

Report of the Head of Development Management and Building Control

Address: 10 OAKWOOD ROAD PINNER

Development: Demolition of existing 2-bedroom detached bungalow and erection of a two storey purpose built flat development comprising of 2 x 1-bed self-contained flats and 2 x 2-bed self-contained flats with associated parking, cycle storage, refuse storage and private amenity.

LBH Ref Nos: 36748/APP/2023/2176

Drawing Nos: PR23-071a
PR23-071b
PR23-071c
PR23-071d
PR23-071e
PR23-071f
PR23-071g
Design and Access Statement (prepared by EH for London Interiors Ltd, dated July 2023)
Arboricultural Impact Assessment and Method Statement (prepared by Allarboriculture, ref. AAAIA10OA, dated 9th February 2022)

Date Plans received: 21-07-2023 **Date(s) of Amendments(s):**

Date Application valid 24-07-2023

1. SUMMARY

Planning permission is sought to demolish and replace an existing 2-bedroom bungalow and erect a two-storey purpose-built flat development. This would provide 4 homes comprised of 2 no. 1-Bed and 2 no. 2-Bed self-contained flats with associated parking, cycle storage, refuse storage and private amenity.

There is no objection, in principle, to the creation of additional residential units in this location in land use terms. However, due to its scale, design, size, and siting the proposed development would fail to integrate with the established character and appearance of the area, resulting in an incongruous and unduly dominant form of development, which would harm the visual amenities and character of the area.

The proposal would also harm the residential amenities of the occupiers at 12 Oakwood Road due to a harmful sense of enclosure, loss of outlook, and loss of light.

The proposal would also fail to provide future occupiers of proposed ground floor Flat 2 with high quality internal amenity due to compromised privacy and disturbance. The proposal also fails to provide sufficient genuinely usable private amenity space for the future occupiers given their

inconvenient access for all residents.

For these reasons, the proposal is contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 11, DMHB 12, DMHB 15 and DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D1, D3 and D6 of the London Plan (2021) and the National Planning Policy Framework (2023).

It is recognised that this application is a revised resubmission following the refusal of a similar proposal that was heard at the Borough Planning Committee on 17th January 2023 (ref. 36748/APP/2022/2188 refused 25-01-23). Nevertheless, the proposed reduction in scale and alterations to the garden layout and internal layout do not sufficiently address the reasons for refusal.

It is therefore recommended that this application be refused for the reasons set out in this Committee Report.

2. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Harm to the character and appearance of the area

The proposed development by reason of its siting, scale, massing and design would result in a oversized, incongruous and harmfully dominant form of development. Consequently, the proposed development would be detrimental to the character, appearance and visual amenities of the street scene and the surrounding area. Additionally, the proposed car park to the rear of the site would form an isolated and uncharacteristic addition to the street scene, causing further harm to its visual amenities. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D1 and D3 of the London Plan (2021) and Chapter 12 of the National Planning Policy Framework (2023).

2. NON2 Harm to neighbouring residential amenity

Due to its depth, scale, siting and design, the proposed development would be overbearing and would lead to a harmful sense of enclosure, loss of outlook from and loss of light to No. 12 Oakwood Road, thus significantly harming the residential amenity enjoyed by the occupiers of this neighbouring property. The proposal would therefore be contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and the National Planning Policy Framework (2023).

3. NON2 Poor quality external amenity space

The proposed development would fail to provide private external amenity space of sufficient accessibility and quality for the proposed homes resulting in substandard living conditions for prospective residents contrary to Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and the National Planning Policy Framework (2023).

4. NON2 Poor quality internal living environment

The proposed ground floor Flat 2 would fail to provide a satisfactory internal living environment for future occupiers by virtue of the proximity of a habitable room side window to the shared communal access to the rear gardens, cycle and parking spaces. Consequently this habitable room would lack an appropriate degree of privacy and would be subject to noise and disturbance from the comings and goings of residents accessing their gardens, cycles and parked vehicles, contrary to Policy DMHB 15 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), London Plan (2021) Policy D6 and the National Planning Policy Framework (2023).

INFORMATIVES

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

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

2. 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 (2021) and national guidance.

DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 10	Water Management, Efficiency and Quality
DMEI 11	Protection of Ground Water Resources
DMEI 12	Development of Land Affected by Contamination
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMH 1	Safeguarding Existing Housing

DMH 2	Housing Mix
DMH 4	Residential Conversions and Redevelopment
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D1	(2021) London's form, character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP G1	(2021) Green infrastructure
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature
LPP H1	(2021) Increasing housing supply
LPP H2	(2021) Small sites
LPP HC1	(2021) Heritage conservation and growth
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF15	NPPF 2021 - Conserving and enhancing the natural environment
NPPF16	NPPF 2021 - Conserving & enhancing the historic environment
NPPF2	NPPF 2021 - Achieving sustainable development
NPPF4	NPPF 2021 - Decision-Making
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the southern side of Oakwood Road at the junction with Ashley Close. It comprises a detached bungalow with accommodation in the roof space. The site is bordered by 12 Oakwood Road to the east and No. 1 Ashley Close to the south.

The surrounding area is predominantly residential and is characterised by detached, semi-detached and terraced properties. Buildings along Oakwood Road are two-storey in height and are typically semi-detached and terraced homes. The application site and the dwellings on Ashley Close are detached and semi-detached bungalows. There is a mix of material finishes in the area including render, pebbledash and red brick. The application property is constructed of red brick and render with roof tiles. The roofscape within the area consists of both hipped and gable roofs.

The application site has a PTAL of 2 and is located in a Critical Drainage Area.

3.2 Proposed Scheme

Planning permission is sought to demolish the existing 2-bedroom bungalow and replace it with a two-storey purpose-built flatted development comprised of four flats. The housing mix would be 2 no. 1-Bed, and 2 no. 2-Bed homes.

3.3 Relevant Planning History

36748/APP/2022/2188 10 Oakwood Road Pinner

Demolition of existing 2-bedroom detached bungalow and erection of a two storey purpose-built flat development to include 2 no. 1-Bed, 1 no. 2-Bed and 1 no. 3-Bed self-contained units with associated facilities including parking, cycle storage, refuse storage and private amenity.

Decision: 25-01-2023 Refused

36748/B/89/2129 10 Oakwood Road Pinner

Erection of a single-storey side extension

Decision: 30-04-1990 Approved

36748/C/93/1824 10 Oakwood Road Pinner

Erection of a single storey side and rear extension and a loft conversion incorporating dormers

Decision: 01-02-1994 Approved

Comment on Relevant Planning History

A similar proposal was resolved to refuse at the Borough Planning Committee on 17th January 2023 (ref. 36748/APP/2022/2188 refused 25-01-23).

This application was to demolish the existing detached bungalow and erect a two storey purpose-built flatted development to include 2 no. 1-Bed, 1 no. 2-Bed and 1 no. 3-Bed self-contained units (ref. 36748/APP/2022/2188). The reasons for refusal were as follows:

1. The proposed development by reason of its siting, scale, massing and design would result in a oversized, incongruous and harmfully dominant form of development. Consequently, the proposed development would be detrimental to the character, appearance and visual amenities of the street scene and the surrounding area. Additionally, the proposed car park to the rear of the site would form an isolated and uncharacteristic addition to the street scene, causing further harm to its visual amenities. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D1 and D3 of the London Plan (2021) and Chapter 12 of the National Planning Policy Framework (2021).
2. Due to its depth, scale, siting and design, the proposed development would be overbearing and would lead to a harmful sense of enclosure, loss of outlook from and loss of light and privacy to No. 12 Oakwood Road, thus significantly harming the residential amenity enjoyed by the occupiers of this neighbouring property. The proposal would therefore be contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and the National Planning Policy Framework (2021)
3. The proposed development would fail to provide private external amenity space of sufficient size and quality for the proposed homes resulting in substandard living conditions for prospective residents contrary to Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and the National Planning Policy Framework (2021).
4. The proposed ground floor flats (Flat 1 and Flat 2) would fail to provide a satisfactory internal living environment for their future occupiers by virtue of the proximity of the proposed front bedroom windows to the proposed parking/access court and an absence of detail of satisfactory provision of defensible space. Consequently these bedrooms would lack an appropriate degree of privacy and would be subject to noise and disturbance from the comings and goings taking place within the parking/access court, contrary to Policy DMHB 15 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), London Plan (2021) Policy D6 and the National Planning Policy Framework (2021).

This revised application under consideration seeks to overcome the previous reasons for refusal. A summary of the main amendments is detailed below:

1. Reduction in scale of the building involving the ridge height reduced by approximately 300mm, and removal of the first floor gable-ended rear projection.
3. Fenestration alterations, including the removal of a first floor rear Juliet balcony.
4. Internal layout amendments, most notably the bedrooms at proposed ground floor Flats 1 and 2 sited to the rear, rather than the front of the building.
5. Rear garden layout amended to provide each flat with separate private amenity rather than a communal garden.
6. Reduction in proposed parking provision from 5 to 4 spaces.
7. Housing mix changed to replace the previously proposed 3-bed flat with another 2-bed flat.

Despite the above amendments, the proposal has failed to overcome the impact on the character and

appearance of the surrounding area, fails to protect the amenity of No. 12 Oakwood Road, would provide poorly accessed private gardens, and would provide poor quality internal accommodation for Flat 2. In these regards, the proposal has not sufficiently overcome the reasons for refusal.

4. Planning Policies and Standards

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

The Local Plan: Part 1 - Strategic Policies (2012)

The Local Plan: Part 2 - Development Management Policies (2020)

The Local Plan: Part 2 - Site Allocations and Designations (2020)

The West London Waste Plan (2015)

The London Plan (2021)

The National Planning Policy Framework (NPPF) (2023) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

Local Plan Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.H1 (2012) Housing Growth

Part 2 Policies:

DMCI 7 Planning Obligations and Community Infrastructure Levy

DMEI 2 Reducing Carbon Emissions

DMEI 7 Biodiversity Protection and Enhancement

DMEI 9 Management of Flood Risk

DMEI 10 Water Management, Efficiency and Quality

DMEI 11 Protection of Ground Water Resources

DMEI 12 Development of Land Affected by Contamination

DMH 1 Safeguarding Existing Housing

DMH 2 Housing Mix

DMH 4 Residential Conversions and Redevelopment

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 15 Planning for Safer Places

DMHB 16 Housing Standards

DMHB 17 Residential Density

DMHB 18 Private Outdoor Amenity Space

DMT 1 Managing Transport Impacts

DMT 2 Highways Impacts

DMT 5 Pedestrians and Cyclists

DMT 6 Vehicle Parking

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

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

LPP D4 (2021) Delivering good design

LPP D5 (2021) Inclusive design

LPP D6 (2021) Housing quality and standards

LPP D7 (2021) Accessible housing

LPP G1 (2021) Green infrastructure

LPP G5 (2021) Urban greening

LPP G6 (2021) Biodiversity and access to nature

LPP H1 (2021) Increasing housing supply

LPP H2 (2021) Small sites

LPP HC1 (2021) Heritage conservation and growth

LPP SI12 (2021) Flood risk management

LPP SI13 (2021) Sustainable drainage

LPP SI2 (2021) Minimising greenhouse gas emissions
LPP T5 (2021) Cycling
LPP T6 (2021) Car parking
LPP T6.1 (2021) Residential parking
NPPF2 NPPF 2021 - Achieving sustainable development
NPPF4 NPPF 2021 - Decision-Making
NPPF5 NPPF 2021 - Delivering a sufficient supply of homes
NPPF11 NPPF 2021 - Making effective use of land
NPPF12 NPPF 2021 - Achieving well-designed places
NPPF15 NPPF 2021 - Conserving and enhancing the natural environment
NPPF16 NPPF 2021 - Conserving & enhancing the historic environment

5. Advertisement and Site Notice

- 5.1** Advertisement Expiry Date: Not Applicable
- 5.2** Site Notice Expiry Date: Not applicable

6. Consultations

External Consultees

30 neighbouring properties were directly notified of the proposal on 31.07.2022

26 letters of objection have been received in response to the public consultation. The matters raised in the objection have been summarised below:

1. The proposal would have an adverse impact on the amenities of neighbours.
2. The proposal would have an adverse impact on the local highways network with insufficient parking and traffic congestion.
3. The proposal would cause harm to the character and appearance of the area and result in a trend and the loss of garden land.
4. Construction works could cause noise and disturbance, and impacts on public safety with construction vehicles.
5. Extra pressure on drains and sewerage.

Planning Officer Response:

The issues raised in points 1 -3 are considered in the main body of this report.

In response to points 4 and 5, it should be noted that construction works are temporary and therefore so are the associated impacts. The Environmental Protection Act (1990) and the Pollution Act (1974) are in place to ensure that construction works are carried out in an environmentally appropriate manner.

Notwithstanding the above, if the recommendation had otherwise been to grant planning permission, a condition requiring a construction management plan to be agreed with the Local Planning Authority would have been recommended, in order to minimise the impacts of construction on neighbouring residents and the environment as far as practicable.

The potential impact on drains and sewerage infrastructure is not a material planning consideration for the determination of this application.

In addition, a petition with 23 signatories has been received against the proposed development. The following objections were raised in the petition:

1. Proposed block of flats would be oversized and incongruous at the junction with Oakwood Road and Ashley Close. Detrimental to the established character, appearance of its surroundings, and will harm the visual amenity of the area.
2. The proposal would result in increased pressure on limited street parking available, and cause significant congestion.
3. Increased levels of traffic will reduce air quality, and will cause noise nuisance, to the detriment of all current residents and visitors.
4. The development will be overbearing and reduce the privacy currently enjoyed by its immediate neighbours.
5. Planned new driveways in the narrow width entrance road to Ashley Close, will require the new road width opposite them to be kept clear. This will result in friction between road users and residents alike. The driveways will require paving over green garden space.

Planning Officer Response:

The matters raised in the petition will be considered in the main body of this report, specifically sections 7.07 (Impact on the character and appearance of the area), 7.10 (Traffic impact, car/cycle parking, pedestrian safety) and 7.08 (Impact on neighbours).

Internal Consultees

ACCESS OFFICER

This latest application for a replacement building comprising 4 flats has been assessed with reference to London Plan policy D7 and H2. Any grant of planning permission should include the following conditions:

1. 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).

2. The ground floor dwellings hereby approved must be constructed to meet the standards for a Category

2, M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015.

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 and H2 of the London Plan.

HIGHWAYS OFFICER (summarised and discussed more fully in Section 7.10 of this report):

This corner plot site is located within a residential catchment in Northwood Hills on the junction of Oakwood Road and Ashley Close (a cul-de-sac) and consists of a detached bungalow.

It is proposed to demolish the said, thereby facilitating the build of a single new block incorporating 4 flats (2x2 & 2x1 bedroom units) with a total of 4 on-plot car parking spaces with 8 communal cycle spaces located to the rear. At present, there is an established single carriageway crossing (cc) on Oakwood Road that would remain (but with adjustment) to serve 2 on-plot frontage parking spaces for the proposal and an existing cc on Ashley Close that would serve a further 2 on-plot spaces located to the rear of the new block.

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 (2020) Policies DMT 1, DMT 2 & DMT 6 and Policy T4, T5 and T6 of the London Plan (2021). The comments received from the Council's Highways Officer are incorporated more fully into the assessment of highways impacts in section 7.10 of this report.

PLANNING OFFICER RESPONSE:

If Officers had been minded to recommend approval the conditions recommended by the Council's Access Officer would have been adopted.

It is noted that the Highways Officer does not raise any concerns with the proposed development in terms of the level and layout of parking provision, the crossover alterations to facilitate access or highway safety. It is recognised however that there is a street pole on Ashley Close that may need to be re-sited to accommodate the proposed crossover access. If Officers had been minded to recommend approval, further details would have been sought and if required, a suitable condition or planning obligation would have been secured to address this matter.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

PRINCIPLE OF DEVELOPMENT:

Policy DMH 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that the net loss of existing self-contained housing will be resisted unless the housing is replaced with at least equivalent residential floorspace.

Policy DMH 4 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states

that residential conversions and the redevelopment of dwellings into new blocks of flats will only be permitted where:

- i) it is on a residential street where the proposal will not result in more than 10% of properties being redeveloped into flats;
- ii) On residential streets longer than 1km the proposed redevelopment site should be taken as the midpoint of a 1km length of road for assessment purposes;
- iii) the internal floor area of the original building to be converted is at least 120 sqm; and
- iv) units are limited to one unit per floor for residential conversions.

Paragraph 4.11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that the redevelopment of dwellings into new blocks of flats can enable more effective use of sites to be achieved. However, this type of development must seek to enhance the local character of the area. In recent years, large concentrations of flats have resulted in a range of problems, including increased on-street parking and resultant congestion on roads, the loss of front gardens, reductions in privacy, significant changes to the street scene, and loss of family accommodation.

The proposed redevelopment of the application site into a block of flats would not result in more than 10% of properties on the road being redeveloped into flats, compliant with criteria i) and ii) of Policy DMH 4 as quoted above.

The proposed development seeks to demolish the existing property at the site. As such, the prescribed 120 square metres threshold set out in criterion iii) of Policy DMH 4 and the requirement to have only one unit per floor as specified in criterion iv) of Policy DMH 4 are not considered applicable as it does not involve the conversion of the existing bungalow.

There is no objection, in principle, to the creation of additional residential units in this location in land use terms and there is a benefit to an overall uplift of units. However, this would be subject to an appropriate mix, design, residential amenity and adequate parking provision, and the proposal being in accordance with all of the relevant planning policies and guidance set out in the Development Plan. As it stands, the proposal fails for the reasons set out in section 2 of this report and the perceived benefits do not outweigh the concerns raised.

it is noted that the Council can demonstrate a five-year supply of deliverable housing sites. As such, the 'tilted balance' as set out in paragraph 11 (d) of the National Planning Policy Framework is not engaged.

HOUSING MIX:

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

Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires the provision of a mix of housing units of different sizes in schemes of residential development to reflect the Council's latest information on housing need. Paragraph 4.6 outlines that there is a substantial borough-wide requirement for larger affordable and private market units, particularly three-bedroom properties.

Family housing is defined within the glossary of the London Plan (2021) which outlines it must generally be of a size that has three or more bedrooms. The proposed development would deliver 1

and 2-bed flats, as such it would not comply with Policy DMH 2 which seeks to deliver family size units. However, it is acknowledged that the existing bungalow currently has provision for 2-bedrooms, and as such the proposal would not necessarily result in the loss of family sized house, as defined in 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.

Numerical density levels are considered to be more appropriate to larger sites and are not typically used in the assessment of schemes of less than 10 units. The key consideration is therefore whether the development would acceptably integrate with the character and appearance of the locality and would respect residential amenity considerations, rather than the consideration of the density of the proposal.

Please refer to the other sections of this Committee Report which assess these planning considerations in further detail.

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

There are no heritage impacts nor archaeological designations on the site.

7.04 Airport safeguarding

Not applicable to the proposed development.

7.05 Impact on the green belt

Not applicable to the proposed development.

7.07 Impact on the character & appearance of the area

POLICY CONTEXT:

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

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

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

landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

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

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

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

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

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

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

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

ASSESSMENT:

The proposal seeks to demolish the existing single storey detached dwelling house, with a residential building comprising 4 flats.

The new building would be approximately 8m high, 11.8m wide and 15.2m deep. It would be finished in render, with brickwork features, dark roof tiles similar to the existing dwelling, and would feature a hipped roof with a protruding gable feature along the front elevation. It is noted that the proposed windows would be anthracite grey which would be out-of-keeping with the characteristic white framed fenestration within the street. Nevertheless, if it had otherwise minded to recommend approval details of more visually sympathetic materials would have been secured by condition.

In comparison to the previously refused scheme (ref. 36748/APP/2022/2188 refused 25-01-23) the proposal is similar in terms of scale. The reduction in scale has involved the slight reduction in height

by approximately 0.3m, and the part first floor rear extended element with a gable roof has also been removed. This latter alteration has also resulted in a reduced size flat from 3-bedrooms to 2-bedrooms (Flat 4). The fenestration details and rear garden layout have also been altered in this revised proposal.

The proposed elevations drawing (ref: PR23-071e) demonstrates the siting and height of the proposal in relation to the adjacent property at No. 12 Oakwood Road. The proposal would sit 1m below the ridge of No. 12 with the eaves generally in alignment, albeit a bit lower. However, despite this, the scale and bulk of the property exemplified by its unrelieved combined width and depth, is exacerbated by a visually incongruous parapet wall on the boundary with No. 12 Oakwood Road, and the large gable-fronted feature on the front of the building with a large expanse of glazing. The large crown roof and projection forward of the front and rear building lines of the adjacent dwelling at No. 12 Oakwood Road would also exemplify the large scale and footprint of the proposed building.

The properties to the south, along Ashley Close comprise single storey bungalows with an average ridge height of 5.3m. Given the location of the site on a slope, notwithstanding the residential amenity concerns, the proposal would appear excessively large in relation to the surrounding development. The proposed scale of the roof and the introduction of a large crown roof would be out-of-character with development in the surrounding area. Due to the combination of the height, depth and width of the building, the proposed development would appear as an oversized and unduly dominant addition to the street scene, which would fail to integrate with the smaller and modest homes which characterise the immediate area.

The application site is situated on a prominent corner position, and when passing the site from Oakwood Road the depth of the original dwelling is very conspicuous. The proposed excessive depth, and height would be readily visible from both Oakwood Road and Ashley Close. The large, rendered wall spanning approximately 15.3m at ground floor level and 12.3m at first floor level, would form an unsightly addition to the street scene, causing notable harm to the established pattern of development and character and appearance of the surrounding area. Whilst the footprint of the existing bungalow is noted, the footprint of the surrounding two-storey dwellings is much smaller and in proportion. The proposal would extend the footprint and scale to an unprecedented degree and would result in a harmful addition to the street.

Whilst noted earlier, the protruding two-storey gable on the front elevation and the crown roof are not common features within this area and this in combination with the above would also read as harmful to the street scene and wider area. The finish of the building has sought to incorporate the traditional brickwork and tiled roofs of the surrounding properties, however the contemporary design features in the glazed gable-front would contrast unfavourably with the low rise, traditionally designed buildings which characterise the area and surround the site.

Properties within the area have small car parking areas at their frontages or they use on-street parking. The existing bungalow features a hard landscaped area along the frontage for parking. The car parking is proposed in the front garden and within the existing rear garden along the western boundary, accessed from Ashley Close. The proposed car parking space to the rear of the site would appear as an isolated area of extensive hardstanding, which would be out of keeping with the established character of the area and would also lead to an unnecessary and harmful loss of garden land.

These concerns were raised in the Committee Report for the previously refused scheme but have not been addressed (ref. 36748/APP/2022/2188 refused 25-01-23). In terms of design, this revised and

resubmitted proposal has been amended minimally. As such the proposal fails to overcome the previous concerns and reason for refusal. In light of this, due to the proposed scale, massing, design and corner plot location, the proposed building would appear as a dominant and incongruous form of development, detrimental to the character of the area and visual amenity of the street scene. The proposed car parking would result in an unacceptable loss of garden land and would also form an isolated and irregular addition that would also be harmful to the visual amenity of the area.

For these reasons, the proposal is considered to be harmful to the character and appearance of the surrounding area. The proposal would be contrary to Policy BE1 of the Hillingdon Local Plan - Part 1 (2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D1, and D3 of the London Plan (2021) and the National Planning Policy Framework (NPPF) (2023).

7.08 Impact on neighbours

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

Guidance for Policy DMHB 11 states: 'The Council will aim to ensure that there is sufficient privacy for residents, and it will resist proposals where there is an unreasonable level of overlooking between habitable rooms of adjacent residential properties, schools or onto private open spaces. A minimum of 21 metres separation distance between windows of habitable rooms will be required to maintain levels of privacy and to prevent the possibility of overlooking. In some locations where there is a significant difference in ground levels between dwellings, a greater separation distance may be necessary.'

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

No. 12 Oakwood Road is located to the east of the site and comprises a semi-detached dwelling. It is noted that the windows facing the application site in the side elevation are either non-habitable or secondary. The set-back of the two-storey element along the eastern addition means that a 45-degree line of sight can be achieved between the properties at first floor level. However, the building would project approximately 5.7m beyond the ground floor rear elevation at No. 12 Oakwood Road with a negligible set-back from the shared boundary. The scale of the projection would be part-two storey and part single-storey with a large parapet wall extending along the eastern boundary. The sheer size and proximity of the building would be harmful to this neighbour by towering over the rear garden and resulting in a harmful sense of enclosure to their private rear patio and garden. It would also result in loss of outlook from and light to the dwelling at No. 12 Oakwood Road.

At present the bedroom in the converted loft space of the bungalow is served by a modest dormer on the rear elevation. Given the scale of the existing window, the existing situation on site would provide very oblique views towards the rear garden of No. 12 Oakwood Road. The proposed development would result in habitable windows serving Flat 3 and Flat 4 which directly overlook the rear garden of the application site. The windows serving Flat 3 would be sited approximately 1m from the shared boundary with No. 12. Despite the proximity to the neighbouring shared boundary, whilst some

oblique views may be achieved from the habitable first floor rear windows, these would not be uncommon in a suburban residential setting, such as the application site. In this regard, it is not considered that the proposal would result in unacceptable overlooking or a loss of privacy. Nevertheless, the proposal would result in a loss of outlook from and light to the dwelling at No. 12 Oakwood Road.

The impacts on the residential amenity of No. 12 Oakwood Road remain the same as that determined under ref. 36748/APP/2022/2188 (refused 25-01-23), and have not been addressed. Therefore, this reason for refusal has not been overcome in this revised proposal.

Properties along Ashley Close and other properties in proximity of the site on Oakwood Road are a sufficient distance away and sited in relation to the proposal so as to not be harmed by the proposed development. There would be no harmful or material loss of light, outlook or privacy to these neighbours.

For the reasons mentioned above, the proposal is considered to cause significant harm to the residential amenities of the occupiers of No. 12 Oakwood Road. The proposal is therefore contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and the National Planning Policy Framework (2023).

7.09 Living conditions for future occupiers

INTERNAL AMENITY SPACE PROVISION:

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

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

Policy D6 of the London Plan (2021) sets out the minimum internal floor space standards requirement for residential developments in order to ensure that there is an adequate level of amenity for future occupants. Table 3.1 of Policy D6 of the London Plan (2021) states that:

- A one storey dwelling with 1- bedroom, 2 person occupancy should provide a GIA of at least 50sqm;
- A one storey dwelling with 2-bedroom, 3 person occupancy should provide a GIA of at least 61sqm; and
- A one storey dwelling with 2-bedroom, 4 person occupancy should provide a GIA of at least 70sqm.

It is noted that the proposed layout of each proposed home exceeds minimum internal floor space standards. In comparison to the previously refused scheme (ref. 36748/APP/2022/2188), the internal layout, most notably the relocation of the bedrooms at Flat 1 and Flat 2 have been amended so the ground floor bedrooms are served by rear windows. This would overcome the previous concerns in terms of the bedroom windows facing the parking/communal access court. All the proposed bedrooms would benefit from a principal window fitted on the rear elevation of the building. The proposed rooms would provide future occupiers of the property with a reasonable degree of outlook

and natural light.

However, the revised site and internal layout drawing (ref. PR23-071g) would require all occupants of the proposed four flats to access their rear gardens, cycle and rear car parking, to use a shared path along the side of the building, past the habitable room window of Flat 2, which would serve the open plan kitchen/living/dining room. Whilst this window could be conditioned to be obscure-glazed, it would nevertheless result in real or perceived loss of privacy to a habitable room, as well as noise disturbance from the comings and goings of residents. For this reason the proposal would fail to provide satisfactory internal living conditions for the future residents of proposed Flat 2, contrary to the aforementioned policies.

EXTERNAL AMENITY SPACE PROVISION:

Policy DMHB 18: 'Private Outdoor Amenity Space' of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that applications for residential development should provide adequate levels of private, well designed and located amenity space. The policy advises that 1-bedroom flats should be provided with a minimum of 20sqm of private amenity space and 2-bedroom flats should be provided a minimum of 25sqm.

Paragraph 8.6 of the Design and Access Statement states that the rear of the property would be private gardens subdivided by high hedging and timber fencing. The proposed communal gardens will be mainly grassed with some small planting around the trees. Flat 1 is proposed to have 31.5sqm of amenity space, Flat 2 has 28sqm of amenity space proposed, Flat 3 has 26.5sqm amenity space proposed, and Flat 4 has 35.5sqm of amenity space proposed.

Whilst this would comply with the minimum standards in quantitative terms, there are concerns with the proposed quality of the provision. In qualitative terms there are concerns that the gardens would fail to be regarded as well located, well designed and useable for the private enjoyment of the occupiers, particularly given their inconvenient access for all proposed flats. The proposed gardens would be located at the rear of the site with no direct access from any of the flats, not even the ground floor flats which would look onto their gardens from their respective bedrooms, but would not be able to directly access these through any external door. All residents would need to exit out the front of the building before making their way to the rear of the property. This is approximately 31 metres walking distance from the front of the building to the closest garden for ground floor Flat 2.

In addition the submitted Arboricultural Report indicates that the majority of trees would be retained on site. Whilst there are no objections to the removal of the Category C trees (discussed further in Section 7.14 of this report), the submitted site layout does not take into account the siting of the retained trees in the design, and how this may impact on the usability, functionality or sunlight of the proposed gardens - whether positive or negative.

Overall, the proposed development fails to represent a high-quality and considered scheme and therefore the provision of inconveniently accessed private amenity spaces, would not be genuinely useable or of a high quality, and on-balance, is not considered acceptable.

It is therefore considered that the proposal would fail to provide quality external private amenity space for the future occupiers, contrary to Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

7.10 Traffic impact, Car/cycle parking, pedestrian safety

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 not exceed the maximum parking standards as set out in table 10.3. These parking standards demand up to 3 on-plot spaces in total and 4 are to be provided which marginally exceeds the standard. However, in this case, this is considered acceptable as it reduces the potential for untoward on-street parking displacement onto the unrestricted roadways resulting from the higher dependency on private motor transport due to the poor PTAL rating. Therefore the proposed level of parking provision 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. The development would therefore require 1 'active' and 3 'passive' spaces to be provided for the new units to future proof for anticipated demand. The applicant has proposed 4 'active' spaces, which is welcomed and policy compliant.

Cycle Parking

In terms of cycle parking, there would be a requirement to provide 1 secure and accessible space for each of the units to meet the Council's adopted cycle parking standard. This equates to 4 spaces which has been acknowledged in the submission with an indicated 8 communal spaces located to the rear of the build. This is policy compliant, and an acceptable arrangement.

Vehicular Trip Generation

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

The proposal is likely to increase potential traffic generation as compared to the existing single residential dwelling. However peak period traffic movement into and out of the site would not be expected to exceed 2 additional vehicle movements during the most crucial and sensitive peak morning and late afternoon/early evening traffic periods. Such potential 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 and Internal Arrangements

There is no objection in principle to the utilisation of the existing carriageway crossing (with widening) on Oakwood Road. It should conform to the council's 'Domestic Vehicle Footway Crossover' Policy (2022). The width of crossing at the 'back of footway' should therefore not exceed 5 m at the 'back of footway' and 6.2 m at the 'edge of kerb'. If the application had been recommended for approval, this would be secured by condition.

It should also be noted that the revised crossing would need to be constructed to the appropriate council standard executed under S184 of the Highways Act 1980 (or suitable alternative arrangement) at the applicant's/developer's expense. As no relevant detail of scale has been submitted, this aspect would be secured via planning condition, if the application was approved.

Satisfactory highway visibility splays at both access points are also considered necessary and should be applied on safety grounds. If the application had been otherwise acceptable, a condition would have been included requiring details of pedestrian visibility splays to be implemented and retained in perpetuity.

Operational Refuse Requirements

Refuse collection would be conducted via Oakwood Road or Ashley Close. A bin storage location is proposed in proximity of the public highway in order to conform to the council's 'waste collection' maximum distance parameter of 10m i.e. distance from a refuse vehicle to the point of collection. This arrangement is acceptable.

Construction Management Plan (CMP)

Given the constraints and sensitivities of the local road network, if the application had been recommended for approval, a condition would be included requiring the submission of a construction management plan to avoid/minimise potential detriment to the public realm.

Conclusion

The application has been reviewed by the Highway Authority and planning officers 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 (2020) Policies DMT 1, DMT 2 & DMT 6 and Policy T4, T5 and T6 of the London Plan (2021). Had the application been recommended for approval, the above conditions would be attached to any planning permission.

7.11 Urban design, access and security

Please refer to section on 'Impact on the Character & Appearance of the area'.

7.12 Disabled access

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

In the event of an approval, the conditions recommended by the Council's Access Officer (see Section 6 of this report) would be included in the decision. These two conditions require details of step free access via the principal private entrance to the dwelling; and a requirement that the new dwelling be certified as compliant with the technical specifications for an M4(2) dwelling. Subject to compliance with these conditions the proposal is considered compliant with Policies D5 and D7 of the London Plan (2021).

7.13 Provision of affordable & special needs housing

Policy H2 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) states that housing provision

is expected to include a range of housing to meet the needs of all types of households, and the Council will seek to maximise the delivery of affordable housing from all sites over the period of the Local Plan. For sites with a capacity of 10 or more units, the Council will seek to ensure that the affordable housing mix reflects housing needs in the borough, particularly the need for larger family units. This is supported by Policy DMH 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

The proposal is for less than 10 residential units and does not meet the threshold in order to require affordable housing provision. As such, the proposal is not contrary to Policy H2 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) and Policy DMH 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) in this respect.

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 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.

The existing site features mainly hard surfaces for landscaping as well as a grassed rear garden and a number of trees along the rear boundary. The proposal seeks to remove the landscaping and proposes to replace it with a number of smaller trees along the rear boundary. An Arboricultural Impact Assessment prepared by All Arboriculture accompanies the planning application. The Assessment indicates that T1 would be removed, however it is noted that T5 and T6 would need to be removed to provide the car parking to the rear. It is not considered that this would result in an adverse impact, however, had the planning application been recommended for approval, amendments would have been sought and full landscaping details would have been secured via condition.

ECOLOGY:

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

The site does not contain any ponds, open woodland or dense scrub and shrubbery. There are no protected sites of ecological interest adjacent to the site. It is therefore considered that the likelihood of protected species being present at the site is low.

In the event of an approval, an informative would be secured advising that should protected species be found at the site, the applicant(s) must fulfil their duties under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010.

7.15 Sustainable waste management

Provision for refuse/recycling storage is identified on the submitted drawings. In the event of an approval, a condition would be included to ensure full details of this provision are submitted for approval by the Local Planning Authority.

7.16 Renewable energy / Sustainability

Policy DMEI 10 of the London Plan (2021), inter alia, requires water efficiency measures in new development. These measures include the collection and reuse of rain water and grey water, as well as a requirement for water usage rates to not exceed 105 litres/person/day. In the event of an approval, these requirements would be secured by condition.

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 application site lies within Flood Zone 1 of the Environment Agency's Flood Risk Map. This means that 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.

This application site is located within a Critical Drainage Area. Had this application been recommended for approval, a SuDS condition would have been included to ensure that water was adequately and appropriately managed on site.

7.18 Noise or Air Quality Issues

NOISE FROM THE PROPOSED DEVELOPMENT:

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.

Whilst there would be some potential for increased levels of on-site activity to generate noise and disturbance, the site would nevertheless continue to be used in an exclusively residential capacity. The proposed net provision of three additional residential units at the site is not considered to lead to such a significant change in the local noise environment as to warrant a refusal of planning permission on this ground.

AIR QUALITY:

The site is not located within an identified air quality management/focus area. Nevertheless, in the event of an approvable scheme, a planning condition would have been recommended to secure a Construction Management Plan in order to minimise pollution during the construction phase.

7.19 Comments on Public Consultations

Comments received in response to the public consultation have been summarised in Section 6 and addressed in the relevant sections of the report.

7.20 Planning obligations

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

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

7.21 Expediency of enforcement action

Not applicable to the proposed development.

7.22 Other Issues

N/A

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 to the proposed development.

10. CONCLUSION

For the reasons set out in this report, it is considered that the proposed development would conflict with national, regional and local planning policies and guidance. The net provision of 3 additional units would not outweigh the identified harm. Consequently, it is considered that the application should be refused for the reasons set out in Section 2 of this report.

11. Reference Documents

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

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

The London Plan (March 2021)

National Planning Policy Framework (NPPF) (2023)

National Planning Practice Guidance (NPPG)

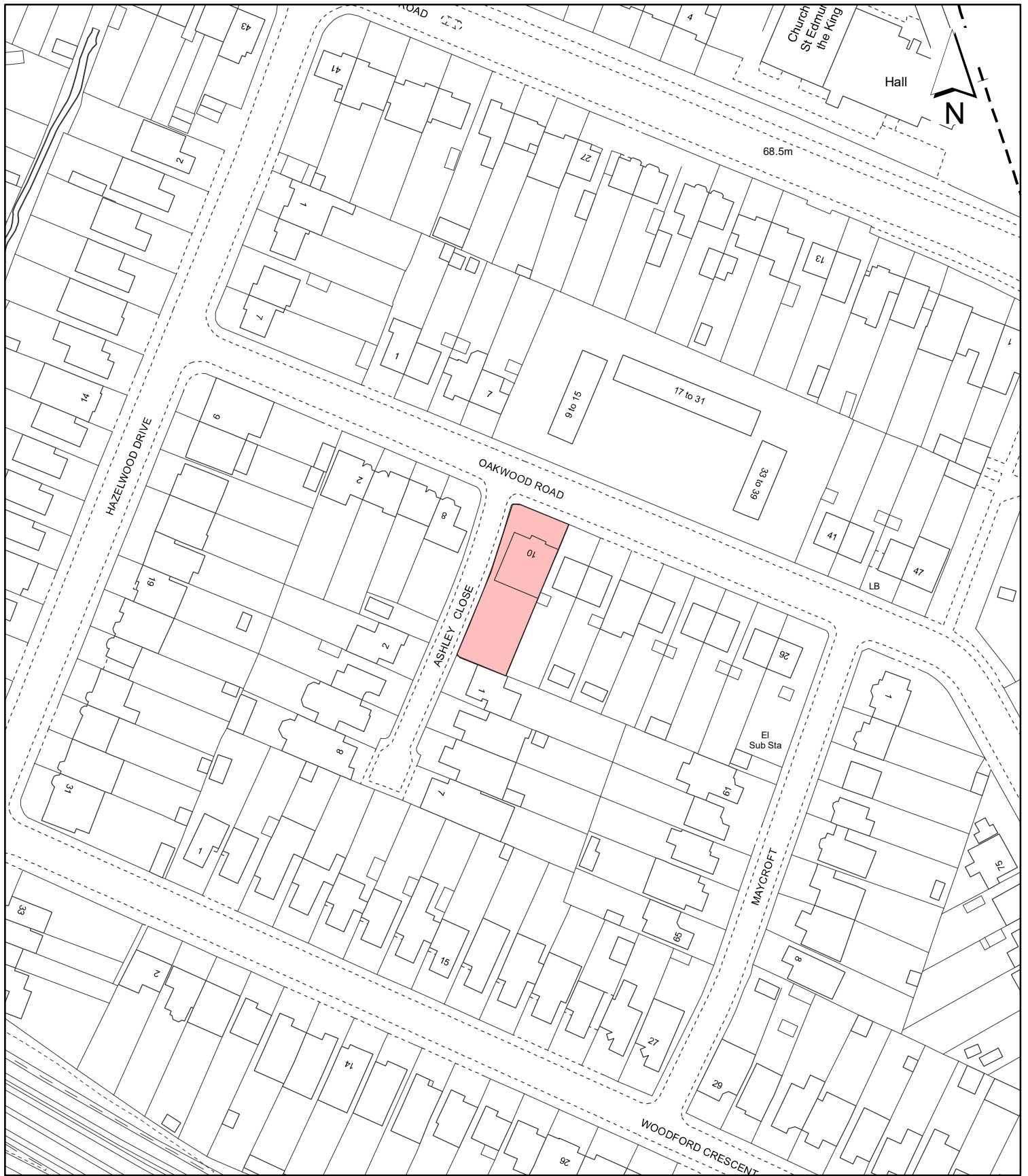
Technical Housing Standards - Nationally Described Space Standard (2015) (as amended)

Contact Officer:

Niamh McMenamin

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Notes:

 Site boundary

For identification purposes only.
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LONDON BOROUGH OF HILLINGDON
Residents Services Planning Section

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Planning Application Ref:
36748/APP/2023/2176

Scale:
1:1,250

Planning Committee:
Minor

Date:
January 2024

