balcony serving Unit A09 would also provide direct views into the private balcony space and Bedroom 2 serving Unit A01. The proposal would therefore result in overlooking issues and a loss of privacy for the future occupiers of Units A01 and A05 to the detriment of their standard of internal living conditions. The proposal therefore conflicts with Policies DMHB 11, DMHB 16 and DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policies D3 and D6 of the London Plan (2021) and the National Planning Policy Framework (2021).

INFORMATIVES

1. I71 LBH worked applicant in a positive & proactive (Refusing)

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

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

2. 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).

3. 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 |
| DME 2 | Employment Uses Outside of Designated Sites |
| DMEI 10 | Water Management, Efficiency and Quality |
| DMEI 12 | Development of Land Affected by Contamination |
| DMEI 14 | Air Quality |
| DMEI 2 | Reducing Carbon Emissions |
| DMEI 7 | Biodiversity Protection and Enhancement |
| DMEI 9 | Management of Flood Risk |
| DMH 2 | Housing Mix |
| DMH 7 | Provision of Affordable Housing |
| DMHB 11 | Design of New Development |
| DMHB 12 | Streets and Public Realm |
| DMHB 14 | Trees and Landscaping |
| DMHB 15 | Planning for Safer Places |
| DMHB 16 | Housing Standards |
| DMHB 17 | Residential Density |
| DMHB 18 | Private Outdoor Amenity Space |
| DMT 1 | Managing Transport Impacts |
| DMT 5 | Pedestrians and Cyclists |
| DMT 6 | Vehicle Parking |
| LPP D12 | (2021) Fire safety |
| LPP D14 | (2021) Noise |
| LPP D3 | (2021) Optimising site capacity through the design-led approach |
| LPP D4 | (2021) Delivering good design |
| LPP D5 | (2021) Inclusive design |
| LPP D6 | (2021) Housing quality and standards |
| LPP D7 | (2021) Accessible housing |
| LPP G6 | (2021) Biodiversity and access to nature |
| LPP G7 | (2021) Trees and woodlands |
| LPP H1 | (2021) Increasing housing supply |
| LPP H10 | (2021) Housing size mix |
| LPP H2 | (2021) Small sites |
| LPP SI12 | (2021) Flood risk management |
| LPP SI13 | (2021) Sustainable drainage |
| LPP SI2 | (2021) Minimising greenhouse gas emissions |
| LPP T3 | (2021) Transport capacity, connectivity and safeguarding |
| LPP T4 | (2021) Assessing and mitigating transport impacts |

| | |
|----------|----------------------------|
| LPP T5 | (2021) Cycling |
| LPP T6 | (2021) Car parking |
| LPP T6.1 | (2021) Residential parking |

3. CONSIDERATIONS

3.1 Site and Locality

The site comprises a triangular parcel of land (measuring approximately 0.07 hectares), situated on the corner of Pinner Road and Chestnut Avenue. It currently contains a vacant single storey car sales building and forecourt (Sui Generis). The north-eastern boundary of the site lies adjacent to Pinner Road, which is mainly characterised by two storey properties of mixed commercial and residential uses (although it is noted that there is a flatted development to the east at No. 201 Pinner Road). The south-western site boundary adjoins the embankment and beyond that the Metropolitan railway line. The eastern boundary lies adjacent to Chestnut Avenue (a residential road) and beyond that is Haste Hill Golf Courses and Northwood Cemetery (a designated Nature Conservation Site). Further east, is Northwood Hills Minor Town Centre (approximately 1 mile away).

According to the Council's GIS, the site is designated within a Critical Drainage Area, Air Quality Focus Area and a Potentially Contaminated Zone. It falls in Flood Zone 1 of the Environment Agency's Flood Risk Map (i.e. low probability of fluvial and tidal flooding). The site has a Public Transport Accessibility Level (PTAL) rating of 2- Poor.

3.2 Proposed Scheme

The application proposes the replacement of a vacant car sales centre with a 3-storey mixed use development comprising of 1 x 1-Bed Apartment, 7 x 2-Bed Apartments and 1 x 3-Bed Apartment, with associated ground floor undercroft car and cycle parking and ground floor commercial space (Use Class E).

It should be noted that a draft ground floor plan (drawing number CBA-1039-SK005) was submitted to address the issues raised by Transport for London, in terms of the on-site car parking provision and cycle provision. Also, updated swept path analyses were submitted on 19.01.2023 (drawing numbers 02 Rev. B and 03). TfL has confirmed that they are satisfied with the revised parking layout, subject to conditions (refer to Section 6). Planning Officers would have therefore requested for this draft ground floor layout to be reflected on the proposed floor plans (drawing number CBA-1039-PL100 Proposed of Plans_Rev C), if an Appeal had not been lodged.

3.3 Relevant Planning History

Comment on Relevant Planning History

There is no recent planning records attached to this site.

It is worth highlighting that the applicant has engaged with the Council through pre-application advice

(reference 76106/PRC/2020/259). Concerns were raised by Planning Officers in respect to: Loss of the designated employment land; the lack of set-back and defensible space; dead frontage on street level; and the absence of a formal frontage to Pinner Road. The current proposal that forms the subject of this Committee Report now includes a proposed retail unit at ground floor level, set-backs from the street frontages, active street frontage and a well articulated building frontage to Pinner Road. However, there are issues in respect to the standard of accommodation that would be afforded to future occupiers, in respect to daylight/sunlight and privacy. This matter is discussed in further detail in Section 7.09.

Also, Transport for London was consulted at pre-application stage with a meeting held on 23rd May 2022. The key issues raised by the London Underground engineer in May were as follows: reflective surfaces facing the railway; proximity of openable windows to the railway; and proximity of balconies/roof terraces to the railway. Section 7.22 of this report discusses whether the proposed development would harm the stability and safe operation of the railway.

4. Planning Policies and Standards

Development Plan:

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)
The Local Plan: Part 2 - Development Management Policies (2020)
The Local Plan: Part 2 - Site Allocations and Designations (2020)
The West London Waste Plan (2015)
The London Plan (2021)

Material Considerations:

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

Local Plan Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMCI 7 Planning Obligations and Community Infrastructure Levy

DME 2 Employment Uses Outside of Designated Sites

DMEI 10 Water Management, Efficiency and Quality

DMEI 12 Development of Land Affected by Contamination

DMEI 14 Air Quality

DMEI 2 Reducing Carbon Emissions

DMEI 7 Biodiversity Protection and Enhancement

DMEI 9 Management of Flood Risk

DMH 2 Housing Mix

DMH 7 Provision of Affordable Housing

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 15 Planning for Safer Places

DMHB 16 Housing Standards

DMHB 17 Residential Density

DMHB 18 Private Outdoor Amenity Space

DMT 1 Managing Transport Impacts

DMT 5 Pedestrians and Cyclists

DMT 6 Vehicle Parking

LPP D12 (2021) Fire safety

LPP D14 (2021) Noise

LPP D3 (2021) Optimising site capacity through the design-led approach

LPP D4 (2021) Delivering good design

LPP D5 (2021) Inclusive design

LPP D6 (2021) Housing quality and standards

LPP D7 (2021) Accessible housing

LPP G6 (2021) Biodiversity and access to nature
LPP G7 (2021) Trees and woodlands
LPP H1 (2021) Increasing housing supply
LPP H10 (2021) Housing size mix
LPP H2 (2021) Small sites
LPP SI12 (2021) Flood risk management
LPP SI13 (2021) Sustainable drainage
LPP SI2 (2021) Minimising greenhouse gas emissions
LPP T3 (2021) Transport capacity, connectivity and safeguarding
LPP T4 (2021) Assessing and mitigating transport impacts
LPP T5 (2021) Cycling
LPP T6 (2021) Car parking
LPP T6.1 (2021) Residential parking

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date: Not Applicable

5.2 Site Notice Expiry Date: Not applicable

6. Consultations

External Consultees

146 neighbouring properties were consulted by letters dated 17th August 2022. The consultation period expired on 8th September 2022. 14 objections (including from the Lead Petitioner) were received and their comments are summarised as follows:

- Excessive size and height of the proposed development
- Out of keeping with the existing environment
- None of the proposed materials reflect the locality
- Cramped form of development
- Overdevelopment of the site
- Large and unneeded proposed retail unit
- Loss of light, outlook and privacy
- Not feasible to build such a large complex on the small site

- No indication of green space
- Inadequate on-site parking provision
- Single yellow road lines at the junction of Pinner Road & Chestnut Avenue need to be changed to double with no waiting
- Concerns about highway safety, traffic and congestion
- Parking issues on Chestnut Avenue
- No parking provision for the proposed retail unit (for its employees, customers or delivery vehicles)
- Issues with vehicle users parking within the forecourt of Watkins Close or blocking the entrance
- Concerns that the flats would not be affordable or grossly overpriced
- Noise, dust and disruption during the construction phase
- Flooding issues
- Proposed retail unit would generate noise and encourage anti-social behaviour/loitering
- Adverse impact on mental health

An e-petition against the application with 22 signatories was received by the Council. The grounds for opposition are as follows:

"We the undersigned petition Hillingdon Council to Reject the planning application due to its likely impact of increasing demand for parking and resultant traffic congestion in the immediate area. If not rejected, we ask that the Council consider approval subject to a reduction in dwellings, an increase in allocated parking spaces, a stipulation on the type of commercial business permitted and an improvement to parking restrictions.

The junction of Chestnut Avenue and Pinner Road is a busy area with a constant flow of traffic, particularly when you consider it is the only access for a recreation ground, football and cricket clubs, a gym, the cemetery serving the North of the borough plus several homes. Were this development to go ahead we would request that double yellow lines are extended from the junction to the bridge on both sides of Chestnut Avenue plus a KEEP CLEAR instruction installed on Pinner Road to assist with access and egress. We would also like the council to consider whether the commercial space would be suitable for a convenience store, for example, where there would be constant and continual customers on foot, on bikes and in vehicles, thereby putting extra pressure on an already over subscribed zone, with no facilities for parking."

PLANNING OFFICER RESPONSE:

The height, scale, form and design of the proposed development, and in particular as a result of the introduction of active street frontage and being set-back from the pedestrian pavement, would appear appropriate in its surrounding urban locality. The submitted plans show designated landscaping zones and the planting of replacement trees. The proposal also includes a roof terrace with areas of soft landscaping. Full details of which could have been secured by condition, if this application had been recommended for approval.

Due to its limited floor area of 140 square metres, it is considered that the proposed retail store is more likely to attract local residents and workers rather than generating new destination trips. Taking into account the commercial and business units on the opposite side of the site along Pinner Road, it is considered that the proposed retail unit would not appear out of character with the mixed urban context.

As discussed in Section 7.08 of the Committee Report, it is considered that the proposed development would not adversely impact on the living conditions of neighbouring occupiers. In the interest of residential amenities, a condition could have been secured restricting the operation hours of the proposed retail unit, if the scheme had been recommended for approval and a non-determination appeal had not been lodged.

However, this does not outweigh the significant issues about the substandard form of accommodation that would be afforded to future occupiers. In the absence of a BRE daylight/sunlight report, it has not been demonstrated that the proposed flats (noting in particular the single aspect north facing units), would achieve adequate levels of natural light. Furthermore, due to their close proximity and orientation, there would be a lack of privacy between the bedroom windows and private balconies serving proposed Unit A01 and A05.

For the reasons discussed in Section 7.10 of this Committee Report, it is considered that the proposal would not have a harmful impact on highway safety, traffic or congestion to the surrounding road network. The submitted Transport Statement demonstrates that the proposed development would achieve appropriate visibility splays, and would not significantly increase vehicular trips to and from the site over and above the existing land use (if it were fully operationally). Furthermore, the submitted swept path analysis plans demonstrate that vehicles can enter and leave the site in forward gear.

Upon the request of Transport for London, the proposed on-site provision has been reduced from eight to seven spaces in order to comply with the London Plan's maximum parking standards. The Council's Highways Officer has raised no objection to the absence of on-site car parking provision for the proposed retail unit, given its scale and location (refer to the following section for the full consultation responses from TfL and the Council's Highways Department).

A Delivery and Servicing Management Plan could have been secured by condition, if the scheme had been recommended for approval and a non-determination appeal had not been lodged. Likewise, a condition could have been secured requiring the submission of a Construction Management Plan (including construction hours) to be submitted to help minimise noise, pollution and disruption to the highway network as far as practical during the construction phase.

It is acknowledged that the site is designated within a Critical Drainage Area and the highways adjacent to the northern and eastern site boundaries fall within a Surface Water Flooding Zone. If this application had been recommended for approval, a condition would have been secured requiring the development to be carried out in accordance with the submitted Stormwater Drainage Strategy Report by Simon Beale & Associates (dated 26th July 2022).

The proposed flats would be private market tenure. The proposal is for less than 10 residential units and therefore does not meet the threshold that requires affordable housing provision (refer to Section 7.13 of this report for further details).

NORTHWOOD RESIDENTS' ASSOCIATION: The access/exit to/from the basement car park is on the Pinner Road frontage. This is a very busy road junction and in addition is close to the zebra crossing. This raises serious concerns on safety grounds.

PLANNING OFFICER RESPONSE: The proposal's impact on highway safety is discussed in Section 7.10.

NORTHWOOD HILLS RESIDENTS' ASSOCIATION: No comments received.

TRANSPORT FOR LONDON (SPATIAL PLANNING):

18 long stay and 2 short stay cycle spaces should be provided. Wall mounted cycle racks do not demonstrate inclusive design. Eight parking spaces are proposed. Whilst in line with London Plan standards, consideration should be given to reducing this. Access to the undercroft would be gated. TfL are concerned about the potential for lane blocking for anything larger than a car seeking access to the undercroft. Clarification should be provided. The applicant should clarify whether they will be making any

changes to the vehicular access to the site. Any amendments should be supported by a Road Safety Audit. A Construction Logistics Plan should be secured by condition. In conclusion further information and design amendments are needed prior to TfL being supportive of the application.

PLANNING OFFICER RESPONSE: Further information has been received from the applicant. Highways matters are addressed within section 7.10 of this report.

TRANSPORT FOR LONDON (INFRASTRUCTURE PROTECTION):

It has come to our attention that a planning application has been submitted for the above property.

Though we have no objection in principle to the above planning application there are a number of potential constraints on the redevelopment of a site situated close to railway infrastructure. Therefore, it will need to be demonstrated to the satisfaction of LUL engineers that:

- Our right of support is not compromised
- The development will not have any detrimental effect on our structures either in the short or long term
- The design must be such that the loading imposed on our structures is not increased or removed
- We offer no right of support to the development or land

Therefore we request that the grant of planning permission be subject to conditions to secure the following:

The development hereby permitted shall not commence until the following (in consultation with London Underground) have been submitted to and approved in writing by the local planning authority:

- Provide details on all structures including above ground structures, foundations, basement and ground floor structures or any other structures below ground level, such as piling.
- Provide details on the use of tall plant/scaffolding
- Accommodate the location of the existing London Underground structures
- All windows should have restricted openings or should be unopenable facing the London Underground railway or the sheet piled retaining wall
- There should be no open air balconies facing the London Underground railway or the sheet piled retaining wall
- Demonstrate how the access route for the sheet piled retaining wall could be clear from the window/balcony littering problem
- Demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering our land
- Demonstrate that there will at no time be any potential security risk to our railway, property or structures
- Provide ground movement impact assessment due to the construction of the development
- Mitigate the effects of noise and vibration arising from the adjoining operations within the railway structures

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2021, draft London Plan policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012

This response is made as Railway Infrastructure Manager under the "Town and Country Planning (Development Management Procedure) Order 2015". It therefore relates only to railway engineering and safety matters. Other parts of TfL may have other comments in line with their own statutory responsibilities.

PLANNING OFFICER RESPONSE: It is noted that TfL Infrastructure Protection do not raise any objections in principle to the proposal. If the application was recommended for approval suitable conditions would be attached to any planning permission. Matters that concern the safe operation of the railway are addressed in section 7.22 of this report.

CADENT GAS:

Your planning application - No objection. After receiving the details of your planning application at Northwood Ltd Pinner Road, Northwood, HA6 1BP as we have completed our assessment. We have no objection to your proposal from a planning perspective.

Internal Consultees

COUNCIL'S CONSERVATION AND URBAN DESIGN OFFICER:

1. Summary:

The development has maximised the potential of this small site located between the Metropolitan railway line and the Pinner Road primary road. The site constraints of the railway line, site size and orientation have delivered some liveability issues, including, privacy issues, due to the below standard separation distances between the units around the open space and single aspect north facing units. Some of these issues can be mitigated through good design.

The projected chamfered corner protrudes beyond the building line which is considered inappropriate to the townscape context

2. Context:

The site is a triangle of land in a junction location between the Metropolitan Line and Pinner Road primary road. The Metropolitan Railway is raised up on an embankment and retaining wall along the southern edge of the site. The area is predominantly 2 storey residential houses.

The Old Northwood Conservation Area and Area of Special Local Character is on the opposite side of Pinner Road.

3. Comments:

3.1 Height, scale and massing

The height of the building is proposed at three storey, this height with flat roof is broadly in line with the prevailing ridge heights of the surrounding 2 storey residential buildings. Although a flat roof behind a parapet is not a characteristic of the area.

It should be noted that the lift overrun delivers a higher element than the three storey building height. However, the lift is located in the centre of the site to reduce the visual impact from the street. While a small proportion of the lift overrun will be visible from some views as shown on the front page of the Design and Access Statement, this approach balanced with the need for a lift is considered acceptable.

3.2 Layout:

The building layout of the ground floor is set back from the kerb by approximately 2m with a chamfered corner projection. The two upper floors layout is an 'L' shape around a roof terrace.

The frontage building line set back/defensible space for properties along Pinner Road is generous, mostly around 5m, to provide a generous buffer to this primary road. The proposed frontage defensible space is 2m, a preferable approach would be to increase this area to allow for mitigation tree planting to replace the removed trees.

3.2.1 Ground floor:

The ground floor accommodates car parking, a commercial unit with stairs and lift to the upper floors. The arrangement of the ground floor delivers 'dead' frontage to street level along Pinner Road and the commercial space along the secondary road of Chestnut Avenue. The ground floor should be reconfigured to increase the active frontage along Pinner Road.

3.2.2 Residential upper floors:

The residential units arranged around the open space results in the cramped form of development with the window to window distances of approximately 13.5m in large part due to the development plot size. This is well below the nationally accepted 20m creating privacy issues. However, this could potentially be mitigated through the provision of an angled window in Bedroom 1 within A05 and the removal of the secondary window and balcony serving Bedroom 2 within this flat.

Further, 3 of the 9 units in the scheme are single aspect north facing which is not acceptable in accordance with the GLA Housing Design Standard C4.1. However, the site orientation and location of the railway line makes these difficult to avoid.

4. Appearance:

The use of red multi brick as the predominant building material is accepted.

To replicate the elevational detailing of brick banding above the 2nd floor windows and below the parapet wall it is recommended this detail be repeated above the 1st floor windows as a continuation of the design throughout the building.

Further, the projected chamfer frontage lacks structural integrity only attached to the main body of the building with balcony railing. This approach makes this element look flimsily attached to the host building. Secondly, a projected chamfered element/staggered frontage is not a feature of the townscape context.

PLANNING OFFICER RESPONSE:

The proposal involves a flatted scheme on a corner plot, and is not directly comparable to the pattern of the development of the existing two storey properties on the northern side of Pinner Road. The customer entrance to the proposed retail unit would be on the junction between Pinner Road and Chestnut Avenue. Also, the proposed elevation facing towards Pinner Road contains habitable room windows and balconies which would provide natural surveillance. Based on these design features, it is considered that the proposal would provide some level of active street frontage on Pinner Road. Furthermore, the submitted plans shows the defensible space on ground level is of a sufficient size to accommodate replacement

trees. Given these circumstances, it is not considered reasonable to refuse the application on the grounds of inadequate defensible space, failure to respect the pattern of development or lack of active street frontage. This is notwithstanding the comments provided by the Council's Conservation and Urban Design Officer.

The point raised about the three single aspect units are noted and is discussed in Section 7.09 of this Committee Report.

COUNCIL'S ACCESS OFFICER:

This proposal for a replacement building comprising 9 flats has been reviewed against the requirements of London Plan policy D7. Any grant of planning permission should include the following conditions:

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

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

The dwelling hereby approved shall accord with the requirements of Policy D7 of the London Plan, and shall not be occupied until certification of compliance with the technical specifications for an M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, has been submitted to, and approved in writing, by the Local Planning Authority. All such provisions must remain in place for the life of the building.

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

COUNCIL'S NOISE 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, including the proximity to the railway. Hence: '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 1hr for any hour 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.'

COUNCIL'S LAND CONTAMINATION OFFICER:

I have reviewed a copy of the geo-environmental information within the following reports submitted in support of the application:

Title: Phase 1 Environmental Assessment Report (Preliminary Risk Assessment); Ref: IN22732 CL 001;
Date: April 2022; Prepared by: Subadra Consulting Ltd.

Title: Phase 2 Geo-Environmental Investigation Report; Ref: IN22732 CL 001; Date: July 2022; Prepared by: Subadra Consulting Ltd.

The two reports provide details which include appropriate phase 1 and phase 2 conceptual site modelling and risk assessment for the site, all in accordance with authoritative guidance.

A previous contaminative use of the site, as a former petrol filling station, is outlined in the reports, and it is understood the site underwent investigation by others during 1994 and again in 1995 (tank and flow lines removal), all in accordance with instructions from Shell UK Ltd.

Notwithstanding the quantitative risk assessments leading to the subsequent conclusion which the recent phase 2 report states: "none of the contaminants of concern we have assessed pose an unacceptable risk to future site users".

However, olfactory evidence of hydrocarbon odours was recorded during the recent site investigation works, and which could be indicating a possibility that some unacceptable hydrocarbon contamination exists as currently unidentified hotspot occurrences arising from previously migrated fuel, which may still be present and currently undetected in soils at other parts of the site, (e.g. at the location of the maintenance workshop and office), which were not sampled during the most recent site investigation.

Furthermore, "bundles" of asbestos fibres were identified in samples from shallow made ground from borehole BH004 (reported to be now infilled). It is therefore considered possible further quantities of asbestos may also be present in other parts of the site. The LPA shall require these matters to receive further consideration / investigation.

Therefore, I recommend the following conditions be imposed if planning permission is granted:

- (i) The development (excluding demolition, site clearance and supplementary post-demolition ground investigation works) shall not commence until a scheme to deal with unacceptable contamination, (including asbestos materials), within the soil/s has been submitted to and approved by the Local Planning Authority (LPA). All works which form part of any required remediation scheme shall be completed before any part of the development is occupied or brought into use unless the Local Planning Authority dispenses with any such requirement specifically and in writing. The scheme shall include the following measures, unless the LPA dispenses with any such requirement specifically and in writing:
 - a) A written method statement providing details of a remediation scheme, and how completion of the remedial works will be verified, shall be agreed in writing with the LPA prior to commencement, along with the details of a watching brief to address undiscovered contamination. No deviation shall be made from this scheme without the express agreement of the LPA prior to its implementation.
 - (ii) If during remedial or development works contamination not addressed in the submitted remediation scheme is identified an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and
 - (iii) Upon completion of the approved remedial works, this condition will not be discharged until a comprehensive verification report has been submitted to and approved by the LPA. The report shall include the details of the final remediation works and their verification to show that the works have been carried out in full and in accordance with the approved methodology.
 - (iv) No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted, within a detailed factual and interpretive report, for approval in writing by the Local Planning

Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Hillingdon Local Plan: Part 2 (January 2020) Policies - DMEI 11: Protection of Ground Water Resources and DMEI 12: Development of Land Affected by Contamination.

Observations:

Reports indicate six fuel tanks were previously identified and removed from the site, and it is understood measures to remediate the affected land included excavation and removal of 120 cubic metres of fuel contaminated soils from "beneath the central forecourt (fuel lines) and the area between the central forecourt and sales building".

There are no details provided to indicate the actual specification / condition and depth of imported soils which were introduced to replace the fuel contaminated materials removed during remedial works, particularly at the central locations of the site. The central area shall therefore require a supplementary investigation to be conducted and reported to the LPA in accordance with the recommended planning conditions.

Furthermore, the phase 2 report states "The presence of asbestos will not pose a significant risk to site users, provided a suitable cover layer is adopted in all landscaped areas". However, the report does not precisely indicate what represents a "suitable cover layer", and where such cover shall be located. This matter shall also require details to be provided to the LPA in accordance with the recommended conditions.

COUNCIL'S HIGHWAYS OFFICER:

Site Characteristics & Background:

The proposal site is located on the corner of Pinner Road and Chestnut Avenue in Northwood. It is a now vacant car dealership with two operational vehicular access points located on Pinner Road and on the corner of Pinner Road/Chestnut Avenue.

It is proposed to construct a new 3-storey block consisting of 9 apartments (1x3,7x2 & 1x1 bedroom units) with 8 on-plot under-croft parking spaces. The existing vehicular access on Pinner Road (with adjustment) is proposed to serve the under-croft provision with the closure of the second access located on the junction of Pinner Road and Chestnut Avenue. A ground floor commercial use (E(a) class- GIFA 140m²) is also proposed on the eastern flank of the site envelope without on-plot parking provision.

The surrounding roadways are covered by a mix of parking controls mainly operating from 8am to 6.30pm - Monday to Saturday together with unrestricted parking areas. The location exhibits a low public transport accessibility level (PTAL) rating of 2 which heightens dependency on the ownership and use of private motor transport.

Parking Provision:

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

London Plan (2021): Policy T6.1 (Residential Parking) requires that new residential development should

Borough Planning Committee - 12th July 2023

PART 1 - MEMBERS, PUBLIC & PRESS

not exceed the maximum parking standards as set out in table 10.3.

Residential:

The maximum parking requirement for the new residential component would be in the order of 10 to 14 spaces in order to comply with the adopted Hillingdon parking standard. However, in contrast for a PTAL rating of 2, the London Plan (2021) parking standard would demand up to 7 spaces which is broadly akin to the proposed quantum. Therefore, the level of provision is considered acceptable.

The allocation of spaces would benefit from a parking allocation plan to secure adequate provision for each unit hence a suitable planning condition should be applied.

It is noted that local interest from some residents residing in Watkins Close, which lies opposite to the proposal site, has been expressed suggesting that some amendments are made to the existing waiting restrictions in order to pre-empt possible future parking issues generated by the proposal. However, it would be considered pre-mature to react to this request given that problems may be perceived and therefore may not arise, particularly in the light of the on-plot parking standard being met which greatly lessens the likelihood of untoward parking displacement onto the local public highway.

Disabled Compliant Parking Provision:

In accord with the parking standard - 10% of parking spaces should be disabled compliant, equating to 1 space. A single space is depicted which is considered acceptable.

Electric Vehicle Charging Points (EVCP's):

In line with the London Plan (2021), within the final parking quantum there is a requirement for a minimum 20% 'active' EVCP provision with all remaining spaces being designated as 'passive' provisions. This translates to 2 'active' and 6 'passive' spaces. 8 'active' spaces have been indicated by the applicant which is welcomed and therefore considered acceptable.

Cycle Parking:

In terms of cycle parking there should be a provision of 1 secure and accessible space per dwelling (up to 2 bedrooms) and 2 spaces for the 3-bedroom unit to conform to the adopted borough cycle parking standard which equates to approximately 10 spaces.

18 'long stay' spaces have been indicated arranged in a communal fashion suitably located within the under-croft area which exceeds the standard but is considered acceptable given the associated benefits with encouraging this mode of sustainable travel especially given the relatively low PTAL rating. It is expected that the spaces would be appropriately allocated to the relevant residential units.

Retail E(a):

In accord with the London Plan (2021) retail parking standard, the maximum provision would be in the order of 2 to 3 on-plot spaces, and none are proposed.

However, there are no specific concerns with this absence of provision due to the moderate scale of the proposal and the existing retail/commercial mix of the local district centre which is likely to contribute to a degree of linked trips to the site given these established use attractions and at the same time potentially serving new flat occupiers within the site envelope. This would also inherently reduce the potential for any

significant new vehicular activity generated by this application. Even if this were not to be the case, the scale of the proposal limits the potential for measurable detrimental highway related impacts given the surrounding parking controls in the area.

Cycle Parking:

In terms of cycle parking there should be a minimum provision of 1 secure and accessible 'long stay' and 1 'short-stay' space in line with the London Plan (2021) standard. The applicant has confirmed this level of provision with suitable positioning which is therefore accepted.

Vehicular Trip Generation (Residential & Retail):

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

The proposal could potentially produce a marginal increase in traffic generation from the site as compared to the previous car retail use. However peak period traffic movement into and out of the site would not be expected to rise beyond 2-3 vehicle movements during the most crucial and sensitive peak morning and late afternoon/evening hours. Hence this uplift is considered marginal in generation terms and therefore can be absorbed within the local road network without notable detriment to traffic congestion and road safety.

Vehicular Access/ Internal Layout/ Servicing:

There are two operational vehicular access points located on Pinner Road and on the corner of Pinner Road/Chestnut Avenue. The former would be retained for the flatted use whilst the latter would become redundant.

In highway impact and safety terms, there is no objection in principle to utilising the established access on Pinner Road. The proposed internal under-croft layout broadly aligns with DfT (Manual for Streets circa 2007) best practice for road and junction layouts which therefore allows for passenger vehicles only to enter and leave the site in a forward gear which is the recommended practice on highway safety grounds and is therefore welcomed. Any nominal parking related to servicing the residential and commercial components would occur for infrequent and short duration on Chestnut Avenue and is therefore not envisaged to generate any measurable harm to the highway network.

Any necessary adjustments to the established access point and extinguishment of the other existing aperture (i.e. reversion back to footway on the corner of Pinner Rd & Chestnut Ave) would be facilitated at the applicant's/developer's expense and should conform to council standards in terms of build quality and dimension in line with the Domestic Vehicle Footway Crossover Policy (2022). This would be arranged post-permission via a formal/legal agreement i.e. s278/184 of The Highways Act 1980. As any changes would be minor, there is no requirement to provide further appraisal by way of a safety audit or equivalent.

Satisfactory highway visibility splays at the reutilised access point are also considered deliverable and should be applied. It is therefore recommended that, on safety grounds, there should be conformity to the relevant mutual inter-visibility sight-line requirements, as per MfS guidance, between vehicles leaving the site and extraneous vehicles/pedestrians on Pinner Road. The applicant has demonstrated satisfactory sight-line visibility splays at the entrance/egress hence there are no further observations.

Gated Under-Croft Access Arrangement:

It is indicated that 'a secure sliding gate' arrangement would be applied to the under-croft access. It has been demonstrated that a single vehicle 'stacking' on the public highway without notable overhang onto the roadway is feasible which is welcomed for clear reason. The applicant confirms that no larger service vehicles would require access into the under-croft which is restricted for sole use by passenger vehicles affiliated to the new occupiers. In addition, the confirmation of the use of an electronic gate control is also encouraging as it helps to ensure a more rapid discharge of a vehicle entering the site from the public highway which promotes traffic fluidity and mutual safety for all road users.

Operational Refuse Requirements:

Residential:

Accepted 'waste distance' collection standards encourage waste collection distances to be within 10m from the point of collection by a refuse vehicle on the public highway. In addition, the maximum carrying distance from each dwelling to the point of collection should not exceed 30m.

The positioning of a communal bin storage area is set in proximity of the public highway (Pinner Road) hence there appears to be conformity to the above recommendation.

Retail:

Refuse arrangements and collection would occur from Chestnut Avenue and be organised by way of a private contractor hence this will require a separate conversation with the appropriate waste collection service. It is noted that there is a dropped kerb in place in Chestnut Avenue located within the vicinity of the proposed bin store which will allow for ease of collection and negates any further kerb works/adjustments. There are no further observations.

Construction Management Plan (CMP):

A full and detailed CMP will be a requirement given the constraints and sensitivities of the local road network. The plan will need to be secured under planning condition to optimise construction related routing and frequency thereby avoiding/minimising potential detriment to the surrounding public realm.

Conclusion:

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

7. MAIN PLANNING ISSUES

7.01 The principle of the development

PRINCIPLE OF DEVELOPMENT:

A) Loss of Employment Land:

The car sales centre is considered to be an employment use which falls under the Sui Generis use

category. The application site does not fall within a designated employment area, however it is considered to be a non-designated employment site as referred to in paragraph 2.9 of the Hillingdon Local Plan: Part 2 (2020). To be clear, the current use is not considered to be an industrial use as defined by Policy E4 of the London Plan (2021).

Policy DME 2 of the Hillingdon Local Plan: Part 2 (2020) states that proposals which involve the loss of employment floorspace or land outside of designated employment areas will normally be permitted if:

- i) The existing use negatively impacts on local amenity, through disturbance to neighbours, visual intrusion or has an adverse impact on the character of the area; or
- ii) The site is unsuitable for employment reuse or development because of its size, shape, location, or unsuitability of access; or
- iii) Sufficient evidence has been provided to demonstrate there is no realistic prospect of land being reused for employment purposes; or
- iv) The new use will not adversely affect the functioning of any adjoining employment land; or
- v) The proposed use relates to a specific land use allocation or designation identified elsewhere in the plan.

Whilst the proposed development would provide an element of commercial space (Use Class E), it is noted that the proposal would result in the loss of employment land outside of a designated employment area. As such, Policy DME 2 of the Hillingdon Local Plan: Part 2 (2020) is applicable and of relevance. There is no suggestion that criterion ii), iii) and v) of Policy DME 2 applies here. As to criterion i) it is considered that the the car sales centre site, as it presently stands, does not make a positive contribution to the character of the area, or the wider setting of the Old Northwood Area of Special Local Character. With respect to criterion iv), it is considered that the proposed commercial unit (given its limited floor area) would not compete or undermine the functionality of any adjoining employment lands, noting in particular that Northwood Hills Minor Town Centre is approximately 1 mile away.

Accordingly, and applying weight to the fact that the proposal would involve the provision of new commercial floor space, it is considered that the proposal would accord with Policy DME 2 of the Hillingdon Local Plan: Part 2 (2020).

B) Need for Housing:

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

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

Policy H1 of the London Plan (2021) states that Boroughs should optimise the potential for housing delivery on all suitable and available sites through their Development Plan and planning decisions, especially the following sources of capacity: e) small sites (see Policy H2 Small sites).

Policy H2 of the London Plan (2021) states that Boroughs should pro-actively support well-designed

new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making in order to:

- 1) significantly increase the contribution of small sites to meeting London's housing needs
- 2) diversify the sources, locations, type and mix of housing supply
- 3) support small and medium-sized housebuilders
- 4) support those wishing to bring forward custom, self-build and community-led housing
- 5) achieve the minimum targets for small sites set out in Table 4.2 as a component of the overall housing targets set out in Table 4.1.

Given the mixed character of the surrounding area comprising residential and commercial uses, there is no objection, in principle to the provision of residential units in this location, in land use terms. However, this would be subject to an appropriate housing mix, design, residential amenity (including the quality of accommodation for future occupiers) and parking provision, and the proposal being in accordance with all of the relevant planning policies and guidance set out in the Development Plan.

It should be noted that the Council is currently able to demonstrate a five-year supply of deliverable housing sites. As such, the "tilted balance" as set out in paragraph 11(d) of the NPPF (2021) is not engaged.

HOUSING MIX:

Policy H10 of the London Plan (2021) points to the need to consider a range of issues to determine an appropriate mix of units sizes. These include a robust local evidence base to support the delivery of mixed and inclusive communities, the aim to optimise housing potential on sites and the recognition that a higher proportion of 1 and 2 bed units is "generally more appropriate in locations which are closer to a town centre or station or with higher public transport access connectivity".

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

In accordance with Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), developments should demonstrate how the provision of family housing has been optimised, to address local needs. The proposed development would provide 1 No. x one-bedroom flat, 7 No. x two-bedroom flats and 1 No. x three-bedroom flat. It is therefore considered that the proposal would consist of an appropriate housing mix in accordance with Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy H10 of the London Plan (2021).

7.02 Density of the proposed development

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

size.

Policy DMHB 17 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all new residential development should take account of the Residential Density Matrix contained in Table 5.2, which recommends a density range of 108-264 habitable rooms/hectare and 35-80 units/hectare for sites within 800m of a town centre with a PTAL rating of 2.

The site is located within 800m of a town centre and has a PTAL rating of 2. Based on a total site area of 0.067, the proposed scheme would have a density level of 402 habitable rooms/hectare and 104 units/hectare. The proposed density levels would therefore exceed the recommended range found in Table 5.2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020). However, it is considered that the Council's recommended density ranges should not be applied mechanistically, rather a degree of flexibility should be applied to this guidance, taking into account the site's local contextual factors.

In terms of the principles of Policies H2 and D3 of the London Plan, the site's urban location benefits from policy support for brownfield regeneration. A short distance east of the site, is Clearview House (No.201 Pinner Road) which is a part three storey/part two storey building. This neighbouring building forms part of the site's context. Furthermore, the site is located within a sustainable location, within walking distance of Northwood Hills Underground Station and Northwood Hills Minor Town Centre. Also, the site is in close proximity to bus stops which provide frequent services towards Eastcote, Pinner and Mount Vernon Hospital. Taking all these factors together, it is considered that the density level of the proposed development is appropriate given its location.

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

The northern site boundary is located adjacent to the boundary of Old Northwood Area of Special Local Character. However, the application site itself, does not fall within this heritage asset designation. Refer to Section 7.07 of this Committee Report for further details on the impact on the character and appearance of the area.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.06 Environmental Impact

Addressed elsewhere in this report under the relevant headings.

7.07 Impact on the character & appearance of the area

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

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

Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) seeks a quality of design

in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character. Policy HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) states that the Council will conserve and enhance

Policy DMHB 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that the Council will expect development proposals to avoid harm to the historic environment. Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that new development will be required to be designed to the highest standards and incorporate principles of good design. Policy DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development should be well integrated with the surrounding area.

Relative to its setting the application site appears somewhat incongruous. It is made more so by the unattractive character of the forecourt covered in tarmac which used to serve the purposes of the site as a car sales centre. Considered as whole, the site, as it presently stands, does not make a positive contribution to the character of the area, or the wider setting of the Old Northwood Area of Special Local Character.

The surrounds are characterised by a range of uses, including station infrastructure, and residential and commercial buildings mainly two storeys in height. However, there is a part two storey, part three storey building to the east to the site at No.201 Pinner Road. There is also a notable diversity in the age, style, form and type of properties within the immediate vicinity of the site, which give rise to a varied character and appearance.

The design of the proposal that forms the subject of this Committee Report has emerged from lengthy engagement with the Council through the pre-application advice service. During which stages the footprint, size, scale of the proposed development has been reduced, which in turn has resulted in the the number of proposed flats being reduced from the 15 initially proposed to the 9 flats. The current proposal would now see the site covered by a part three, part two storey building comprising 9 flats and a commercial unit.

The proposed building has a wrap-around frontage to maximise and reflect its corner plot position. The site's corner junction on Pinner Road/Chestnut Avenue has been made a focal point in the design of the building through the slight raising of the height of the building and locating the main entrance doors to the proposed commercial unit in this section. This adopted design approach is welcomed as it helps reinforce the importance of the junction and would make a clear contribution to creating a sense of place.

It is accepted that the proposal would be considerably greater in scale than the existing building it would replace, and that this would result in a more intensive use of the site. However, it is not considered that the proposed development would result in an overdevelopment of the site by virtue of its scale, rather an alternative and more efficient use of the site. It is considered that the scale and density of the proposed development, given its location close to facilities, services and public transport would be appropriate. In this respect, the proposal would accord with the general approach in the London Plan (2021) which seeks to make the most efficient use of land, increasing densities and building heights where appropriate, to meet housing demand and accommodate growth.

Turning to the height of the proposed building, the development would be 3 storeys with a lift

provision on the top level. Given the urban context of the site, and noting the building at No.201 Pinner Road, it is considered that the height of the proposed building would relate well to its surrounding built environment. The proposed core serving the lift and staircase at roof level would be visible from the public realm. However, its set-in from the perimeter of the third floor roof and its metal cladding, would help to minimise its visual impact and differentiate this subservient element from the principal elevation of the building fronting Pinner Road.

The proposed design is modern in style, which would not be inappropriate, given the site's location and the diverse character and appearance of the locality. The facades of the proposed building would be broken up through the combination of stepped levels, forward projections, fenestration treatment and balconies. Notably, the vertical proportioning of the proposed building, which is expressed both in its overall dimensions and individual elements, would help to bring a human scale to its frontages. Furthermore, the proposed building has been set-back from the site boundaries, which has helped to relieve its overall footprint and provide the opportunity of soft landscaping at ground level.

According to the Design and Access Statement, the material palette would consist of red multi-brick, a light red multi-brick and matt finish warm grey metal reinforced cladding defining features such as the core and balcony surrounds. The materials proposed would be important in helping to integrate the proposed development with the surrounding context. Full details and product specifications would have therefore been secured through the use of a condition, if this application had been recommended for approval.

It is considered that the proposed building represents good modern design. It would sit comfortably on its plot, deliver a marked enhancement to the site, and respect the setting of the adjacent Old Northwood Area of Special Local Character.

Having regard to the above, it is considered that the proposed development would not cause harm to the character and appearance of the area, including the setting of Old Northwood Area of Special Local Character (a non-designated heritage asset). Consequently, the development accords with Policies BE1 and HE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012), Policies DMHD1, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policies D3, D4 of the London Plan (2021) and the NPPF (2021).

7.08 Impact on neighbours

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states:

B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

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

Paragraph 5.40 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states: "For the purposes of this policy (Policy DMHB 11), outlook is defined as the visual amenity enjoyed by occupants when looking out of their windows or from their garden. The Council will expect

new development proposals to carefully consider layout and massing in order to ensure development does not result in an increased sense of enclosure and loss of outlook."

The proposed development would comprise a part 3 storey block along the north-eastern and south-eastern boundaries and a part 2 storey block along the south-western elevation (facing the embankment and railway line). The proposed built form would be located approximately 22 metres south-west of neighbouring properties located at Nos. 118 to 142 Pinner Road, 28 metres to the west of neighbouring properties located on Watkins Close and over 40 metres to the north-east of neighbouring properties located on Manor Cottages.

Given the aforementioned separation distances, it is considered that the proposed development would not result in any significant loss of daylight or sunlight for the nearest adjacent residential properties. Similarly, it is considered that there would be sufficient separation to ensure that harmful overlooking would not occur to existing neighbouring occupiers. Also, it is worth noting that the aforementioned separation distances would conform with the minimum 21 separation distance advocated in paragraph 5.38 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

The proposed development would be visible in the outlook and views of neighbouring residential occupiers within the immediate vicinity of the site. However, given the separation distances of the proposed building from these residential properties, it is considered that the development would not be overly dominant or overbearing in the outlook of neighbouring occupiers such that would be harmful to their living conditions.

In the event of an approval, a condition would have been secured limiting the operating hours of the proposed retail unit. Also, a condition would have been secured requiring the submission of a Delivery and Servicing Management (which would include details of the delivery hours). Subject to such conditions, it is considered that the proposal would not result in an unacceptable impact to nearby residents, in terms of noise and disturbance.

In light of the above, it is considered that the proposed development would not unduly impact on the residential amenities of neighbouring occupiers in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

7.09 Living conditions for future occupiers

INTERNAL AMENITY SPACE PROVISION:

Part A) of Policy D6 of the London Plan (2021) sets out the requirements for the gross internal floor area of new dwellings at a defined level of occupancy. Table 3.1 of the London Plan (2021).

Part C) of Policy D6 of the London Plan (2021) states that Housing development should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings. A single aspect dwelling should only be provided where it is considered a more appropriate design solution to meet the requirements of Part B in Policy D3 Optimising site capacity through the designed approach than a dual aspect dwelling, and it can be demonstrated that it will have adequate passive ventilation, daylight and privacy, and avoid overheating.

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).

Table 3.1 of Policy D6 of the London Plan (2021) states that:

- A one storey dwelling with 1 bedroom, 2 person occupancy should have a minimum GIA of at least 50 square metres
- A one storey dwelling with 2 bedrooms, 4 person occupancy should have a minimum GIA of at least 70 square metres
- A one storey dwelling with 3 bedrooms, 5 person occupancy should have a minimum GIA of at least 86 square metres
-

The proposed development would provide the following:

First floor level:

Unit A01- A two-bedroom, 4 person occupancy flat with a GIA measuring 71.2 square metres

Unit A02 - A two-bedroom, 4 person occupancy flat with a GIA measuring 72.3 square metres

Unit A03- A one-bedroom, 2 person occupancy flat with a GIA measuring 51.3 square metres

Unit A04- A two-bedroom, 4 person occupancy flat with a GIA measuring 75.1 square metres

Unit A05- A two-bedroom, 4 person occupancy flat with a GIA measuring 72.2 square metres

Second floor level:

Unit A06 - A three bedroom, 5 person occupancy flat with a GIA measuring 90 square metres

Unit A07- A two bedroom, 4 person occupancy flat with a GIA measuring 72 square metres

Unit A08- A two bedroom, 4 person occupancy flat with a GIA measuring 75.1 square metres

Unit A09- A two bedroom, 4 person occupancy flat with a GIA measuring 72.2 square metres

As demonstrated above, all the proposed flats would meet the minimum space standard requirement set out in Policy D6 of the London Plan (2021). All the proposed bedrooms would exceed the minimum floor area standards set out in parts 3) and 4) of Policy D6 of the London Plan (2021), which requires double bedrooms to have a floor area of at least 11.5 sqm, and single bedrooms to have a floor area of at least 7.5 sqm and be at least 2.15m wide.

However, in the absence of a BRE Daylight, Sunlight and Overshadowing report, it has not been demonstrated that the habitable rooms within the proposed flats would meet the full BRE recommendations (having particular regards to Units A02, A03, A07 which are single aspect and facing north onto Pinner Road). Given the depth of the habitable rooms and overshadowing caused by projecting balconies, it is likely that some of the rooms would not meet BRE standards. As such, the proposal would result in inadequate living conditions for future occupiers, in terms of poor levels of natural light.

There would be a separation distance of approximately 12 metres between the window/open glazed door and private balcony serving Bedroom 2 of Unit A01 and the windows, open glazed door and private balcony serving the Bedrooms 1 and 2 within Unit A05. This relationship would fall well below the Council's recommended 21 metre separation between habitable windows stated in paragraph 5.38 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020). Similarly, one of the balconies of Unit A09 would also have the same separation distance from Bedroom 2 of Unit A01, at an elevated height with downward views into this habitable room. It is considered that the direct overlooking into the habitable rooms of Units A01 and A04 would unacceptably harm the privacy of the future occupiers of these respective proposed flats. It cannot be argued that a condition could be secured requiring the windows and open door glazing to be obscure glazed as this would result in

poor outlook.

If this application had been recommended for approval, a condition would have been included requiring the first floor window serving the communal stairway to be obscure glazed and non-opening to prevent any issues with privacy for the future occupiers of Bedroom 2 of Unit A01. However, this does not outweigh or address the concerns raised in the preceding paragraph in regards to the lack of privacy for the future occupiers of proposed Units A01 and A05.

In light of the above, it is considered that the proposal would afford future occupiers substandard forms of internal living conditions, in respect to privacy and daylight/sunlight. The proposal therefore conflicts with Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy D6 of the London Plan (2021) and the National Planning Policy Framework (2021).

EXTERNAL AMENITY SPACE PROVISION:

Policy D6 of the London Plan (2021) states that where there are no higher local standards in the borough Development Plan Documents, a minimum of 5 sqm of private outdoor space be provided for 1-2 person dwellings and an extra 1 sqm be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m.

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

- One-bedroom flats should be provided with at least 20 square metres of private amenity space.
- Two-bedroom flats should be provided with at least 25 square metres of private amenity space.
- Three-bedroom flats should be provided with at least 30 square metres of private amenity space.

Paragraph 5.70 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states:

"Dwellings on upper floors should all have access to a private balcony or terrace, where this is consistent with the overall design of the building. Houses and ground floor flats should have private gardens. The Council is keen to improve the quality of housing in the Borough and therefore communal provision of private outdoor space is generally not supported unless there are strong planning reasons and the proposed scheme is of high quality with clear planning merits."

The proposed development would provide 1 x one-bedroom flat, 7 x two-bedroom flats and 1 x three-bedroom flat, requiring 225 square metres of external amenity space to comply with the standards found in Table 5.3.

The proposed development would provide the following:

- Unit A01- A two-bedroom flat with a private balcony measuring 7.1 square metres.
- Unit A02 - A two-bedroom flat with a private balcony measuring 7.1 square metres.
- Unit A03- A one-bedroom flat with a private balcony measuring 7.1 square metres.
- Unit A04- A two-bedroom flat with a private balcony measuring 7.3 square metres.
- Unit A05- A two-bedroom flat with two private balconies, totalling 16.6 square metres.
- Unit A06 - A three-bedroom flat with two private balconies, totalling 21.2 square metres.
- Unit A07 - A two-bedroom flat with a private balcony measuring 7.1 square metres
- Unit A08- A two bedroom flat with a private balcony measuring 7.3 square metres

- Unit A09- A two-bedroom flat with a private balcony measuring 7.1 square metres.
- The total amount of private amenity space provided would be 97.7 square metres.

In addition to the above, the proposal would include a communal outdoor amenity area at roof level measuring 159 square metres that would be accessible to all future occupiers of proposed flats (noting the proposed lift access at roof level).

The overall amount of external amenity space provision being provided at 256.7 square metres would exceed the total requirement of external amenity space set out in Table 5.3 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020). However, this does not outweigh the absence of a Daylight, Sunlight and Overshadowing report to demonstrate that proposed external amenity spaces (both private and communal) would achieve adequate levels of sunlight amenity. Sufficient sunlight for external amenity space is a requisite of high quality design. It is therefore considered that this matter cannot be left to the personal preferences of any particular purchaser. Instead, it should be resolved through the design and layout of the development upfront.

Having regard to the above, it is considered that the proposed development would cause significant harm to the living conditions of future occupiers, with respect to overshadowing of external amenity spaces. The proposal therefore conflicts with Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy D6 of the London Plan (2021) and the National Planning Policy Framework (2021).

Please refer to Section 7.18 of the Committee Report for the noise impact assessment of the adjacent railway line in respect to the proposed external amenity space provision.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

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

Policy T4 of the London Plan (2021) states that where appropriate, mitigation, either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions, will be required to address adverse transport impacts that are identified.

Policy T6 of the London Plan (2021) states that new residential development should not exceed the maximum parking standards set out in Table 10.3, which requires sites in Outer London with a PTAL rating of 2 to have a maximum parking provision of p to 0.75 spaces per 1-2 bed unit and up to 1 space per dwelling for 3 bed plus units. Part H of Policy T6 adds that all disabled persons parking bays associated with residential development must be for resident's use only (whether M4(2) or M4(3) dwellings).

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

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

functions of existing roads.

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

VEHICLE ACCESS:

The submitted plans accompanying the Transport Statement shows the existing vehicular access on Pinner Road would be maintained. However, a reduction in its width (by approximately 1.7 metres) is proposed to accommodate the proposed gated under-croft provision. The proposed reduction to the width of the vehicular access would still allow two vehicles to pass each other simultaneously. This would enable vehicles to enter and exit the site in forward gear, thus avoiding the need to reverse onto Pinner Road.

Furthermore, the submitted plans demonstrate that vehicles waiting to access the under-croft at the gated access would not block the main carriageway of Pinner Road. As a result, the likelihood of vehicles queueing and waiting within the highway would be relatively low. Also, the plans demonstrate that the proposed access point to the development would provide the requisite visibility splays, which would have been secured through condition (in the event of an approval). This would ensure unobstructed views of oncoming vehicular traffic and non-vehicular users of the footway. Thus, reducing the potential for conflict between users.

The second existing access, located at the junction of Pinner Road and Chest Avenue, would be closed. There is no objection in principle to this arrangement subject to the existing vehicle crossover being reinstated to a raised kerb.

The Council's Highways Officer has reviewed the proposal and has raised no objection, in principle, to the proposed access arrangements. However, this is subject to the established access point and extinguishment of the other existing apertures (i.e. reversion back to footway) would be facilitated at the applicant's/developer's expense and conforming to the Council's standards in terms of build quality and dimension in line with the Domestic Vehicle Footway Crossover Policy (2022). This would have been arranged post-permission via a formal/legal agreement i.e. Section 278/184 of The Highways Act 1980, if this application had been recommended for approval.

ON-SITE PARKING PROVISION:

A) Proposed nine flats:

The surrounding roadways are covered by a mix of parking controls mainly operating from 8am to 6.30pm - Monday to Saturday together with unrestricted parking areas. The location exhibits a low public transport accessibility level (PTAL) rating of 2.

The maximum requirement for one and two bedroom flats is 1 to 1.5 spaces per unit and 2 spaces for three to four or more bedroom flats to comply with the locally adopted parking standards set out in Appendix C, Table 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020). For a development of the size and type being proposed, this would amount to 10 to 14 car parking spaces.

It is worth noting that Table 10.3 of the London Plan (2021) states that developments in Outer London

PTAL 2-3 comprising 1-2 bed units should be provided up to a maximum of 0.75 spaces per dwelling and up to 1 space per dwelling for 3 plus bed units. The development would therefore demand up to 7 spaces to conform with the London Plan's standards.

Upon the request of Transport for London, a draft ground floor plan was submitted to show the proposed number of on-site car parking spaces reduced from eight to seven (drawing number CBA-1039-SK005). The revised draft layout would therefore conform with the maximum residential parking standards found in Table 10.3 of the London Plan (2021). As previously stated, if an Appeal had not been lodged, Officers would have requested for drawing number CBA-1039-PL100 Proposed Plans_Rev C to be updated to reflect the revised ground floor layout. However, this matter could have been resolved by way of condition.

In accordance with the Accessible Hillingdon SPD, 10% of residential car parking spaces must be for blue badge holders (disabled users) which equates to 1 car parking space. The submitted plan shows that 1 disabled parking space within the under-croft measuring 2.4 metres by 4.8 metres, plus 1.2 metre transfer zone (as detailed in the Council's Accessibility SPD). The proposed disabled car parking space would have been secured by condition, in the event of an approval.

Part G) of Policy T6 and part C) of Policy T6.1 of the London Plan (2021) state that all residential car parking spaces must provide infrastructure for electric or Ultra-Low Emission vehicles. At least 20 per cent of spaces should have active charging facilities, with passive provision for all remaining spaces. This translates to 1 'active' and 5 'passive' spaces. The submitted plans show 7 electric vehicle charging points, which is welcomed by the Council's Highways Officer. Full specification details of the electric vehicle charging points would be secured by way of a condition, if this application had been recommended for approval.

The Council's Highways Officer has commented that the proposal (this includes both the residential and retail element) could potentially produce a marginal increase in traffic generation from the site as compared to the previous car retail use. However, peak period traffic movement into and out of the site would not be expected to rise beyond 2-3 vehicle movements during the most crucial and sensitive peak morning and late afternoon/evening hours. Hence, this uplift is considered marginal in generation terms and therefore can be absorbed within the local road network without notable detriment to traffic congestion and road safety.

In the event of an approval, a condition would have been secured requiring the submission of a Construction Management Plan (including construction hours) to be submitted to the Council for consideration. This condition is necessary to ensure that disruption to the highway network is minimised as far as practicable during the construction phase.

B) Proposed commercial unit (Use Class E):

With respect to the proposed commercial unit (Use Class E), the London Plan's (2021) maximum parking provision would be for 2 to 3 spaces. In this case, no on-site car parking spaces are being provided for the proposed retail unit. However, the site's proximity to the existing retail/commercial mix of the local district centre is likely to contribute to a degree of linked trips to the proposed retail unit. This would inherently reduce the potential for any significant new vehicular activity generated by this application. Additionally, given its location and scale, the proposed retail unit is likely to be used primarily by local residents and workers who are anticipated to travel by foot or cycle. Even if this were not the case, the Council's Highways Officer has commented that the scale of the proposed unit (with a GIA of 140 square metres) would inherently reduce the potential for any significant new

vehicular activity generated by this application.

Although there are parking controls in place including restricted hours and yellow lines, it is acknowledged that there are stretches of the highway within proximity of the site that are devoid of parking restrictions (with the closest stretch being located on Chestnut Avenue). However, it is observed that many residential properties on Chestnut Avenue have driveways, with the nearest residential properties to the site at Nos. 1 to 7 Watkins Drive benefitting from their own parking forecourt. Thus, reducing demand for on-street parking spaces. Furthermore, whilst recognising the parking concerns of interested parties, the site is in a relatively accessible location and would therefore provide reasonable access to various forms of non-car related transport. Accordingly, the proposed retail unit is considered to result in only limited on-street parking demand. This position is supported by the applicant's Transport Statement which illustrates that the proposed development would result in very few vehicular trips when compared to the existing land use (if it were fully operational).

In the event of an approval, a condition would be secured requiring a delivery servicing management plan (including delivery hours, sizes of delivery vehicles and frequency) for the proposed retail unit to be submitted to the Council for consideration. This condition is considered to be necessary to minimise the impact on amenity and operation of highways and transport infrastructure.

Having regard to the above, it is considered that the effect of the proposed development on parking availability, with particular respect to the impact on the amenities of local residents would be limited. Furthermore, the Highways Authority have not found that the proposal would result in any adverse impact upon highway safety or capacity grounds, a point of significant weight. The proposal would therefore accord with Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policies t4, T6 and T6.1 of the London Plan (2021) and paragraph 111 of the NPPF (2021).

BICYCLE PROVISION:

Policy T5 of the London Plan (2021) states that developments should provide cycle parking at least in accordance with the minimum standards set out in Table 10.2 and Figure 10.3, and that cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards (LCDS).

To conform with Policy T5 of the London Plan, a minimum of 18 long-stay cycle parking spaces, and two short-stay cycle parking spaces should be provided for the residential element. Upon the request of TfL, a draft ground floor plan was submitted to show a reconfiguration of the cycle and parking area within the under-croft. The revised layout now includes 18 Sheffield stands (including 2 spaces for larger/adapted cycles in accordance with the LCDS), in replacement of the previously proposed mounted stands. Additionally, the revised plan shows a 1.5 metre wide delineated route for pedestrians/cyclists to the cycle parking area. Two short stay hopped cycle spaces would be provided in front of the communal entrance door to the proposed flats.

In terms of the proposed retail unit, a minimum provision of 1 secure and accessible 'long stay' and 1 'short stay' space is required to conform to Policy T5 of the London Plan. In line with TfL's comments, the revised ground floor plan shows Sheffield stands for both the 1 long and 1 short stay cycle spaces. The long stay space would be provided within the building envelope of the proposed commercial unit, whereas the short stay cycle space would be provided adjacent to the customer entrance door.

In the event of an approval, a condition would have been secured requiring full specification details of the cycle stands to be submitted to the Council for consideration. Subject to such a condition, the proposal would provide secure and accessible cycle parking spaces for future occupants in compliance with Policy DMT 5 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy T5 of the London Plan (2021).

7.11 Urban design, access and security

SECURE BY DESIGN:

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

In the event of an approval, a condition would have been secured to the proposed development to achieve accreditation from Secure By Design. Subject to such a condition, the proposal would accord with Policy DMHB 15 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

7.12 Disabled access

Policy D5 of the London Plan (2021) states that development proposals should achieve the highest standards of accessible and inclusive design. Policy D7 of the London Plan (2021) states that residential developments must ensure that: 1) 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 2) 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'.

The submitted plans show that the proposed building would contain a lift, which would provide wheelchair users access to all floors. In the event of an approval, a condition would be secured to ensure that the lift is installed and is in operational use prior to the occupation of the development.

To comply with the requirements of Policy D7 of the London Plan (2021), one of the proposed flats would need to meet Category M4(3) and the remaining eight flats would need to meet Category M4(2) of the Building Regulations. This would have been secured through the imposition of a planning condition, if this application had been recommended for approval. Also, the condition recommended by the Council's Access Officer in respect to step-free access would have been secured as well.

Subject to the above conditions, it is considered that the proposal would provide adequate provision of accessible and inclusively designed dwellings in compliance with Policies D5 and D7 of the London Plan (2021).

7.13 Provision of affordable & special needs housing

EFFECTIVE USE OF LAND AND AFFORDABLE HOUSING PROVISION:

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.

Policy DMH 7 Part A) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that in accordance with national policy developments with a capacity to provide 10 or more units will be required to maximise the delivery of on-site affordable housing.

Part D) of Policy DMH 7 adds that, to ensure that Policy H2: Affordable Housing of the Local Plan Part 1 is applied consistently and fairly on all proposed housing developments, the requirement for affordable housing will apply to:

- i) sites that are artificially sub-divided or partially developed;
- ii) phased developments where a housing development is part of a much larger development of 10 or more units (gross), affordable housing will be required as part of the overall scheme; and
- iii) additional units created through or subsequently amended planning applications, whereby the amount of affordable housing required will be calculated based on the new total number of units on the site. Affordable housing will be required where a development under the 10 unit threshold is amended to have 10 or more housing units in total (gross).

Criterion ii) and iii) of Policy DMH 7 are not considered applicable to the application. With respect to criteria i), there is no definition within the Local Plan Part 2 of what constitutes as 'partially developed'. However, in this instance, the proposed development would exceed the recommended density matrix found in Table 5.2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020). The height of the proposed building would broadly conform with the ridge heights of neighbouring properties, which helps to ensure that the development respects its surrounding context (noting its location adjacent to the boundary of Old Northwood Area of Special Local Character). It could therefore be contended that, on balance, the optimum yield for the site has been achieved, taking into account the site's local contextual factors.

The proposal is for fewer than 10 dwellings and so the affordable housing requirement set by Part A) of Policy DMH 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) does not bite. Nor, for the reasons outlined above, is it considered that the proposal has been 'partially developed'. There is, therefore, no affordable housing requirement upon the proposal and there would also be no breach of Policy H2 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) and Policy Policy DMH 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

7.14 Trees, landscaping and Ecology

TREES AND LANDSCAPING:

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

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that landscaping and tree planting should enhance amenity, biodiversity and green infrastructure.

Policy DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that:

- A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or

other natural features of merit.

B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.

C) Where space for ground level planting is limited, such as high rise buildings, the inclusion of living walls and roofs will be expected where feasible.

D) Planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees. Where the tree survey identifies trees of merit, tree root protection areas and an arboricultural method statement will be required to show how the trees will be protected. Where trees are to be removed, proposals for replanting of new trees on-site must be provided or include contributions to offsite provision.

It is noted that the a Tree Survey has not accompanied the application. However, the application site does not form part of a Conservation Area and is not subject to a Tree Preservation Order.

Furthermore, the trees at the site are small, and therefore not considered to be of trees of "merit". Given these circumstances, and on this individual basis, it is considered that a tree survey is not considered to be necessary.

The submitted Design and Access Statement states that three trees along Chestnut Avenue would be removed to facilitate the proposed development. There is no objection to the loss of these existing three trees, given their small size, low quality and limited visual amenity value. The proposal seeks to provide three replacement trees of a better quality along Chestnut Avenue, within the proposed landscaping zones between back of the footpath and proposed facades. Full details of the size, specimen and precise location of the proposed replacement trees would be secured by condition, in the event of an approval.

In terms of landscaping, the proposal would include low level dense planting areas at ground level along the frontages facing Pinner Road and Chestnut Avenue. It is considered that these proposed landscaping zones would help to soften and integrate the development into its surrounding context. Above ground level, the proposal would include roof terraces with soft landscaping, which would contribute to the net gain biodiversity of the site. Page 19 of the submitted Design and Access Statement includes a plan indicating that the pedestrian access routes within the site would be formed with permeable paving as part of the SuDS strategy for the proposed development. The vehicle routes and undercroft car park would be finished in tarmac. There is no objection, in principle, to the proposed soft and hard landscaping. However, full details would be secured through the imposition of a condition, if this application had been recommended for approval.

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

IMPACT ON PROTECTED SPECIES:

Policy 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.

Haste Hill and Northwood Golf Courses and Northwood Cemetery lies to the south-west of the site and is a designated Nature Conservation Site. However, the application site itself mainly comprises hard standing and does not contain any water courses or woodland. It is therefore considered that the likelihood of protected species being present at the site is low, and as such, an ecology assessment is not required. This position would be in accordance with 'Circular 06/05: Biodiversity and Geological Conservation- Statutory Obligations and their Impact within the Planning System' which states that, "...bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development."

Notwithstanding, the applicant still has a responsibility to fulfil their duties under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended). An informative would be secured advising the applicant on this matter, in the even of an approval.

7.15 Sustainable waste management

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

The submitted plans show separate refuse stores for the proposed residential and commercial uses. The refuse store serving the proposed flats would be located within the undercroft area. It is proposed that refuse would be collected from the kerbside of Pinner Road. The residential refuse store is within the Council's 10 metre collection distance parameter from the kerb (as shown on drawing Drawing 22-T038_01A in Appendix A5). The Council's Highways Officer has raised no objection to the location of the residential refuse store, in terms of servicing arrangements for the Council's Refuse Collection Crew. In terms of capacity, the submitted plans indicates the residential refuse store could accommodate 1 x 1100L and 2 x 1100L Recycling communal bin stores. The proposed refuse store capacity is considered to be of a sufficient size to accommodate for the needs of the future occupiers of the proposed flats.

The refuse store serving the commercial premises would be located along the eastern elevation of the proposed building, and accessible from Chestnut Avenue. The submitted Transport Statement prepared by Iceni (dated July 2022) confirms that the commercial refuse collection would be managed by the tenant who would be responsible for wheeling the bins out of the bin store for a refuse vehicle to collect from Chestnut Avenue kerbside. The commercial refuse store could accommodate 2 x 770L and 2 x 240L bins. There is no objection, in principle to the location of the commercial bin store or its capacity size. However, this is subject to a condition requiring the submission of a Delivery and Servicing Management Plan (that include refuse collection details) to be submitted to the Council for consideration.

Additionally, a condition would have been secured requiring the residential and commercial refuse stores to be provided in accordance with the submitted plans prior to the first occupation of the development (if this application had been recommended for approval).

Subject to the above conditions, the proposed development would be able to provide a convenient

location for refuse facilities in accordance with Policy DMHB11 part (d) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

7.16 Renewable energy / Sustainability

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

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

The submitted Design and Access Statement states that construction materials would be locally sourced where practical and high efficient boilers alongside smart metering would be provided, which is welcomed by Planning Officers. In the event of an approval, a condition would have been secured requiring a sustainability energy statement to be submitted to demonstrate that the proposal would achieve at least a 10% improvement beyond Building Regulations 2013. Also, a condition would have been secured requiring the proposed dwellings to achieve as a minimum, a water efficiency standard of no more than 105 litres per person per day maximum water consumption.

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

7.17 Flooding or Drainage Issues

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

Policy DMEI 9 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that proposals that fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.

Policy DMEI 10 states that development within areas identified at risk from surface water flooding which fail to make adequate provision for the control and reduction of surface water runoff rates will be refused.

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

The site is designated within a Critical Drainage Area and the highways adjacent to the northern and eastern site boundaries fall within a Surface Water Flooding Zone. A Stormwater Drainage Strategy Report by Simon Beale & Associates (dated 26th July 2022) was accompanied with the application. The report states that: "In order to mitigate flood risk posed by the proposed development, a controlled system to manage the stormwater generated by the hardstanding (impermeable areas). An attenuation tank system will be used to capture the stormwater and temporarily store before discharging at controlled rate to a public sewer. It is suggested that permeable paving with temporary storage is to be used to help control the discharge rate into the public sewer also." The report

demonstrates that the proposed development would provide lower surface water run-off rates than the existing situation, and confirms that the drainage networks within the site would be privately maintained.

In the event of an approval, a condition would have been secured to ensure that the development is carried out in accordance with the Stormwater Drainage Strategy Report and the submitted drainage drawings. Subject to such a condition, it is considered that the proposed development would not increase the risk of flooding on the site or elsewhere in accordance with Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policies SI 12 and SI 13 of the London Plan (2021).

7.18 Noise or Air Quality Issues

NOISE, VENTILATION AND VIBRATION FROM RAILWAY LINE

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

The southern site boundary abuts an embankment leading to a railway line. The submitted plans show windows of habitable rooms and external amenity spaces within proximity to this noise source.

The application was accompanied by a Noise and Vibration Impact Assessment (NVIA) produced by Cass Allen Associated Ltd, dated April 2022. The report identifies that maximum noise levels across the site were dictated by road traffic on Rickmansworth Road and train passes on the adjacent railway line. The report states that the noise from nearby commercial businesses was insignificant in comparison to noise from Rickmansworth Road and the railway line.

Paragraph 4.8 of the report summarises the results of a noise survey undertaken from 7th to 13th April 2022. During the on-site daytime (07.00 to 23.00 hours) average noise level was 67 dB LAeq, while the night-time (23.00-07.00 hours) average noise level was 62 dB LAeq. The maximum night-time level was 80 dB LAmax.

As set out in Table 1 of the report, the BS8233 recommended internal design criteria for a living room is 35 dB LAeq, while the recommended bedroom night-time level is 30 dB LAeq. The report states that acceptable internal noise levels (in line with BS28233) would be achievable in the proposed development subject to the specification of suitable glazing and ventilation systems at the detailed design stage. The installation of these attenuation measures would have been secured through the imposition of a planning condition, if this application had been recommended for approval.

It should be noted that compliance with the BS8233 guideline levels would require the windows of the proposed dwellings to be closed. However, as identified in the NVIA report, an enhanced mechanical ventilation system could be installed if the proposed flats are predicted to overheat for long periods with windows closed. If this application had been recommended for approval, the submission of an overheating assessment and full details of the mechanical ventilation system would have been secured by way of a condition. On this basis, both internal noise levels and sufficient ventilation in the proposed development would be achieved.

It is recognised that future occupiers of the proposed flats might prefer to open their windows for natural ventilation at times. In this scenario, future occupiers would be likely to expect a certain

degree of noise and disturbance given the site's location adjacent to a railway line and Rickmansworth Road. However, future occupiers would be aware of the presence of the railway line and road before choosing to occupy the proposed development. Furthermore, the Council's Environmental Health Officer has raised no objection to the proposal, subject to the noise levels within the proposed flats not exceeding BS8233 guidelines.

With regards to external amenity space, BS8233 states that it is desirable that noise levels do not exceed 50 dB LAeq and that 55 dB LAeq,T should be regarded as an upper guideline value. However, BS8233 recognises that these guideline values will not always be achievable in city centres or urban areas adjoining main roads or other transport sources. In these cases, BS8233 states that the development should be designed to achieve the lowest practical noise levels in the amenity spaces.

Based on the results of the noise survey, noise levels in external amenity areas would be expected to exceed the BS8233 recommended levels by up to 12dB. However, there are material considerations which need to be weighed against this conflict. The proposed development is located in a sustainable location. This means future occupiers are likely to weigh up the disadvantage of the external amenity space being subject to noise against the advantage of being within walking distance to Northwood Hills Underground Station and Northwood Hills Minor Town Centre. It is therefore considered, on balance, that the locational benefits of the site would off-set the noise levels apparent within external amenity spaces of the proposed flats.

If this application had been recommended for approval, a condition would have been secured restricting the use of the proposed commercial space to retail use only. Also, a condition would be secured restricting operating hours of the premises. Subject to such conditions, it is considered that the noise generated by the proposed commercial premises would not generate unreasonable levels of noise and disturbance for future residential occupiers of the proposed development.

The results shown in Table 5 of the submitted NVIA report shows that the vibration levels at the site fall well below the "Low probability of adverse comment" rating for both day- and night-time periods according to BS6472:1992. As such, the levels of vibration at the site is considered to be acceptable for the proposed development.

On the basis of the proposed mitigation (which would have been secured by condition, in the event of an approval), it is considered that the living conditions of future occupiers would not be adversely affected by either unacceptable noise, insufficient ventilation or vibrations. Accordingly, the proposal would comply with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy D14 of the London Plan and paragraph 180 of the NPPF (2021). However, this does not outweigh the harm identified in Section 7.09, in terms of the lack of privacy and inadequate levels of daylight/sunlight that would be afforded to future occupiers of the proposed flats.

AIR QUALITY:

Policy DME1 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that proposals should demonstrate appropriate reductions in emissions. It adds that, development proposals should, as a minimum:

- i) be at least "air quality neutral";
- ii) include sufficient mitigation to ensure there is no unacceptable risk from air pollution to sensitive receptors, both existing and new; and
- iii) actively contribute towards the improvement of air quality, especially within the Air Quality

Management Area.

The site is designated within an Air Quality Focus Area. If this application had been recommended for approval, a condition would have been secured requiring the submission of an Air Quality Management Assessment to demonstrate that the proposed development would be at least air quality neutral. Also, a condition would have been secured requiring the submission of a Construction Management Plan to minimise air and other emissions caused during the construction phase.

7.19 Comments on Public Consultations

Covered in other sections of this Committee Report.

7.20 Planning obligations

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

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

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

FIRE SAFETY:

Policy D12 of the London (2021) states that in the interest of fire safety and to ensure that safety of all building users, all development proposals must achieve the highest standards of fire safety. Policy D5 part B of the London Plan (2021) states development should be designed to incorporate safe and dignified emergency evacuation for all building uses.

If this application had been recommended for approval, a condition would have been secured requiring the submission of a Fire Safety Strategy by a suitably qualified professional to be submitted to the Council for consideration. Subject to such a condition, it is considered that the proposal would be able to achieve high standards of fire safety and emergency evacuation arrangements in accordance with Policy D12 of the London Plan (2021).

LAND CONTAMINATION RISK:

Policy DMEI 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states:

A) Proposals for development on potentially contaminated sites will be expected to be accompanied by at least an initial study of the likely contaminants. The Council will support planning permission for any development of land which is affected by contamination where it can be demonstrated that contamination issues have been adequately assessed and the site can be safely remediated so that the development can be made suitable for the proposed use.

B) Conditions will be imposed where planning permission is given for development on land affected

by contamination to ensure all the necessary remedial works are implemented, prior to commencement of development.

C) Where initial studies reveal potentially harmful levels of contamination, either to human health or controlled waters and other environmental features, full intrusive ground investigations and remediation proposals will be expected prior to any approvals.

D) In some instances, where remedial works relate to an agreed set of measures such as the management of ongoing remedial systems, or remediation of adjoining or other affected land, a S106 planning obligation will be sought.

As previously stated, the site is designated within a Potentially Contaminated Land Zone.

The application has been accompanied by a Phase 1 Environmental Assessment (dated April 2022) and a Geo-Environmental Investigation Report (dated July 2022), both prepared by Subadra.

The Phase 1 Environmental Assessment identifies the potential for significant contamination to be present in shallow soils to be low. However, given the site's extended use as a retail filling station and records that indicate the occurrence of a fuel leak, albeit with relatively extensive remedial works having been carried out, the possibility of residual hydrocarbon being present cannot be discounted. The Geo-Environmental Investigation Report outlines that the results of the environmental investigation has identified low concentration of hydrocarbons in shallow soils, but suggests that none of the contaminants of concern pose an unacceptable risk to future users.

However, the Council's Land Contamination Officer has commented that olfactory evidence of hydrocarbon odours was recorded during the recent site investigation works. This could be indicating a possibility that some unacceptable hydrocarbon contamination exists as currently unidentified hotspot occurrences arising from previously migrated fuel, which may still be present and currently undetected in soils at other parts of the site (e.g. at the location of the maintenance workshop and office). The Land Contamination Officer highlights that this was not sampled during the most recent site investigation.

Furthermore, the Land Contamination Officer notes that "bundles" of asbestos fibres were identified in samples from shallow made ground from borehole BH004 (reported to be now infilled). It is therefore considered possible further quantities of asbestos may also be present in other parts of the site.

In light of the above, the Council's Land Contamination Officer has recommended a condition, which would have been secured if this application had been recommended for approval (refer to Section 6 for the wording of the condition). Subject to this condition, it is considered that the land contamination issues would be capably addressed and that the proposal would not have an unacceptable effect on the public health of the future occupiers of the proposal or nearby residential properties, in accordance with Policy DMEI 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

SAFE OPERATION OF RAILWAY:

Policy T1 of the London Plan (2021) requires all development to make the most effective use of land, whilst ensuring that any impacts on London's transport network and supporting infrastructure are mitigated. This is supported by Policy T3 of the London Plan (2021) which states that development decisions should safeguard existing land used for public transport.

The south-eastern site boundary adjoins the Metropolitan railway line. As previously stated, Transport

for London (TfL) were consulted at pre-application stage and concerns were raised in respect to the reflective surfaces facing the railway; proximity of openable windows to the railway; and proximity of balconies/roof terraces to the railway. To address these concerns, the following design features have been incorporated into the current proposal.

The facade of the proposed building would be mainly covered in brickwork with very limited or no level of reflectivity. The stair core is proposed to be clad in metal rainscreen cladding that would be powder coated in a matt or satin finish without metallic pigments. The proposed windows and balustrading facing the railway would incorporate anti-glare glazing. Full details of the external materials/finishes and anti-glare glazing would have been secured through condition, if this application had been recommended for approval.

The proposed first floor plan submitted demonstrates that there would be a distance of approximately 12 metres from the top of the railway embankment to the nearest window fitted south-west elevation. The Design and Access Statement states that the windows (highlighted in yellow) would be restricted to a maximum opening of 100mm to limit the potential for rubbish being thrown onto the TfL access route. This would have been secured by condition, in the event of an approval. Given that these particular windows either serve bedrooms or secondary windows to open plan kitchen/living rooms, and noting the mechanical ventilation which would be secured by condition, it is considered that the restriction on window openings would not compromise the quality of internal living conditions for future occupiers.

There are other openable windows fitted in the proposed south-western elevation. However, they are set further back from the railway by the proposed first and second floor landscaped terraces (with the closest openable window being 14.3 metres away from the top of the embankment). The proposal would provide a larger than standard parapet height along the proposed terraces adjoining the south-western elevation, which would consist of a part solid parapet wall with a glazed balustrade above (with the total height circa 2.1 metres high). As previously mentioned, the balustrade glazing would be anti-glare. If this application had been recommended for approval, a condition could have been secured requiring cross-section drawings of the first and second floors to be submitted at a scale no more than 1:20. This condition is considered necessary to enable the detailed design of the proposed parapet wall and balustrade along the south-western elevation to be considered by the Council in consultation with TfL.

Since the pre-application submission, the proposal has been revised to include a green roof space with low level planting adjacent to the proposed balcony serving Unit A06 to prevent residents being able to access the roof space facing towards the railway line. The proposed balconies serving Units A05 and A09 facing Chestnut Avenue would be approximately 15.4 metres from the railway line, and would include full-height framing to the sides to limit outlook towards the railway. Full details of the full height projecting frame would have been secured by condition, if this application had been recommended for approval.

The useable areas of proposed roof garden terrace would be separated by approximately 19.6 metres from the top of the embankment. The submitted roof plan shows that a planted area has been added to prevent future occupiers from being able to access the parts of the roof immediately adjacent to the TfL boundary.

Transport for London's Infrastructure Team were consulted on this application and have raised no objection to the proposal, subject to a condition which would have been secured to the decision notice, if this application had been recommended for approval.

Taking the above into account, and subject to conditions, it is considered that the proposal would not interfere with the safe and efficient operation of the railway network in accordance with Policies T1 and T3 of the London Plan (2021).

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. No material considerations exist which would outweigh the identified harm. Accordingly, had an appeal against non-determination not been received, it would have been recommended that the planning application be refused on the grounds set out in section 2 of this Committee Report.

11. Reference Documents

National Planning Policy Framework (July 2021)

The London Plan (March 2021)

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

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

Hillingdon Local Plan Accessible Hillingdon Supplementary Planning Document (September 2017)

Planning Obligations Supplementary Planning Document (July 2014)

Technical Housing Standards - Nationally Described Space Standard (March 2015)

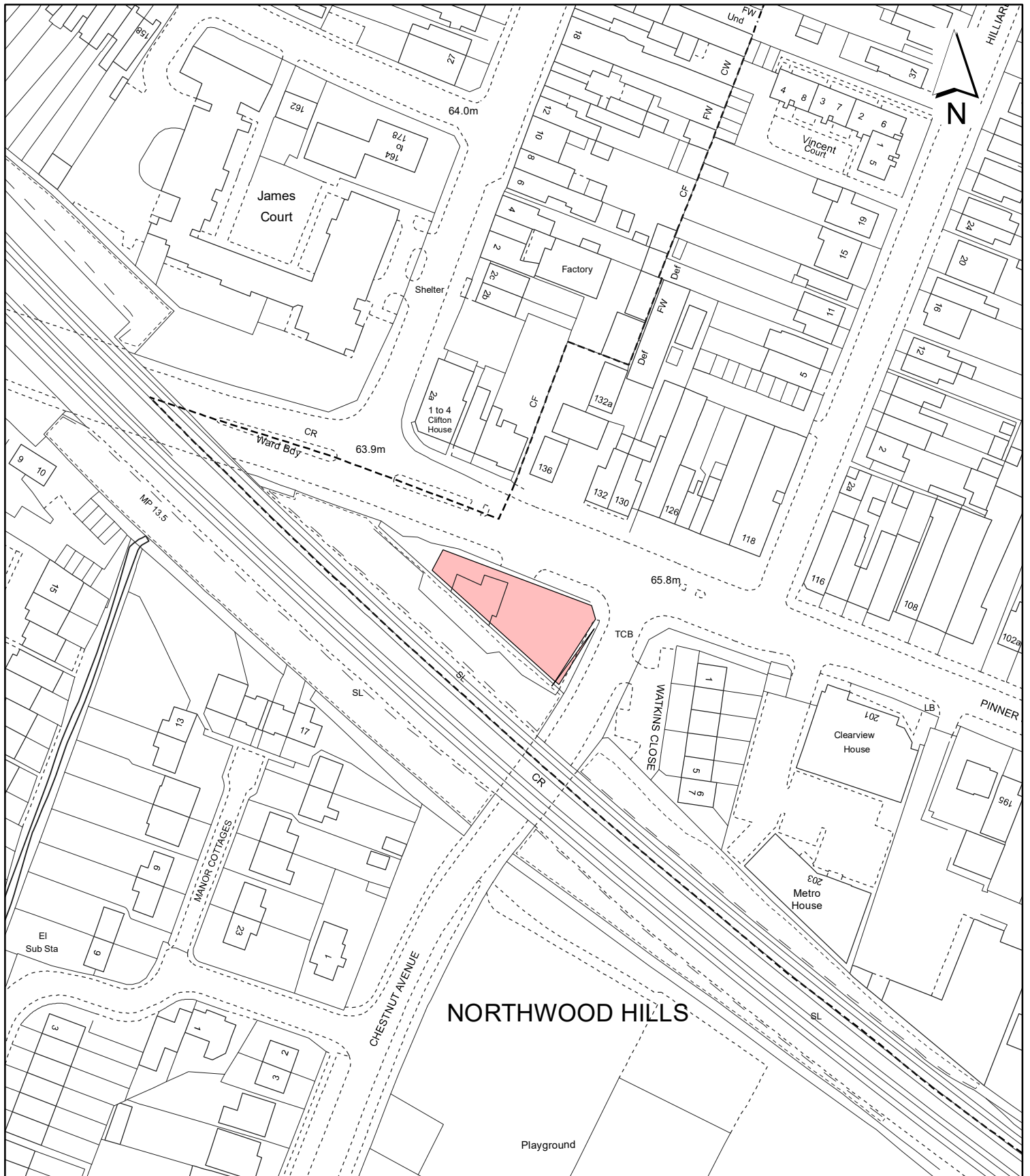
Circular 06/05: Biodiversity and Geological Conservation- Statutory Obligations and their Impact within the Planning System

Contact Officer:

Nesha Burnham

Telephone No:

01895 250230



Notes:

 Site boundary

For identification purposes only.
 This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).
 Unless the Act provides a relevant exception to copyright.
 © Crown copyright and database rights 2020 Ordnance Survey 100019283

Site Address:

**Northwood Commercial Sales/Autocentre
 Northwood Ltd**

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

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

Planning Application Ref:

77460/APP/2022/2480

Scale:

1:1,250

Planning Committee:

Borough

Date:

July 2023

