

Report of the Head of Development Management and Building Control

Address: 22 FRINGEWOOD CLOSE NORTHWOOD

Development: Erection of a single storey annexe for ancillary residential use with glazed link between the annexe and the existing house

LBH Ref Nos: **42066/APP/2022/3824**

Drawing Nos: 475-PTA-ZZ-RF-DR-A-1003 PL1
475-PTA-ZZ-RF-DR-A-1001 PL1
475-PTA-ZZ-XX-DR-A-1301 PL1
475-PTA-ZZ-RF-DR-A-2001 PL1 (site plan/floor plan)
475-PTA-ZZ-RF-DR-A-2001 PL1 (site plan/roof plan))
475-PTA-ZZ-00-DR-A-2100 PL1
475-PTA-ZZ-RF-DR-A-2102 PL1
475-PTA-ZZ-RF-DR-A-2401 PL1
475-PTA-ZZ-XX-DR-A-2302 PL2 (front and side elevations)
475-PTA-ZZ-XX-DR-A-2301 PL1 (rear and side elevations)
475-PTA-ZZ-XX-DR-A-2201 PL1
475-PTA-ZZ-XX-DR-A-2201 PL2
475-PTA-ZZ-00-DR-A-2200 PL1
Arboricultural and Planning Integration Report, GHA Trees, GHA/DS/122560:21
Supporting Letter / Planning Statement - Revised dated 17-01-23, 475-PTA-ZZ-ZZ-CO-A-0001

Date Plans received: 16-12-2022 **Date(s) of Amendments(s):** 16-12-2022
25-01-2023

Date Application valid 16-12-2022

Recommendation: REFUSAL

DEFERRED ON 12th July 2023 FOR SITE VISIT ON

This application was deferred at the Borough Planning Committee on 12th July 2023 for members to visit the site. This is to be undertaken on Friday 25th August 2023. Any clarifications needed that may arise from the site visit will be reported in the Addendum Report, distributed to members prior to the committee meeting.

1. CONSIDERATIONS

1.1 Site and Locality

The application site relates to land within the curtilage of a two storey detached dwelling located in the south-west corner of Fringewood Close. To the rear and side of the dwelling is a garden area which acts as the private amenity space for the occupiers of the existing property. The site lies within an area

which is subject to a Tree Preservation Order and is within a landfill site buffer. The rear boundary of the plot backs onto Green Belt land located to the immediate south of the site. The surrounding area is residential in character comprising of large two storey detached dwelling houses. The application site lies within the Developed Area as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

1.2 Proposed Scheme

The application proposes the erection of a single storey annexe for ancillary residential use with glazed link between the annexe and the existing house.

1.3 Relevant Planning History

42066/APP/2021/4244 22 FRINGEWOOD CLOSE NORTHWOOD

Erection of a single storey annexe for ancillary residential use with glazed link between the annexe and the existing house.

Decision: 03-03-2022 Refused **Appeal:**

42066/PRC/2022/72 22 FRINGEWOOD CLOSE NORTHWOOD

Erection of a single storey annexe for ancillary residential use with glazed link between the annexe and the existing house.

Decision: 08-07-2022 Objection **Appeal:**

Comment on Planning History

This application is a resubmission of the recent refusal of planning permission for the erection of a single storey annexe for ancillary residential use with a glazed link between the annexe and the existing house (ref. 42066/APP/2021/4244, dated 03-03-2022). This was refused for the following reasons:

1. The proposed annexe, by reason of its provision of facilities required for day-to-day private domestic existence and the availability of independent access to it, would result in the creation of a self-contained residential unit in a backland position where such a dwelling would be unacceptable, due to the requirements of external amenity space for future occupiers, and its detrimental impact on the character and appearance of the area and on the living conditions of neighbouring occupiers. The proposal would therefore conflict with Policies DMH 6, DMHD 1, DMHD 2, DMHB 11, DMHB 12, DMHB 16, DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D1, D3, D4, D6 and D8 of the London Plan (2021) and the National Planning Policy Framework (2021).

2. By virtue of its substantial size, scale, footprint, height, roof form and prominent location, the proposed self-contained residential unit would result in an incongruous and cramped form of development that would relate poorly to the existing built form on and around the site, detrimental to the character, appearance and visual amenities of the street scene and the surrounding area. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMH 6, DMHB 11, DMHB 12, DMHD1 and DMHD 2 of the Hillingdon Local Plan: Part

Two - Development Management Policies (2020), Policies D1, D3, D4 and D8 of the London Plan (2021) and the National Planning Policy Framework (2021).

3. The proposed self-contained residential unit would have no private amenity space provision, and would therefore give rise to a substandard form of living accommodation to the detriment of the amenities of future occupiers. The proposal, therefore, conflicts, with Policy DMHB 18 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).

4. By virtue of its proximity, siting, size, scale, height and self-contained use, the proposed annexe would cause harm to the living conditions of the existing neighbouring occupiers at numbers 20 and 24 Fringewood Close and their respective private amenity space, in terms of loss of outlook, overshadowing, loss of privacy, sense of enclosure and overbearing impact. The proposal would therefore conflict with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2021).

Following the refusal, pre-application advice was sought by the applicants. During a series of meetings, officers provided detailed advice and written guidance concerning reductions in scale and footprint and to strengthen the physical connection of the annexe with the main dwelling. Nevertheless, this advice is not reflected in the submitted planning application. During the course of the current application, the applicants were provided the opportunity to amend the scheme however they declined to make the relevant changes.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date: Not Applicable

2.2 Site Notice Expiry Date: Not applicable

3. Comments on Public Consultations

Seven neighbouring properties and the Northwood Residents Association were consulted by letter dated 28-12-22.

Six letters of support were received along with a petition in support comprising 25 signatures. A representation in objection to the proposal has also been received from the Northwood Residents Association.

LOCAL RESIDENT COMMENTS:

The comments in support can be summarised as follows:

1. Support on the basis of personal need of applicant;
2. Benefits to applicant's quality of life and standard of living;
3. Allow resident to access garden, as currently steps are a barrier;
4. Would not be detrimental to neighbouring properties;
5. Annexe set back in garden, therefore would not affect character of Fringewood Close/not visible from Fringewood close.

NORTHWOOD RESIDENTS ASSOCIATION:

A1.17 states that to be an annexe it must be connected internally. Here it is detached from the main house and only connected externally by a 'glazed link.' The proposed building can also very easily be adapted to be fully self-contained simply by removing the 'glazed link' as all the facilities are already provided to make it self-contained, and it has a separate entrance (also see DMHD 2 for outbuildings).

Whilst the outbuilding now proposed is smaller than the previous application, at 90 sqm it still well exceeds the guide of a maximum of 30 sqm stated in A1.34. We are concerned that giving consent will provide a precedent for others on both size and the restrictions on 'beds in sheds' expressed in the Local Plan.

Whilst we sympathise with the applicant and the stated reasons for the proposed development, we must have regard to the possible adverse effect elsewhere of encouraging others even without the same reasons to ask for the same and state this as a precedent. Note: We wonder whether the change in level to access the garden could be overcome with an external platform lift. Equally, others have installed internal lifts to provide for access to other floors in the house. We say this only because alternatives might be available, and not as part of the grounds for objecting.

PETITION

A petition has been received with 25 signatories in support of the proposal. This desired outcome of the petition is that the proposal is approved as it would provide accessible accommodation for a 90 year old occupant of No. 22 Fringewood Close, and provide level access to the garden.

PLANNING OFFICER RESPONSE:

The material planning considerations raised by local residents, the Northwood Residents Association and the petition will be addressed in the main body of the report.

4. 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:

DMH 6	Garden and Backland Development
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMHD 1	Alterations and Extensions to Residential Dwellings

DMHD 2	Outbuildings
LPP D1	(2021) London's form, character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D6	(2021) Housing quality and standards
LPP D8	(2021) Public realm
NPPF2	NPPF 2021 - Achieving sustainable development
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places

5. MAIN PLANNING ISSUES

The main planning issues are whether the proposed development would be tantamount to the creation of a self-contained residential unit, the quality of living accommodation that would be afforded to future occupiers, the impact of the development on the character and appearance of the area and streetscene of Fringewood Close, the impact on neighbouring residential amenity, the impact on trees and landscaping and both parking and highway safety.

WHETHER THE PROPOSED DEVELOPMENT WOULD BE TANTAMOUNT TO THE CREATION OF A SELF-CONTAINED UNIT

Policy DMH 6 (Garden and Backland Development) of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that there is a presumption against the loss of gardens due to the need to maintain local character, amenity space and biodiversity.

Policy DMHD 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that: i) The use of an outbuilding shall be for a purpose incidental to the enjoyment of the dwelling house and not capable for use as independent residential accommodation; and ii) Primary living accommodation such as a bedroom, bathroom, or kitchen will not be permitted.

It has been established through case law that the distinctive characteristic of a dwellinghouse is its ability to afford those who use it, the facilities required for day-to-day private domestic existence (Gravesham BC v SSE & O'Brien). Section 254 of the Housing Act 2004 refers to basic amenities comprising a toilet, personal washing facilities and cooking facilities.

The submitted drawings clearly show that the annexe is capable of being used independently from the main house at No.22 Fringewood Close. The annexe would contain open plan living accommodation comprising a kitchen, dining and seating area; a double bedroom; utility room; storage room; and bathroom within a footprint of approximately 113sq.metres (measured externally).

In addition to this, the occupier would be able to independently access the annexe from the proposed glass link attached to the main dwelling. The occupier of the proposed annexe would not be reliant on the main dwelling for any aspects of day to day living (i.e. there is no clear functional link). As a matter of fact and degree, it is considered that the proposed development would be tantamount to the creation of a self-contained residential unit. As such, a condition requiring the outbuilding to remain ancillary to the main dwelling is not considered to be enforceable, thus failing to pass the conditions tests set out in paragraph 56 of the National Planning Policy Framework 2021 (NPPF).

It is understood from the details submitted with this application that the intention is for the existing occupier of the main dwelling to live within the proposed annexe. The applicant's personal need is supported by a letter written by their doctor which indicates the benefits of living accommodation being provided on one floor with access to the garden. The letter and design and access statement also state that care is provided by family members and it is now understood that care is provided by members of the current household, who will continue to occupy the main dwelling once the current occupier has moved into the proposed annexe.

The submitted plans show that the main dwelling at No. 22 Fringewood Close provides generous living accommodation over two floors and it is noted the ground floor footprint excluding the garage measures 108sq.metres. It is therefore questioned why the main dwelling could not be adapted to form an accessible bedroom and accessible living accommodation on the ground floor thereby utilising the existing floor area. The design and access statement at 2.6 details various examples of garage conversions and side extensions on nearby properties, which are more typical forms of development in Fringewood Close. It has not been demonstrated that the existing dwelling can not be adapted and/or extended to meet the needs of the proposed occupant of the annexe.

In light of the above, reason for refusal 1 is not considered suitably addressed and remains valid. In any respect, the harm detailed within this report and the reasons for refusal, are not outweighed by the demonstrated personal need. The proposed self-contained residential annexe in the rear garden of 22 Fringewood Close is considered directly contrary to Policies DMH 6 and DMHD 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020). In accordance with statute, decisions must be made in accordance with the development plan unless other material considerations exist. The applicant's personal circumstances are a material consideration and weigh into the balance, however, based on the evidence that has been provided, it has not been successfully demonstrated that these should outweigh the direct conflict with Development Plan policy and the harm identified in this report.

QUALITY OF LIVING ACCOMMODATION

Policy D6 of the London Plan (2021) states that housing development should be of high quality design and provide adequately sized rooms. Table 3.1 of the London Plan (2021) requires a one bedroom, single occupancy, 1 storey dwelling with a shower room to have a minimum gross internal floor area of 37 square metres.

Policy DMHB 16 of the Hillingdon Local Plan: Part Two - 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.

Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) requires all new residential development to provide good quality and useable private amenity space in accordance with Table 5.3 which requires a 1 bedroom house to have at least 40 square metres of private outdoor amenity space. Houses with four-bedrooms or more are required to have at least 100 square metres of private outdoor amenity space.

The primary living space within the proposed unit would be served by glazing facing onto the rear garden area. The plans indicate that the bedroom would benefit from a door/window assembly. The bathroom, utility and storage rooms are non-habitable rooms and do not benefit from windows.

With a gross internal area of 104 sq. metres, the proposed self-contained residential unit would far exceed the London Plan's minimum space standard requirements. However, the floor area of a

residential unit is not the only consideration when it comes to assessing the quality of accommodation that would be afforded to future occupiers. The plans indicate that no private amenity space would be afforded to the future occupier of the self-contained residential unit. It is accepted that sufficient garden area could be retained for both the main dwelling and annexe albeit as a shared garden. However, this arrangement would not be acceptable due to the size of the properties and the identified need for a private garden space as well as the annexe being capable of functioning independently of the main dwelling. Occupiers of either property could approach private rear windows of another dwelling at any time, with unrestricted comings and goings and simultaneously the garden area would be directly overlooked by each occupier at the main house and in the annexe.

In light of the above, reason for refusal 3 is considered not to be suitably addressed and remains valid. It is considered the proposal would not provide good quality useable private outdoor amenity space and would therefore give rise to a substandard form of living accommodation. The proposal, therefore, conflicts with Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D6 of the London Plan (2021) and paragraph 130(f) of the NPPF (2021).

CHARACTER AND APPEARANCE

Policy Context

Policy D3 of the London Plan (2021) states that - Development proposals should: enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

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 DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that all development, including extensions, alterations and new buildings, must harmonise with the local context by taking into account the surrounding settings.

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 and accessible.

Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states -

A) Planning applications relating to alterations and extensions of dwellings will be required to ensure that:

- i) there is no adverse cumulative impact of the proposal on the character, appearance or quality of the existing street or wider area;
- ii) a satisfactory relationship with adjacent dwellings is achieved;
- iii) new extensions appear subordinate to the main dwelling in their floor area, width, depth and height;
- iv) new extensions respect the design of the original house and be of matching materials;
- v) there is no unacceptable loss of outlook to neighbouring occupiers;
- vi) adequate garden space is retained;
- vii) adequate off-street parking is retained, as set out in Table 1: Parking Standards in Appendix C;
- viii) trees, hedges and other landscaping features are retained; and
- ix) all extensions in Conservation Areas and Areas of Special Local Character, and to Listed and Locally Listed Buildings, are designed in keeping with the original house, in terms of layout, scale,

proportions, roof form, window pattern, detailed design and materials.

Policy DMHD 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states - The Council will require residential outbuildings to meet the following criteria:

- i) the building must be constructed to a high standard of design without compromising the amenity of neighbouring occupiers;
- ii) the developed footprint of the proposed building must be proportionate to the footprint of the dwelling house and to the residential curtilage in which it stands and have regard to existing trees;
- iii) the use shall be for a purpose incidental to the enjoyment of the dwelling house and not capable for use as independent residential accommodation; and
- iv) primary living accommodation such as a bedroom, bathroom, or kitchen will not be permitted.

Assessment

The immediate context of the site is predominately residential in nature, with occupation generally restricted to the main dwelling houses. Also, it is observed that for the most part the rear gardens of the properties on Fringewood Close appear open in nature.

The footprint of the resubmission proposal has more of a square shape than the previously refused scheme. The width has been reduced by 2.5metres from 13.2metres to 10.7metres and the depth reduced by 1.7metres from 12.4metres to 10.7metres. The gross internal area of the outbuilding has therefore been reduced to 104sq.metres from 130sq.metres. Measured externally, the gross footprint measures 113 sq.metres vs 148 sq.metres previously.

The height of the proposed annexe has been reduced by 70cm from 6metres to 5.3metres. Notwithstanding the reduction, the roof ridge of the proposed annexe would be positioned above the eaves of the main dwelling. When combining the overall scale of the building with the disproportionately sized footprint, it is evident that the development would not be considered subordinate in association to the main dwelling.

The design and access statement acknowledges that during the committee meeting to decide on the previous application, 'Councillors...had concerns regarding the size of the annexe, as its footprint was larger than the host dwelling.' Whilst the applicants appear to have noted the concerns raised by Councillors and officers with regards to the scale and footprint of the annexe, they do not appear to have taken these comments fully on board, as evidenced by the revised footprint of the proposed annexe, which remains comparable to the footprint of the main dwelling.

It is noted that despite the reduction in width and depth, the footprint of the annexe is still comparable to the footprint of the host building and those of the neighbouring properties. The annexe would cover almost a quarter of the rear garden area which would erode the spaciousness of the existing garden area.

Figure 52/Page 17 of the Design and Access Statement provides a contextual analysis of side gaps between dwellings on Fringewood Close. What this image demonstrates, quite clearly, is that, whilst the annexe would be provided with greater side gaps than those found between other dwellings on Fringewood Close, due to its footprint and siting, the proposed annexe would read as a new dwelling in the street scene.

Due to its substantial size, footprint and height, the proposed outbuilding would appear as a cramped, overly dominant and incongruous addition within the rear garden of No. 22 Fringewood Close. Moreover, due to the prominent corner plot position of the site, public views of the proposed building would be visible from the street scene on Fringewood Close, where it would appear more as a small

dwelling rather than an ancillary outbuilding. Whilst existing hedges along the west boundary would partly screen views from the west, due to the scale, height and massing of the proposal, it would be visible from the surroundings including when viewed from Ducks Hill Road.

It is also worth highlighting that there are no other examples of outbuildings/annexes of a similar scale, size and form as that being proposed within the immediate locality. It is therefore considered that the proposed development would have a negative impact on the street scene, and appear completely at odds with the prevailing pattern of development within the local area. In this context the development relates poorly to established plot widths, built form and development in the local area.

One of the core planning principles of the NPPF is to encourage the effective use of land by reusing land that has been previously developed (Brownfield Sites). Residential gardens are excluded from the definition of previously developed land as defined in Annex 2: Glossary of the NPPF. Therefore, the proposed development would not adhere to the above core planning principles by making use of previously developed land. In addition, Policy BE1 of the Hillingdon Local Plan Part 1: Strategic Policies (2012) specifies that all new development should not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas. This is supported by Policy DMH 6 of the Hillingdon Local Plan Part 2: Development Management Policies (2020) where there is a presumption against the loss of gardens due to the need to maintain local character, amenity space and biodiversity.

It is considered that the proposed development would not complement or harmonise with the street scene and the appearance and positioning of the proposed self-contained annexe would be contrary to the prevailing pattern of development within Fringewood Close and would not enhance the local character of the area.

Whilst the exterior materials are proposed to match the existing materials of the main dwelling, which is positive, this would not outweigh the significant harm identified to the character and appearance of the area.

In light of the above, reason for refusal 2 is considered not to be suitably addressed and remains valid. It is considered that the proposed annexe would have a significantly harmful impact on the character, appearance and visual amenities of the area. The proposal therefore conflicts with Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012), Policies DMH 6, DMHB 11, DMHB 12, DMHD 1 and DMHD 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D1, D3 and D4 of the London Plan (2021) and Section 12 of the NPPF (2021).

IMPACT ON NEIGHBOURING RESIDENTIAL AMENITY

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to ensure that development proposals do not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space. The supporting text for this policy states that 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 proposal would involve removal of the existing hedging which extends from the south elevation and serves as a privacy screen as the neighbour No.20 Fringewood Close has windows at ground and first floor level in their west elevation that overlook the side garden area of No. 22 Fringewood Close.

Due to its size, scale and limited separation distance, it is considered that the proposed annexe would appear as an overly dominant and oppressive addition when viewed from the side windows and garden area of No 20 Fringewood Close. Furthermore, the annexe would be positioned in close proximity to the

common boundary with No.20, meaning that the central portion of this neighbour's rear garden would be adversely impacted, in terms of outlook, overshadowing and overbearing impact.

Whilst the side elevation would be set an angle from the shared boundary with No.20, there would be a limited separation distance of approximately 4.4 metres (at the closest point) between the proposed self-contained annexe and the rear elevation of No. 20 Fringewood Close. Taking the proximity of the development to the shared boundary into account, coupled with its size and height, and its 6metre depth projection beyond the neighbour's rear elevation, it is considered that the proposed development would result in a loss of outlook, overshadowing and create a sense enclosure for the existing occupiers at No. 20 Fringewood Close.

Notwithstanding the separation distance and being partially screened by the main dwelling and with no upper floor windows facing north, it is considered by virtue of its size, height and massing that the proposed development would cause some level of harm on the living conditions of No. 24 Fringewood Close, in terms of outlook and overbearing impact.

In light of the above, reason for refusal 4 is considered not to be suitably addressed and remains valid. Having regard to the above, it is considered that the proposed development would cause harm to the living conditions of Nos. 20 and 24 Fringewood Close, contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and paragraph 130(f) of the NPPF (2021).

TREES AND LANDSCAPING

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

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

The Arboricultural impact assessment has been reused with the annexe footprint updated. The tree survey is the same as previously submitted with the recently refused application.

It is noted that the Prunus ssp (T6) and yew hedge (G7) proposed to be removed to accommodate the development are grade C trees. There are no A grade trees. A further four B grade trees (including a TPO hornbeam) and two C grade trees would be protected and retained. The Council's Trees/Landscape officer was consulted during the previous application in which the same tree survey was submitted. No objection was raised previously subject to conditions requiring the submission of a construction method statement to incorporate tree protection measures, a landscape scheme and retention of trees. In the event that permission is granted, these conditions would be included.

PARKING AND HIGHWAY SAFETY

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.

Policy DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to ensure that all development is in accordance with the car parking standards set out in Appendix C, Table 1 unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network.

The access and parking arrangements would remain unaltered. Three parking spaces would be required for the main dwelling and the one bed annexe to accord with the specified parking standards. The site provides a total of five existing parking spaces. This is comprised of two garage spaces and three spaces on the hardstanding in front of the garage. Therefore sufficient parking provision would be retained within the site, and no concerns are raised with respect to highway safety.

OTHER MATTERS

Green Belt: It is not considered that the proposal would have any discernible impact on the openness of the adjacent greenbelt. However, this does not diminish the identified harm to the character and appearance of the area.

Contaminated Land: The site is located within a landfill site buffer according to the Council's GIS records. In the event of an approval of planning permission, conditions/informatives could address any requirements arising from this.

Drainage: The site is not identified as at particular risk from flooding or drainage issues. Drainage will be satisfactorily controlled through the Building Regulations in this case.

CONCLUSION

As a matter of fact and degree, it is considered that the proposed annexe would provide a self-contained residential dwelling, thus creating a new planning unit. Whilst the annexe would be connected to the main dwelling by a glazed link it would be capable of functioning independently from the main dwelling.

The proposed annexe would provide the future occupier with a substandard form of accommodation, in terms of external space provision and unacceptably undermine the size, quality and functionality of the external space provision for the existing house. Whilst some efforts have been made by the applicants to reduce the scale and footprint of the proposed annexe since the recent refusal of planning permission, the proposal would adversely impact on the character and appearance of the area, and the residential amenities of neighbouring occupiers.

The previous reasons of refusal are not considered to be suitably addressed and therefore remain valid. The limited evidence submitted to demonstrate that there is an essential requirement for the proposed self-contained annexe to justify the proposal on personal medical grounds is not considered to outweigh the harm identified. As such, the proposal conflicts with the Development Plan and the application is therefore recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Principle of development

The proposed annexe, by reason of its provision of facilities required for day-to-day private domestic existence and the availability of independent access to it, would result in the creation of a self-contained residential unit in a backland position where such a dwelling would be unacceptable, due to the requirements of external amenity space for future occupiers, and its detrimental impact on the character and appearance of the area and on the living conditions of neighbouring occupiers. The proposal would therefore conflict with Policies DMH 6, DMHD 1, DMHD 2, DMHB 11, DMHB 12, DMHB 16, DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D1, D3, D4, D6 and D8 of the London Plan (2021) and the National Planning Policy Framework (2021).

2. NON2 Character and appearance

By virtue of its substantial size, scale, footprint, height, roof form and prominent location, the proposed self-contained residential unit would result in an incongruous and cramped form of development that would relate poorly to the existing built form on and around the site, detrimental to the character, appearance and visual amenities of the street scene and the surrounding area. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMH 6, DMHB 11, DMHB 12, DMHD1 and DMHD 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D1, D3, D4 and D8 of the London Plan (2021) and the National Planning Policy Framework (2021).

3. NON2 Substandard living conditions

The proposed self-contained residential unit would have no private amenity space provision, and would therefore give rise to a substandard form of living accommodation to the detriment of the amenities of future occupiers. The proposal, therefore, conflicts, with Policy DMHB 18 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).

4. NON2 Neighbour amenity

By virtue of its proximity, siting, size, scale, height and self-contained use, the proposed annexe would cause harm to the living conditions of the existing neighbouring occupiers at numbers 20 and 24 Fringewood Close and their respective private amenity space, in terms of loss of outlook, overshadowing, loss of privacy, sense of enclosure and overbearing impact. The proposal would therefore conflict with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2021).

INFORMATIVES

1. 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:

2. 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.

In order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition further guidance was offered to the applicant by the case officer during the processing of the application to identify the amendments to address those elements of the scheme considered unacceptable which the applicant chose not to implement.

INFORMATIVES

1. 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 (2021) and national guidance.

DMH 6 Garden and Backland Development

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 16 Housing Standards

DMHB 18 Private Outdoor Amenity Space

DMHD 1 Alterations and Extensions to Residential Dwellings

DMHD 2 Outbuildings

LPP D1 (2021) London's form, character and capacity for growth

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

LPP D4 (2021) Delivering good design

LPP D6 (2021) Housing quality and standards

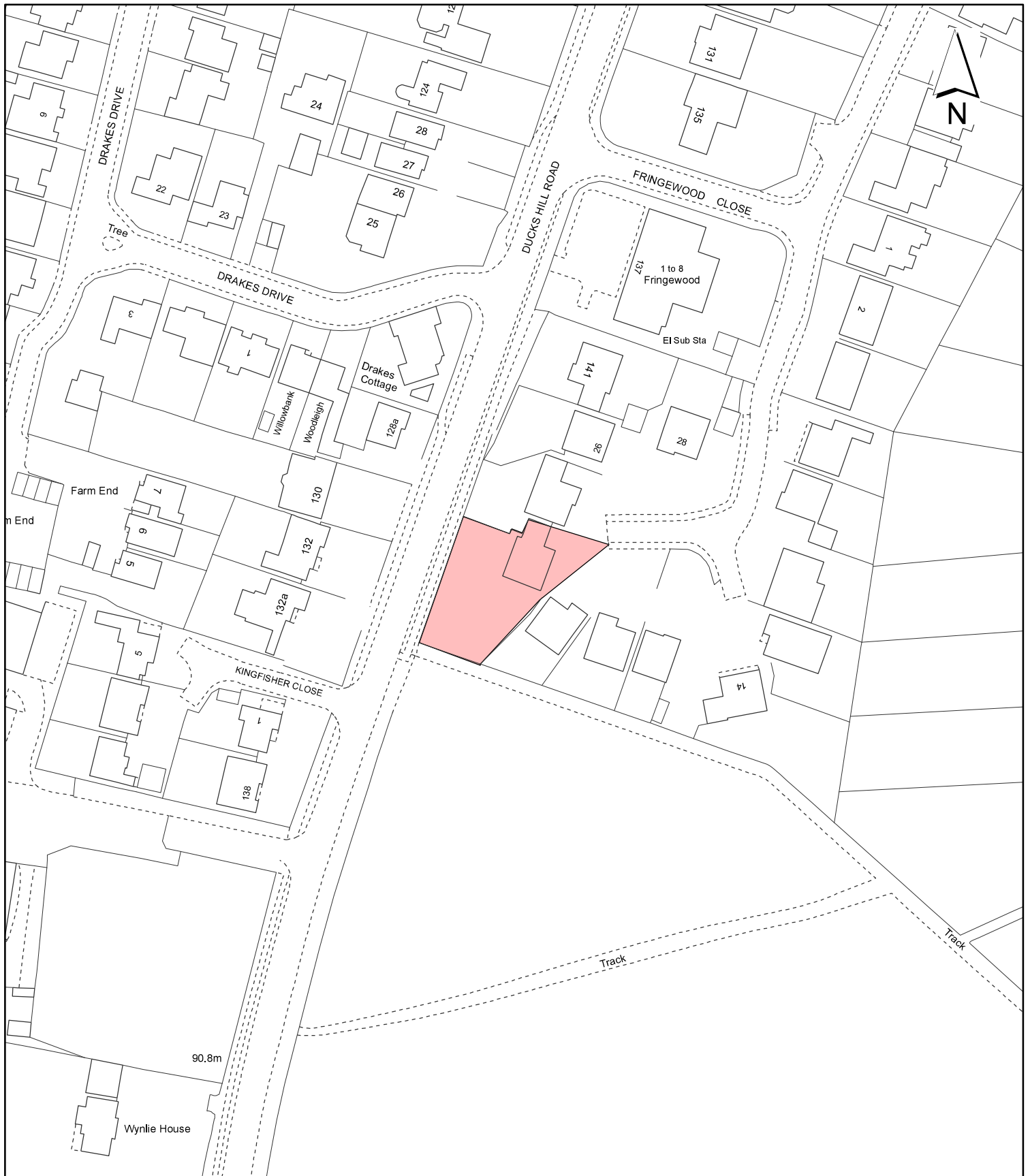
LPP D8 (2021) Public realm


NPPF2 NPPF 2021 - Achieving sustainable development

NPPF11 NPPF 2021 - Making effective use of land

NPPF12 NPPF 2021 - Achieving well-designed places

Contact Officer: Christos Chrysanthou **Telephone No:** 01895 250230



<p>Notes:</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>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.</p> <p>© Crown copyright and database rights 2020 Ordnance Survey 100019283</p>	<p>Site Address:</p> <p>22 Fringewood Close, Northwood</p>		<p>LONDON BOROUGH OF HILLINGDON</p> <p>Residents Services Planning Section</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 01895 250111</p>
	<p>Planning Application Ref:</p> <p>42066/APP/2022/3824</p>	<p>Scale:</p> <p>1:1,250</p>	
	<p>Planning Committee:</p> <p>Borough</p>	<p>Date:</p> <p>September 2023</p>	



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