

Report of the Head of Development Management and Building Control

Address:	19 BEACON CLOSE UXBRIDGE		
Development:	Erection of four terraced dwellings incorporating landscaping, parking provision, waste and cycle stores following demolition of existing dwelling.		
LBH Ref Nos:	17969/APP/2023/1014		
Drawing Nos:	PA 01 0185 001 PA 03 PA 02 PA 04 003 Vehicular Tracking and Splay Preliminary Ecological Appraisal & Preliminary Roost Assessment, prepared by MM Ecology dated February 2023 Arboricultural Implications Report, prepared by SJA Trees dated March 2023 Design and Access Statement Applicant Rubuttal Letter, prepared by Barker Parry dated 22 September 2023		
Date Plans received:	04-04-2023	Date(s) of Amendments(s):	04-04-2023
Date Application valid	20-04-2023		05-04-2023 22-09-2023 29-09-2023

1. SUMMARY

The application proposes the erection of four terraced dwellings incorporating landscaping, parking provision, waste and cycle stores. This would be following the demolition of the bungalow on site.

Planning permission was previously refused by the Borough Planning Committee in January 2023 (application ref: 17969/APP/2022/3338) for a very similar scheme. The wording of these reasons are contained in section 3.3 of this Committee Report.

The current revised application is very similar in form, design and layout to the previously refused scheme. Refusal reasons relating to ecology, accessibility and cycle parking (in highways terms) have been overcome. Another reason for refusal seeking an arboricultural assessment in relation to a tree of amenity value has been resolved by the destruction of the unprotected tree.

However, refusal reasons relating to the overdevelopment of the site, harm to the character and appearance of the area and the completion of a s106 legal agreement to secure highways works and prohibit the issuing of parking permits to prospective residents have not been resolved. It is therefore

recommended that the current revised application be refused for these reasons.

In the context of the existing detached houses on Beacon Close, the proposed four terraced dwellings would appear out of place, particularly given their small individual plot widths, and the total width of the development which would cover almost the entirety of the site frontage. The proposed dwellings would have a considerably greater depth and steeper roof pitch when compared to the other properties on Beacon Close. The proposal, therefore, would be harmful to the character, appearance and visual amenities of the street scene and the surrounding area.

Additionally, the excessive hardstanding being proposed to accommodate on-site car parking provision, coupled with the position and number of the cycle stores and likely required bin stores, would have a detrimental impact upon the pleasant, spacious and green suburban character of the street scene on Beacon Close. The proposed tree planting and soft landscaping to the front of the site are not considered to provide an adequate level of mitigation, and thus the proposal would harm the verdant character and appearance of the area.

In the absence of a legal agreement to cover the required highways work, there is no guarantee that the on-site car parking spaces shown on the submitted plans could be feasibly delivered. Future occupiers are therefore likely to park their vehicles on the streets and parking bays, especially given that no mechanism has been secured to prohibit occupiers from obtaining parking permits. As a result, the proposed development would have a harmful impact on highway safety.

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

2. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Harm to the character and appearance (overdevelopment)

The proposed development, by reason of the number of dwellings being proposed, their terraced form, layout and siting, would result in an incongruous form of overdevelopment of the site that would fail to harmonise with the existing local context and prevailing pattern of development on Beacon Close. The principle of intensifying the residential use of the site as proposed, would have a detrimental impact on the street scene and character and appearance of the area as a whole. The proposal is therefore detrimental to the visual amenity and character of the surrounding area and contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMH 6, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D3 and D4 of the London Plan (2021) and Chapter 12 of the National Planning Policy Framework (2023).

2. NON2 Harm to the character and appearance (design)

The proposed development, by reason of its forward projection beyond the established front building line in this section of Beacon Close, plot width, depth, massing, bulk, scale and design, would fail to harmonise with the character and architectural composition of surrounding properties, appearing as an awkward, incongruous and cramped form of development which would be detrimental to the

visual amenity of the street scene and harmful to the character and appearance of 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 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D3 and D4 of the London Plan (2021) and Chapter 12 of the National Planning Policy Framework (2023).

3. NON2 Harm to the character and appearance (landscape)

The proposed development, by virtue of the excessive area of hard standing for the on-site parking provision, negligible soft landscaping and tree planting, removal of the existing front boundary treatment and number and site coverage of associated requirements for cycle stores and refuse bins in the front gardens, would erode and be out of keeping with the existing pleasant, spacious and suburban character of the site and the surrounding street scene on Beacon Close. The proposal would introduce an urbanising form of development that would cause harm to the open and verdant character and appearance of the area. The proposal would therefore have a harmful impact upon the character, appearance and visual amenities of the area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMH 6, DMHB 11, DMHB 12 and DMHB 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D3, D4 and G7 of the London Plan (2021) and Chapter 12 of the National Planning Policy Framework (2023).

4. NON2 Highways harm in the absence of a completed legal agreement

In the absence of a legal agreement to cover the required highways work to enable the proposed vehicle crossovers and on-site car parking provision and preventing the issuing of parking permits to future occupiers of the proposed dwellings which are located within a permit-controlled area, the proposed development is likely to lead to an increase in pressure for on-street parking and have a consequent adverse effect on highway safety, through inconsiderate and potential hazardous parking and a risk to road users. The proposal would therefore be contrary to Policy DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policies T4, T6 and T6.1 of the London Plan (2021) and paragraph 115 of 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

153 **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 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMH 2	Housing Mix
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 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 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 GG2	(2021) Making the best use of land
LPP GG4	(2021) Delivering the homes Londoners needs
LPP H1	(2021) Increasing housing supply
LPP H2	(2021) Small sites
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
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
NPPF2	NPPF 2021 - Achieving sustainable development
NPPF4	NPPF 2021 - Decision-Making
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes
NPPF9	NPPF 2021 - Promoting sustainable transport

3. CONSIDERATIONS

3.1 Site and Locality

The application site is approximately rectangular in shape and is located at the southern end of Beacon Close, which is a cul-de-sac. It comprises a detached, single-storey dwelling with a hipped roof and a detached garage with a flat roof located to the north-east of the dwelling. There is a vehicle crossover to the front of the detached garage which emerges onto Beacon Close. There is a second vehicle crossover along the north-western site frontage. Parking on Beacon Close is restricted by a single yellow line, and is controlled by Car Parking Zone U8 which restricts parking to allow only permit holders to park within the street parking bays Mondays - Fridays between the hours of 9am to 5pm.

The street scene on Beacon Close is characterised by detached dwellings set-back from the highway. To the west of the site is number 24 Beacon Close, an adjacent detached bungalow that has been extended by single storey side and rear extensions and a rear dormer. To the east of the site, and sited on substantially higher grounds, are the backland developments at numbers 213B and 213C Harefield Road.

According to the Council's GIS, the site is designated within the Colne Valley Archaeological Priority Zone, Northolt RAF- 3km Buffer Zone and an Air Quality Management Area. A section of the highway to the front of the site falls within a Surface Water Flood Zone, although the application site itself does not fall within this designation. The site is in Flood Zone 1 and has a Public Transport Accessibility Level (PTAL) of 1b (poor).

3.2 Proposed Scheme

The application proposes the erection of four terraced dwellings incorporating landscaping, parking provision, waste and cycle stores. Each dwelling would have three bedrooms.

The existing bungalow and its associated detached garage would be demolished.

3.3 Relevant Planning History

17969/APP/2022/3338 19 Beacon Close Uxbridge

Erection of four terraced dwellings incorporating landscaping, parking provision, waste and cycle

stores

Decision: 25-01-2023 Refused

Comment on Relevant Planning History

The application had a previous refused permission under planning ref: 17969/APP/2022/3338 for the erection of four terraced dwellings incorporating landscaping, parking provision, waste and cycle stores.

The application was refused at the Borough Planning Committee in January 2023 for the following reasons:

1. The proposed development, by reason of the number of dwellings being proposed, their terraced form, layout and siting, would result in an incongruous form of overdevelopment of the site that would fail to harmonise with the existing local context and prevailing pattern of development on Beacon Close. The principle of intensifying the residential use of the site as proposed, would have a detrimental impact on the street scene and character and appearance of the area as a whole. The proposal is therefore detrimental to the visual amenity and character of the surrounding area and contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMH 6, DMHB 11 and DMHB 12 of the adopted Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D3 and D4 of the London Plan (2021) and the National Planning Policy Framework (2021).
2. The proposed development, by reason of its forward projection beyond the established front building line in this section of Beacon Close, plot width, depth, massing, bulk, scale and design, including the uncharacteristically steep roof pitch and unduly monotonous appearance, would fail to harmonise with the character and architectural composition of surrounding properties, appearing as an awkward, incongruous and cramped form of development which would be detrimental to the visual amenity of the street scene and harmful to the character and appearance of 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 and DMHB 12 of the adopted Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D3 and D4 of the London Plan (2021) and the National Planning Policy Framework (2021).
3. The proposed development, by virtue of the excessive area of hard standing for the on-site parking provision, negligible soft landscaping, removal of the existing front boundary treatment and forward position of the visually obtrusive bin stores, would erode and be out of keeping with the existing pleasant, spacious and suburban character of the site and the surrounding street scene on Beacon Close. The proposal would therefore have a harmful impact upon the character, appearance and visual amenities of the area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMH 6, DMHB 11 and DMHB 12 of the adopted Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D3 and D4 of the London Plan (2021) and the National Planning Policy Framework (2021).
4. The proposed development, by virtue of the loss of an existing large tree at the site and in the absence of an Arboricultural Report to the British Standard 5837:2021, would cause harm to the open and verdant character and appearance of the site and would introduce an urbanising form of development that would not integrate well with its surroundings. The proposed replacement trees

would not mitigate the harm caused to the character and appearance of the area. The proposal would therefore conflict with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 11, DMHB 12 and DMHB 14 of the Hillingdon Local Plan: Part 2- Development Management Policies (2020), Policies D3, D4 and G7 of the London Plan (2021) and the National Planning Policy Framework (2021).

5. In the absence of a legal agreement to cover the required highways work to enable the proposed vehicle crossovers and on-site car parking provision and preventing the issuing of parking permits to future occupiers of the proposed dwellings which are located within a permit-controlled area, the proposed development is likely to lead to an increase in pressure for on-street parking and have a consequent adverse effect on highway safety, through inconsiderate and potential hazardous parking and a risk to road users. The proposal would therefore be contrary to Policy DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policies T4, T6 and T6.1 of the London Plan (2021) and paragraph 111 of the National Planning Policy Framework (2021).

6. The proposed development, by virtue of its constrained site layout, internal design of the buildings, and absence of details to show that the internal layout would comply with Approved Document M of Building Regulation requirement M4(2) and M4(3), fails to demonstrate that adequate provision would be made to meet the needs of people with disabilities. The proposed development therefore conflicts with Policies D5 and D7 of the London Plan (2021) and the National Planning Policy Framework (2021).

7. In the absence of a preliminary ecology report, there is insufficient information to demonstrate that the proposed development, which would involve the demolition of the existing dwelling at the site, would not cause any harm to protected species (which includes bats). The proposal therefore fails to demonstrate that no harm would be caused to protected species and their habitats, contrary to Policy G6 of the London Plan (2021), Policy DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2021).

8. Insufficient evidence has been provided to demonstrate that secure, sheltered, well-located and accessible short stay and long stay cycle store parking spaces can be provided for future occupiers of the proposed development without adversely impacting upon the character and appearance of the area. This issue is further exacerbated by the constrained nature of the site. The proposal would therefore fail to facilitate and encourage cycling as a sustainable mode of transport contrary to Policy DMT 5 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy T5 of the London Plan (2021) and the National Planning Policy Framework (2021).

The main issue on the current application is whether these reasons for refusal have been overcome.

In summary, the first three reasons for refusal (concerning harm to the character and appearance of the area) are not considered overcome, and again form the first three reasons for refusal of this recommendation.

The previous reason for refusal no. 4 in part concerns the loss of an existing tree. As discussed in section 7.14 (Trees, landscaping and ecology) of this Committee Report, the non-protected tree has since been removed prior to the submission of this revised application. Consequently, the loss of the tree does not form a reason for refusal. However, there are still concerns with the urbanisation of the site and inadequate tree planting. Therefore, these matters have been incorporated into the third reason for refusal of this recommendation due to the harm this would have on the visual amenity of

the street scene and character of the area.

Previous reason for refusal no. 5 (now reason for refusal no. 4 in this current recommendation) remains relevant, as a s106 agreement has not been secured for the proposed highways works and to prohibit parking permits from being issued to prospective residents.

In respect to previous refusal reasons 6 (Inclusive design and accessibility), 7 (Ecological Impacts) and 8 (Cycle parking), these matters are considered addressed and discussed in detail in sections 7.10, 7.12 and 7.14 of this Committee Report.

4. Planning Policies and Standards

Development Plan:

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

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

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

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

The West London Waste Plan (2015)

The London Plan (2021)

Material Considerations:

The National Planning Policy Framework (NPPF) (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 10 Water Management, Efficiency and Quality

DMEI 2 Reducing Carbon Emissions

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DMEI 7 Biodiversity Protection and Enhancement

DMEI 9 Management of Flood Risk

DMH 2 Housing Mix

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 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 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 GG2 (2021) Making the best use of land

LPP GG4 (2021) Delivering the homes Londoners needs

LPP H1 (2021) Increasing housing supply

LPP H2 (2021) Small sites

LPP SI12 (2021) Flood risk management

LPP SI13 (2021) Sustainable drainage

LPP T5 (2021) Cycling

LPP T6 (2021) Car parking

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LPP T6.1 (2021) Residential parking

NPPF11 NPPF 2021 - Making effective use of land

NPPF12 NPPF 2021 - Achieving well-designed places

NPPF2 NPPF 2021 - Achieving sustainable development

NPPF4 NPPF 2021 - Decision-Making

NPPF5 NPPF 2021 - Delivering a sufficient supply of homes

NPPF9 NPPF 2021 - Promoting sustainable transport

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date: Not Applicable

5.2 Site Notice Expiry Date: Not applicable

6. Consultations

External Consultees

PUBLIC CONSULTATION

Seven neighbouring properties were consulted on 27-04-23. An additional two properties were consulted on 15-05-23. The North Uxbridge Residents Association was also consulted on 27-04-23, with no comments received.

During the course of the application, minor amendments to the drawings have been received, principally for clarification or small improvements. Consequently it was not considered necessary to re-consult.

Eight representations in objection and a petition with 21 signatures against the proposal have been received.

The individual representations received raise the following summarised matters:

1. Development is not in keeping with the existing residences in the road. Beacon Close is a residential street with detached family homes. The replacement of one detached dwelling with four terraced houses would change the character of the road.
2. Gross overdevelopment of the site and will set a dangerous precedent.
3. The applicant makes reference to existing terraced houses on Beacon Close. These are at the other, far away, end of the street and entirely out of sight of this site and the surrounding houses.
4. Overbearing and loss of visual amenity.
5. Additional traffic. On-street parking is already very limited and this proposed development would make this situation significantly worse.
6. Highway safety concerns from increased traffic, as small children ride their bikes in the cul-de-sac and

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many elderly residents.

7. Additional noise and disturbance in a quiet residential cul-de-sac.

8. Groundworks may cause problems to neighbours as there is a groundwater issue on the adjacent alleyway.

9. Access to the rear of the middle two houses is through the house, which is not good.

10. There is little changed from the original application and not addressed the main issues.

A petition against the application with 21 signatories was received by the Council. The grounds for opposition are as follows: "The application represents a gross over development of the site and its design is inconsistent with the street scene".

PLANNING OFFICER RESPONSE: The concerns raised in respect to the proposal's impact on the character and appearance of the area, neighbouring residential amenity, parking, vehicle traffic generation and highway safety, drainage and quality of accommodation will be covered in the following sections of this Committee Report.

EXTERNAL CONSULTTEES

The Greater London Archaeological Advisory Service (GLAAS)

GLAAS were consulted on the application but no comments were received. Nevertheless, the proposal is very similar to the previously refused application and therefore it is reasonable to conclude that the advice remains the same. The comments received previously are as follows:

Historic England (Greater London Archaeological Advisory Service): The Greater London Archaeological Advisory Service (GLAAS) gives advice on archaeology and planning. Our advice follows the National Planning Policy Framework (NPPF) and the GLAAS Charter.

NPPF section 16 and the London Plan (2021 Policy HC1) make the conservation of archaeological interest a material planning consideration.

Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposals is unlikely to have a significant effect on heritage assets of archaeological interest.

The proposed development site lies within the extensive Colne Valley Archaeological Priority Zone but its modest-size, location on land mapped as London Clay geology, previous development and lack of recorded archaeology in its immediate vicinity all point to having low archaeological potential. No further assessment or conditions are therefore necessary.

Internal Consultees

ACCESS OFFICER

INITIAL COMMENTS (28-04-2023)

This proposal for 4 terraced dwellings with landscaping and parking has been reviewed with reference to London Plan policy D7. This policy requires all new housing to be designed and constructed as accessible and adaptable in accordance with M4(2) as set out in Approved Document M to the Building Regulations (2015 edition).

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Revised plans should be requested prior to any grant of planning permission to address the following issue.

1. The entrance level WCs are too small, do not achieve the required clear access zones or otherwise meet the provisions set out in section 2.27(c) of Approved Document M, Volume 1 (2015 edition).

Conclusion: Unacceptable. Details should be submitted prior to any planning approval.

ACCESS OFFICER FINAL COMMENTS (following receipt of revised drawings 06-09-2023)

This proposal for the erection of four terraced houses with landscaping and parking has been reviewed with reference to London Plan Policy D7. No accessibility concerns are raised subject to the following conditions attached to any approval:

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

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

PLANNING OFFICER RESPONSE: The acceptability of the revised drawings are noted. If it had been minded to recommend approval, the conditions stated by the Access Officer would have been included in the recommendation.

WASTE SERVICES

Provisions for waste acceptable however it should be noted that outdoor food caddies should be 23 litres in size and are available from the council via their website.

PLANNING OFFICER RESPONSE: The acceptability of the waste provision, in broader planning terms, is discussed in more detail in sections 7.07 (Impact on character and appearance of the area) and 7.15 (Sustainable waste management) of this Committee Report.

HIGHWAYS OFFICER (summarised)

INITIAL COMMENTS (06-09-2023)

The application site is located at the end of the turning head on Beacon Close, a residential cul-de-sac with a 30mph speed limit which is subject to single yellow line parking restrictions Monday - Saturday between

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8am and 6.30pm. An adopted stepped footpath runs from the north-eastern corner of the turning head to Harefield Road.

The application site is located in an area with a PTAL ranking of 1b indicating that the proposal would be located in an area with poor access to public transport which fails to concur with National Planning Policy Framework (NPPF) 9: Promoting Sustainable Transport and The Mayor's Transport Strategy, which aims to encourage people to walk, cycle and travel by public transport.

Access

The application site has 2no. vehicle crossovers, with 1no. single crossover serving the existing dwelling and 1no. double crossover serving the existing garage located on the eastern side of the turning head adjacent to the stepped adopted footpath that links Beacon Close to Harefield Road.

The submitted landscape plan shows the proposed layout with each of the 4no. dwellings being provided with a vehicle crossover. The 2no. dwellings on the western end of the terrace (proposed Plots 3 and 4) would be able to gain access to the adopted highway but would likely require the relocation of lamp column no.8.

To gain access to the 2no. dwellings on the eastern end of the terrace (proposed Plots 1 and 2) it would likely require the removal of the garage which could undermine the structure supporting the steps to the adopted footpath which would not be acceptable. Further details would be required and a Structural Engineer should be consulted.

Access from the adopted highway to the 2no. easternmost dwellings on the terrace does not appear achievable. The Landscape Plan suggests that amendments to the adopted highway at Beacon Close would be required which should ensure that the existing footway is extended around the turning head to maintain pedestrian access. This would likely require the applicant to enter into an agreement under s.38 Highways Act 1980 at the applicant's / developer's expense.

Pedestrian visibility splays of 2.4m x 2.4m would be required and should be shown on revised drawings.

The vehicle crossovers should be constructed to comply with the Council's Domestic Vehicle Footway Crossover policies and would need to be constructed under s.184 Highways Act 1980 at the applicant's/ developer's expense.

Car Parking

The application proposes 4no. three-bedroom dwellings which would require up to 1.5 car parking spaces to concur with the published London Plan. The Landscape Plan shows that the 2no. dwellings at each end of the terrace would be provided with 2no. parking spaces and the centre 2no. dwellings would be provided with 1no. parking space each. This would be a total of 6no. car parking spaces which would be an acceptable level of car parking, however, details of the layout as detailed above would be required.

Electric Vehicle Charging Points (EVCPs)

The published London Plan (2021) requires that an EVCP is provided for each dwelling which should be shown on a revised drawing.

Cycle Parking

The published London Plan (2021) requires dwellings with two or more bedrooms to have a minimum of 2no. cycle parking spaces which are shown on the Landscape Plan. However, the locations are remote from the dwellings and have no natural surveillance. Cycle stores should be relocated close to the front doors of the dwellings in positions that do not require occupiers of the dwellings to move cars to gain access to the cycle stores. This detracts from the attractiveness and convenience of trip making by bicycle, resulting in occupiers using the private car instead.

Recommendation

There are highway objections to this proposal but the Highway Authority would be prepared to revise this decision subject to the applicant submitting to the Council revised drawings showing proposals for amendments to Beacon Close to accommodate access from the adopted highway to all 4no. dwellings, and acceptable relocation of cycle stores.

HIGHWAYS OFFICER FINAL COMMENTS (summarised)(following receipt of revised drawings 29-11-2023)

The revised Landscape Plan shows the following amendments:

1. The existing lamp column is shown close to the easternmost vehicle crossover (proposed to serve Plot 4). London Borough of Hillingdon Domestic Vehicle Footway Crossover Policy requires that crossovers should be located at least 1m from lamp columns or other street furniture. If this is not possible the applicant will incur the cost of repositioning the lamp column/street furniture.
2. The amended drawing has been annotated 'No structural change or demolition of concrete staircase wall'. However, a structural engineer should be consulted for confirmation.
3. Further details and drawings would be required regarding amendments that would be required to the adopted highway to accommodate access between the 4no. dwellings and the adopted highway which would be likely to require the applicant to enter into a suitable legal agreement secured by a s.106 agreement.
4. An Electric Vehicle Charging Point (EVCP) has been provided for each dwelling which would be acceptable but should be 7Kw active EVCPs and should be secured by condition for retention.
5. Cycle parking has been relocated close to the front doors of the dwellings and would be acceptable (in highways terms).
6. The applicant should be advised that any approval would require that the applicant enter a s.106 legal agreement with the Council that prohibits future occupants of the proposed development from applying for a permit to join any parking management scheme in the vicinity of the pre-application site.

Recommendation

Highway objections to this proposal remain.

PLANNING OFFICER RESPONSE

If the application had been otherwise minded to recommend approval, planning officers are confident that the outstanding matters could be secured by a completed legal agreement and conditions.

Specifically, the concerns that the removal of the garage could undermine the structure supporting the steps of the adopted footpath that links Beacon Close to Harefield Road are noted. If planning permission was granted, a condition could be included requiring the submission of a structural report and conditions survey of the adjacent footway and retaining wall, and details of how the integrity of these structures would be maintained during and post demolition of the existing garage. A commitment to repairing any damage to this footway and retaining wall as a result of the adjacent works during the construction and operation of the development would also be expected. An obligation for potential repairs could be secured in a s106 legal agreement.

The cost of the works involved in relocating the street lamp would also be secured by a legal agreement in the event of an approval. As would the prohibition of any future occupants from obtaining parking permits, and the costs to implement any works needed to the highway (e.g., widening of the highway and extended footways) to facilitate safe access for all highway users. Nevertheless, in the absence of a completed legal agreement, this would form a reason for refusal.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

PRINCIPLE OF DEVELOPMENT

Paragraph 123 of the NPPF (2023) states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Policy GG4 of the London Plan (2021) seeks to ensure that more homes are delivered. This is reinforced by Policy H1 of the Local Plan: Part 1 - Strategic Policies (2012) which gives general support to housing provision to meet and exceed the Council's minimum strategic dwelling requirement, where this can be achieved in accordance with other Local Plan policies.

Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) states that the Council will support development proposals that would not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas and increase the risk of flooding through the loss of permeable areas.

Policy DMH 6 of the Hillingdon Local Plan: Part 2 - 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. In exceptional cases a limited scale of backland development may be acceptable, subject to the following criteria:

- i) neighbouring residential amenity and privacy of existing homes and gardens must be maintained and unacceptable light spillage avoided;
- ii) vehicular access or car parking should not have an adverse impact on neighbours in terms of noise or light. Access roads between dwellings and unnecessarily long access roads will not normally be acceptable;
- iii) development on backland sites must be more intimate in mass and scale and lower than frontage properties; and
- iv) features such as trees, shrubs and wildlife habitat must be retained or re-provided.

The supporting text to Policy DMH 6 explains that the Council's restrictive approach to development

on gardens reflects the direct and indirect value of gardens which contribute to local character, provide safe and secure amenity and play space, support biodiversity, help to reduce flood risk and mitigate the effects of climate change, including the 'heat island' effect. Based on the wording of Policy DMH 6, the policy presumption against development upon residential garden, is in the interest of maintaining local character, amenity space and biodiversity.

The previous application was refused for the following reason:

1. The proposed development, by reason of the number of dwellings being proposed, their terraced form, layout and siting, would result in an incongruous form of overdevelopment of the site that would fail to harmonise with the existing local context and prevailing pattern of development on Beacon Close. The principle of intensifying the residential use of the site as proposed, would have a detrimental impact on the street scene and character and appearance of the area as a whole. The proposal is therefore detrimental to the visual amenity and character of the surrounding area and contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMH 6, DMHB 11 and DMHB 12 of the adopted Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D3 and D4 of the London Plan (2021) and the National Planning Policy Framework (2021).

The current application comprises the same number of dwellings, also in a terraced formation. Notwithstanding some minor changes to the positions of the proposed dwellings in relation to each other, there are no significant changes to the form and character of the proposal. There are no material considerations or policy changes since the refusal of the previous application (January 2023) that would warrant taking a different view.

The application includes a 'rebuttal letter' that contests whether the development ought to be considered as being partially on garden land. This is relevant to whether policy DMH6 is applicable in this instance. Whilst much of the development is on the footprint of the existing dwelling, the four proposed terraced dwellings would extend into garden land, particularly to the side where an attractive landscaped terrace would need to be removed. The existing attractive and soft landscaped front garden would also be lost to hard landscaped vehicle parking and other associated paraphernalia such as cycle enclosures and refuse storage for 4 no. 3-bedroom dwellings. As per the previous decision, it is considered that Policy DMH 6 continues to apply.

Given the very limited changes to this revised proposal, refusal reason no.1 on the previous application has not been overcome. It is therefore recommended that this current application be refused for the same reason.

HOUSING MIX

Policy H10 of the London Plan (2021) states that new development should consist of a range of unit sizes.

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

In accordance with Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), developments should demonstrate how the provision of family housing has been optimised, to address local needs.

The proposed development would provide four x three-bedroom houses (net gain of three dwellings), which would make a contribution towards the Borough's need for family sized housing. Accordingly, it is considered that the proposal would consist of an appropriate housing mix in accordance with Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy H10 of the London Plan (2021).

7.02 Density of the proposed development

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

Policy DMHB 17 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all new residential development should take account of the Residential Density Matrix contained in Table 5.2, which recommends a density range of 105-175 habitable rooms per hectare and 35-50 units per hectare for sites in non-town centre areas with a PTAL rating of 0-2.

The site is within a non-town centre location (i.e. more than 800 metres away from the closest town centre) and has a PTAL rating of 1b (very poor). Based on a total site area of 0.24 hectares, the proposed scheme would have a density level of 16 units and 129 habitable rooms per hectare. It is acknowledged that the units per hectare would be low in relation to the policy density range quoted above. However, it is considered that what is of greater significance to the determination of this application is the local contextual factors. 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 report which assess these planning considerations in further detail.

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

The site is designated within the Colne Valley Archaeological Priority Zone. However, the site is not situated within a Conservation Area nor are there any statutory or locally Listed Buildings at the site.

ARCHAEOLOGY

Policy DMHB 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that the Council, as advised by the Greater London Archaeological Advisory Service, will ensure that sites of archaeological interest within or, where appropriate, outside, designated areas are not disturbed. If that cannot be avoided, satisfactory measures must be taken to mitigate the impacts of the proposals through archaeological fieldwork to investigate and record remains in advance of development works. This should include proposals for the recording, archiving and reporting of any archaeological finds.

The site lies in the Colne Valley Archaeological Priority Area which contains archaeological remains dating from the prehistoric to post-medieval periods.

On the previous application, the Greater London Archaeological Advisory Service was consulted and the following comments were provided:

"The proposed development site lies within the extensive Colne Valley Archaeological Priority Zone but its modest-size, location on land mapped as London Clay geology, previous development and lack of recorded archaeology in its immediate vicinity all point to having low archaeological potential. No further assessment or conditions are therefore necessary."

These comments are considered applicable to this application. On this basis, it is considered that the proposed development would not cause harm to heritage assets of archaeological interest. The proposal would therefore accord with Policy DMHB 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy HC1 of the London Plan (2021) and the NPPF (2023), in this respect.

7.04 Airport safeguarding

Policy DMAV 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that the Council will ensure that uses such as housing, education and hospitals are not located in areas significantly affected by aircraft noise without acceptable mitigation measures.

The application site is within 3km of the RAF Northolt Zone. However, as the site is within an established residential area within this zone, it is considered that visibility and audibility of aircraft operations associated with RAF Northolt would not be of significant harm to the living conditions of future occupiers. It is therefore considered that it would be unreasonable to refuse the application on the ground of harm to the residential amenity of the future occupiers, in respect to aircraft noise associated with RAF Northolt. The Ministry of Defence has also confirmed, in respect to the previous application, that they do not have any safeguarding concerns with the proposal. These comments remain relevant to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

Paragraph 131 of the NPPF (2023) seeks the creation of high quality, beautiful and sustainable buildings. Parts b) and c) of paragraph 135 of the NPPF (2023) states that planning policies and decisions should ensure that developments are visually attractive as a result of good architecture and are sympathetic to local character and history, including the surrounding built environment.

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

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all development will be required to be designed to the highest standards and incorporate principles of good design. It should take into account aspects including the scale of the development considering the height, mass and bulk of adjacent structures; building plot sizes and established street patterns; building lines and streetscape rhythm and landscaping.

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.

Beacon Close is characterised by detached properties set-back from the highway by front driveways and front gardens. This arrangement gives the street scene a suburban and spacious feel. There is a strong degree of uniformity between the two-storey dwellings on Beacon Close, in terms of their architectural style. This is evident by their side gable roof profiles, and external finish of mostly brickwork on the ground floor level and cladding at first floor level. The site frontages of the existing properties on Beacon Close are typically characterised by low level boundary treatment and soft landscaping which adds to the pleasant suburban appearance of the area.

At the turning head of Beacon Close, are two bungalows at numbers 19 Beacon Close (the application site) and 24 Beacon Close. The single storey nature of these properties symbolises the end of the street scape on Beacon Close, and provides wider views towards the mature trees found to the rear of the site and beyond at the adjacent land at Frays Farm (a designated Nature Conservation Site). At present, the frontage of the application site is characterised by its low level brick wall and a soft landscaped front garden which is in-keeping with the surrounding street scape on Beacon Close. There is an area of hard surfacing along the western boundary of the application site for a single-width driveway. However, this area or hardstanding for the existing driveway is relatively minor when compared to the overall plot frontage. The overall character and appearance of Beacon Close is detached family-sized dwellings set within spacious, verdant soft-landscaped plots.

The proposal would involve the demolition of the existing bungalow at the application site and the erection of a block of four terraced dwellings. The layout of the proposal gives the impression of being based on the desire to fit the proposed number of dwellings, rather than to fit in with the site and its context. This is evident by the proposed terraced dwellings having substantially narrower widths than the surrounding detached housing form on Beacon Close. Whilst the front building lines of proposed Plots 1 and 4 have been set-back so that they only marginally project forward of No. 24 Beacon Close (compared to the previously refused application), the conjoined front building line of proposed Plots 2 and 3 would project approximately 1.5m forward of the bungalow at No. 24 Beacon Close. The depth of the proposed dwellings (whilst reduced from approximately 12m to approximately 10.5m compared to the previously refused application) would be considerably deeper and their roof pitch would be steeper than the other two-storey dwellings on Beacon Close. As a result, the terraced form of the proposed dwellings would appear disproportionate and out of place within the surrounding street scene on Beacon Close. Thus, resulting in harm to the character and appearance of the area.

The proposed building block (when viewed as a whole) would occupy much of the plot width of the site. Consequently, the proposed development would result in a cramped form of development as compared to the looser urban grain and pattern of development found on Beacon Close. It is noted that this revised application has introduced a staggered building line to the proposed terraced dwellings, with Plots 1 and 4 set-back to break up the mass. However, this does not overcome the concerns with the scale of built-development proposed to extend across almost the entirety of the site width, with a two-storey height. In combination with the concerns with the proposed front gardens (discussed below), it is considered that this revised proposal would still result in a cramped form of overdevelopment. It should also be noted that whilst a proposed street scene elevation has been submitted, this does not appear to be accurate. This accuracy is questioned as the dwelling at No. 24 is depicted as level with the ground level of the application site, whereas this neighbouring dwelling is set on lower ground than the existing dwelling at the application site.

The submitted elevations show vertical lines dividing the individual roof profiles (and drainpipes dividing the front facades) of proposed dwellings 2 and 3. However, in reality the tiles would be laid in one continuous built form. The Design and Access Statement states that "guttering, brick work, chimneys, small canopies over front entrances, stepped design all play a key part in ensuring the building demonstrates individuality and removes any concerns about bulk appearance". However, these minor details are considered negligible in maintaining the rhythm of the street scape and respecting gaps between structures. In addition the submitted drawings do not demonstrate the considered use of brickwork (or other materials) or any architectural details. Similar to the previously refused application, the proposal is devoid of any architectural features of interest. In these respects, the proposal would be at odds with the architectural style of the surrounding properties on Beacon Close, which are of a more traditional and stylistic character.

The proposal would necessitate the front garden being utilised intensively for parking and for on-site cycle storage provision. Whilst the previously refused application had large bin stores to the front of the dwellings, these have been omitted from this revised application. Given the family-sized scale of the dwellings proposed, some onsite storage area for refuse and recycling would likely be necessary between collection days. Whilst the dwellings on Plots 1 and 4 would be able to access their rear gardens (where refuse and recycling could be stored between collection days), the dwellings at Plots 2 and 3 would not have access from their gardens to the front for collection without bringing the waste and recycling through the respective dwellings. Whilst not depicted on the proposed site plan, it is likely that a refuse storage enclosure would be used to the front of the dwellings. This would add to the notable residential paraphernalia at the front of the dwellings, reducing any opportunities for soft landscaping.

It should also be recognised that the proposed cycle stores in the front gardens are not shown to scale on the proposed landscape drawing. These should be depicted as covering a larger area of the front garden to accommodate two cycles each.

This revised application has increased the soft landscaping to the front of the proposed dwellings by reducing the number of car parks for dwellings 2 and 3 to 1 car park each and omitting refuse storage enclosures. Whilst no cycle parking to the front was proposed previously, this has been included albeit depicted as an inaccurate smaller scale. Some small areas of hedging is proposed for front boundary treatment, however given the necessary removal of the majority of front boundary treatment to accommodate crossovers and parking for 4 no. 3-bedroom dwellings, the proposed front boundary treatment is considered negligible. These minor changes from the previously refused application are not sufficient to address the previous concerns.

Due to their position in front of the proposed dwellings, the cycle stores (and potential bin stores) would be clearly visible from the public domain on Beacon Close. The detrimental impact the proposed enclosures would have to the street scene is exacerbated by their prominent position and the number of them required. It is considered that this adds further weight to the argument that the proposal would represent over development of the site.

In combination with the substantial area of hard standing for the designated parking areas, the cycle storage and bin storage required for the number of proposed dwellings, and the constrained nature of the site, would result in a substantive and permanent loss of the front garden. Whilst the indicative details of landscaping show some small potential for planting, this would be limited. As such, the extent of the proposed hard standing (and associated parking, refuse storage and cycle parking) would contribute to an intensification of the residential use of the site to the detriment of the street scene on Beacon Close.

In terms of potential precedents in the surrounding area, it is recognised that the applicant contends in their Design and Access Statement that there is a terrace of four dwellings in Beacon Close. However, these dwellings are actually on Woodhall Close, approximately 200 metres from the site. The application site fronts Beacon Close, and as such, views from this particular context are considered to be the most important. As previously stated, Beacon Close is defined by detached dwellings with visual gaps between each plot. When viewed from this immediate context, the proposed block of terraced dwellings would appear out of place, despite the location of the application site at the end of a turning head. Whilst it is accepted that different choice of materials could have been secured by condition, this would not overcome the fundamental issue raised above regarding the poor design of the proposed development.

It is also noted that the eastern boundary of the application site adjoins numbers 213B and 213C Harefield Road, which is a pair of semidetached dwellings. However, these neighbouring dwellings sit on substantially higher grounds as they form part of the topography of the properties fronting onto Harefield Road. Furthermore, Nos. 213B and 213C are considered to be 'backland development' as they do not have street frontage on Beacon Close. Given these circumstances, it is considered that Nos. 213B and 213C are not directly comparable to the proposed development, and should therefore be afforded limited weight when assessing the acceptability of the proposal.

Finally, it is asserted in the submitted Design and Access Statement that the "benefit of providing 4 family size units outweighs any concerns in regard to bulk appearance". However, the Council is currently able to demonstrate a five-year supply of deliverable housing sites. As such, the 'tilted balance' as set out in paragraph 11(d) of the NPPF (2023) is not engaged.

Having regard to the above, it is considered that the proposed development would have a significantly harmful impact on the character, appearance and visual amenities of the street scene on Beacon Close and the surrounding area. The proposal, therefore, conflicts with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policies D3 and D4 of the London Plan (2021) and the NPPF (2023).

7.08 Impact on neighbours

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states: B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

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

Paragraph 5.40 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states: "For the purposes of this policy (Policy DMHB 11), outlook is defined as the visual amenity enjoyed by occupants when looking out of their windows or from their garden. The Council will expect new development proposals to carefully consider layout and massing in order to ensure development does not result in an increased sense of enclosure and loss of outlook."

The previously refused scheme was not considered to have a significant harmful impact on neighbours through loss of light or outlook (ref. 17969/APP/2022/3338 dated 26-01-23). This remains the case with this current scheme. An assessment of the potential impact on neighbouring residential amenity is discussed as follows.

Number 24 Beacon Close is a detached bungalow located to the west of the application site. The closest proposed dwelling on Plot 4 would project approximately 40cm forward of No.24 Beacon Close. However, there would be a separation distance in excess of 3.5 metres between the flank walls of the proposed dwelling on Plot 4 and No.24. The rear building line of the proposed dwelling on Plot 4 would not project beyond the single storey rear extension at No.24 Beacon Close. It is therefore considered that the proposal would not result in a loss of light or outlook for the neighbouring occupiers at No. 24.

It is acknowledged that the proposed first floor rear windows would provide oblique views into the rear gardens of No.24 Beacon Close and Nos. 213B and 213C Harefield Road and long views towards the end of the rear gardens of the properties fronting Harefield Road. However, a mutual degree of overlooking between first floor windows and rear gardens of neighbouring properties already exists, which is not uncommon in suburban locations such as this. It is therefore considered that the proposed first floor rear windows would not result in such a material loss of privacy as to warrant a reasonable ground for refusal on this basis.

The proposed dwellings on Plots 1 and 4 would contain windows fitted in their side elevations. The proposed ground floor windows would face towards boundary treatment, of which full details would have been secured by a condition, if this application had been recommended for approval. The proposed first floor side windows would serve ensembles and secondary windows to bedrooms. If it had been minded to recommend approval, conditions would have been secured to obscure glaze these windows and require them to be non-opening up to 1.8 metres of the finished floor level. Subject to such conditions, it is considered that the proposal would not give rise to an unreasonable loss of outlook, privacy or overlooking for the occupiers at No. 24 Beacon Close and No. 213C Harefield Road.

Numbers 213B and 213C Harefield Road are two-storey properties located to the east of the application site. These neighbouring properties sit on substantially higher ground than the application site. The rear building line of the proposed dwelling on Plot 1 would not breach the 45-degree line of sight taken from the nearest first floor rear habitable window at No. 213C Harefield Road. Taking these factors into account, and the south facing aspect of Nos. 213B and 213C, it is considered that the proposal would not result in an unreasonable loss of light, outlook or sense of enclosure for these neighbouring occupiers and their associated private amenity space.

Having regard to the above, it is considered that the proposed development would not unduly impact on the living conditions of neighbouring occupiers. It would therefore comply with Policy DMHB 11 part B) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), in this respect. However, this would not outweigh the significant harm that would be caused to the character and appearance of the area (as discussed in Section 7.07 of this Committee Report).

7.09 Living conditions for future occupiers

INTERNAL AMENITY SPACE

Policy D6 of the London Plan (2021) sets out the requirements for the gross internal floor area of new

dwellings at a defined level of occupancy. Table 3.1 of the London Plan (2021) set out the same gross internal area space standards set out in the Technical housing standards - nationally described space standard (2015).

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

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).

Paragraph 5.60 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states, "When assessing the size of households the Council will assume that any bedroom over 11.5 sqm is capable of being occupied by two persons. Similarly any "study", "bonus room" or third living/reception room that is not annotated as a bedroom will be assumed to be capable of serving as a bedroom.

Parts 3) and 4) of Policy D6 of the London Plan (2021) require double bedrooms to have a floor area of at least 11.5 square metres, and for single bedrooms to have a floor area of at least 7.5 square metres.

All the proposed dwellings would be 3 bedroom, 5 person units measuring 102 square metres, which would exceed the minimum 93 square metre requirement set by Table 3.1 of the London Plan (2021). All the proposed bedrooms would exceed the minimum floor area standards set out in parts 3) and 4) of Policy D6 of the London Plan (2021).

All the proposed bedrooms would be served by windows fitted in either the front or rear elevations of the dwellings to provide good outlook. The proposed dwellings would each include ground floor front reception windows which would face towards their respective driveways. Thus, ensuring an appropriate degree of natural surveillance is achieved while reasonably maintaining the privacy of each dwelling.

In light of the above, it is considered that the proposed dwellings would provide a satisfactory provision of internal living conditions for future occupants, in accordance with Policies DMHB 15 and DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy D6 of the London Plan (2021).

EXTERNAL AMENITY SPACE

Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all new residential development and conversions will be required to provide good quality and usable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.3, which requires houses with three bedrooms to provide a minimum of 60 square metres of private genuinely usable amenity space.

The proposed dwellings would be provided with private amenity space in the form of rear gardens ranging between 60 and 75 square metres. Thus, complying with the minimum private amenity space

standards set by Table 5.3 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020). It is considered that the proposed gardens would provide adequate space for general outdoor activity that future occupants could reasonably expect with dwellings of the size and type being proposed.

The proposal would provide the future occupiers of the proposed dwellings with external private amenity space provision that is of a sufficient size, usability and functionality, in accordance with Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Paragraph 115 of the NPPF (2023) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

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

Policy T6 of the London Plan (2021) states that new residential development should not exceed the maximum parking standards set out in Table 10.3. All residential car parking spaces must provide infrastructure for electric or Ultra Low Emission vehicles. At least 20 per cent of spaces should have active charging facilities, with passive provision for all remaining spaces.

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

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

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

ACCESS AND ON-SITE PARKING PROVISION

The proposal would involve extending the public footway and highway on Beacon Close to accommodate the proposed four vehicle driveways. A financial contribution from the applicant to cover the costs of the necessary highways work would be required. The financial contributions could not be secured through a condition, and consequently a legal agreement would be required.

Parking along Beacon Close is restricted by yellow line parking restrictions. The site also forms part of the U8 Parking Management Scheme (PMS) which restricts parking between 09:00 and 17:00 hours to resident permit holders only. The terms of the legal agreement would also need to prohibit future occupiers from obtaining residents car parking permits.

Planning Practice Guidance states that the best way to deliver sufficient certainty for all parties about what is being agreed is to ensure that any planning obligation or other agreement is entered into prior to granting planning permission. If it had been minded to recommend that the application be approved, a legal agreement to secure these obligations would be secured. However, given the recommendation to refuse the application and in the absence of a completed legal agreement, it cannot be certain that the proposed development would be able to provide the proposed on-site car parking spaces and access arrangements shown the submitted plans.

Future occupiers are therefore likely to park their vehicles on the streets and parking bays, especially given that no mechanism has been secured to prohibit occupiers from obtaining parking permits. Given the 1b PTAL rating of the site (Very Poor), it is likely that future occupiers would be reliant on private vehicles as a means of transport, which would exacerbate the pressure for street parking. Thus, leading to increased instances of dangerous or illegal parking. This in turn, would result in congestion and prejudice highway safety.

In addition to the above issues, the proposed crossovers would not have a sufficient separation distance from the existing lamp post to the front of the site. In the absence of a legal agreement securing the costs of its relocation, this adds further weight to the argument that the proposal would give rise to an unacceptable impact on highway safety.

In line with Policy T6.1 of the London Plan (2021), there is a requirement for a minimum of 20% 'active' electric vehicle charging points provision within the final parking quantum of development, with all remaining spaces being designated as 'passive' provisions. This matter would have been resolved by way of a condition, if there were no other issues regarding this application.

For the above reasons, it is considered that the proposed development would have a harmful impact on highway safety. It would be contrary to Policy DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policies T4, T6 and T6.1 of the London Plan (2021) and paragraph 111 of the NPPF (2021).

It should be noted that the refusal reason relating to the completion of a legal agreement could be overcome, and a completed legal agreement would be accepted in the event of an appeal and/or resubmission.

VEHICLE TRAFFIC GENERATION

The proposed erection of four dwellings would increase traffic generation from the site. However, the additional traffic generation along Beacon Close would be considered minimal and relatively insignificant in highway safety impact terms. Hence, any likely uplift would be considered marginal in traffic generation terms and therefore can be absorbed within the local road network, without notable detriment to traffic congestion and road safety. There is no evidence that increased traffic movements would have an unacceptable impact on highway safety. However, this would not overcome the issues raised in the preceding paragraph in respect to vehicular access into the site and on-site car parking provision which would result in highway safety concerns.

A Construction Logistic Plan would have been secured by condition if this application had been recommended for approval. This is considered to be necessary in order to minimise/avoid potential detriment to the public realm and local highway network.

BICYCLE PROVISION:

Policy T5 of the London Plan (2021) states that developments should provide cycle parking at least in accordance with the minimum standards set out in Table 10.2 and Figure 10.3. In this case, the proposed development would need to provide 8 long-stay cycle spaces (2 per dwelling) and 2 short stay cycle spaces to comply with the standards set out in Table 10.2 of the London Plan (2021).

Policy DMT 5 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals will be required to ensure that safe, direct and inclusive access for pedestrians and cyclists is provided on the site connecting it to the wider network, including the provision of cycle parking in accordance with Appendix C, Table 1 or, in agreement with the Council.

The amended landscape plan show that a cycle store would be provided in the front gardens of the proposed dwellings. The Council's Highways Officer does not raise any objections with the siting of this bins which are proposed to provide capacity for two cycles each.

In principle, the provision of easily accessible, secure and sheltered cycle parking could be provided in the front gardens, which would comply with highways requirements. This is notwithstanding the incorrect scale of the cycle stores shown on the landscape plan, which could be rectified by condition.

Whilst there are concerns with the proliferation of proposed paraphernalia (i.e. the cycle stores, and excessive hard standing parking areas to the front of the site to accommodate the over-intensification of the site for four new dwellings), this is considered more appropriately in section 7.07 (Impact on the character and appearance of the area) of this Committee Report.

In highways terms, it is considered that the proposal would provide secure, well-located and accessible cycle parking spaces for future occupiers, consistent with Policy DMT 5 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy T5 of the London Plan (2021).

7.11 Urban design, access and security

Covered in other sections of this Committee Report.

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 at least ten percent of dwellings to meet Building Regulation requirement M4(3) 'wheelchair user dwellings', with all other dwellings meeting Category M4(2) 'accessible and adaptable dwellings'.

The Council's Access Officer has reviewed the proposal, and initially raised concerns that the proposed entrance level WCs are were too small, failing to achieve the required clear access zones required of Approved Document M, Volume 1 (2015 edition). Revised proposed floor plans have been submitted increasing the size of the ground floor WC, now proposed as a wet room.

The Council's Access Officer has reviewed the revised drawings and no longer raises any objection, subject to the inclusion of two conditions - the first requiring details of step free access, and the second requiring the dwellings to be constructed to achieve certified compliance with M4(2). The wording of these conditions are detailed in section 6 of this Committee Report.

In the event that this application is approved, the conditions recommended by the Council's Access Officer would be included on the decision notice. Accordingly, reason for refusal no. 6 of the

previously refused application concerning the failure to provide accessible housing has been overcome.

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 additional new residential units and therefore 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 respect of affordable housing provision.

7.14 Trees, landscaping and Ecology

TREES AND LANDSCAPING

Paragraph 136 of the NPPF (2023) states that trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change.

Policy G7 of the London Plan (2021) states that development proposals should ensure that, wherever possible, existing trees of value are retained. If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed, determined by, for example, i-tree or CAVAT or another appropriate valuation system.

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

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

The previous application was refused in part on account of the loss of one large tree to the south-east of the site. Due to its maturity and height, this tree formed part of the backdrop to the street scene on Beacon Close. Whilst the tree was not covered by a Tree Preservation Order or otherwise protected, it nevertheless was considered to have public amenity value, as it made a positive contribution to the character of the area. No Arboricultural Report had been submitted for the previously refused

application. Consequently, Officers were unable to fully assess the existing trees at the site, category classification and their health. In the absence of such information, it could not be determined whether retention of the trees at the site would be desirable.

With the previously refused application it was further noted that the large tree to the south-east of the site would be replaced with a smaller tree. Also, the previously submitted plans showed that new trees would be planted on the site frontage. Due to the proximity of the replacement trees to the proposed dwellings, it was considered likely that the replacement trees to the front of the site would face post-development pressure by future occupiers to lop, top or remove them, in the interest of residential amenity (i.e. loss of light and outlook).

It was therefore further considered that the proposed uplift in tree planting would not provide an adequate level of mitigation or landscaping in general, in terms of the verdant character and appearance of the area, both in the short term and on a long term basis. The previous application was therefore refused on the grounds that the loss of the tree, and the introduction of an urbanising form of development would not integrate well with its surroundings (refusal reason no. 4 of the previous application).

Between the refusal of the previous application in January 2023 and the submission of this current application in April 2023, the mature tree in the south-east corner of the site was cut down. The Design and Access Statement states that this was due to 'safety reasons', though the tree was some distance from the house towards the rear of the site.

An Arboricultural Report has been submitted with the current application, though this is silent on the missing tree; presumably because it was destroyed before the applicant's tree expert had an opportunity to examine it. Nevertheless, whilst it was considered that the tree contributed positively to the amenity and character of the area, this tree was not subject to a tree preservation order.

The submitted Arboricultural Report indicates that a further five trees would be felled, all much smaller 'Category C' specimens. In principle, the loss of these low value trees are acceptable. However, consideration also needs to be given to the proposed landscape scheme, and replacement tree planting.

Similar to the previously refused application, replacement tree planting is proposed at the front of the site. As previously considered, the proposed planting would likely face post-development pressure. Given the cramped nature of the development there would be only limited scope for new tree planting, particularly to the front of the site which would still be dominated by hard landscaping for car parking and bicycle store enclosures (which are not scaled correctly on the proposed site plan, under representing a more accurate and larger area/site coverage). As with the previously refused application, whilst the loss of the mature tree can no longer be considered, the proposal would still introduce an urbanising form of development that would not integrate well with its surroundings. The proposed replacement trees and landscaping would not mitigate the harm caused to the character and appearance of the area.

Consequently, it is still considered that the proposed development would adversely affect the verdant character and appearance of the area, contrary to Policies D3, D4 and G7 of the London Plan (2021), Policies DMHB 11, DMHB 12 and DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and the NPPF (2023).

IMPACT ON PROTECTED SPECIES

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

Circular 6/2005: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System states that where there is a reasonable likelihood of a protected species being present and affected, a survey should be carried out before planning permission is granted. The Circular also advises that surveys should only be required by a planning condition in exceptional circumstances.

The site is in proximity to The Alderlade Nature Reserve and Frays Farm, which is a designated Nature Conservation Site of Local Importance. It is therefore considered that the site is located within habitat that matches that where bat roosts have previously been found in the Borough.

A Preliminary Ecology Appraisal and Preliminary Roost Assessment has been submitted with this application (whereas none was submitted for the previously refused application). The report methodology included a desk top survey and walkover survey to determine the potential presence of protected and notable species. This concluded that the site was not suitable for or no evidence was documented of a number of notable species.

In respect to bats, due to the small size of the site, small number of trees and better quality habitats at Alderlade Nature Reserve and Frays Farm, the site was determined to be of limited value to foraging and commuting bats. In respect to opportunities for bat roosts, the main dwelling was concluded to be of low potential with limited entry points into the loft (for example lifted roof tiles) and no evidence of bat activity found in the loft space (for example droppings, feeding remains or urine staining). The garage and shed on site were considered to have negligible potential for roosting bats due to the roofing felt on these structures being in good condition and tightly sealed.

The submitted appraisal further provides recommendations for enhancements to improve biodiversity, such as the provision of an integrated bat feature such as a bat brick. If it had been minded to approve the application, a condition would have been included requiring the biodiversity enhancements recommended in the appraisal to be implemented.

The proposal satisfactorily demonstrates that there would be no harm to protected species and their habitats, and subject to the provision of the recommended biodiversity enhancements, the proposal would make a positive contribution to the ecological value of the site. This is in accordance with Policy G6 of the London Plan (2021), Policy DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2023).

Accordingly, this revised application has overcome the previous refusal reason no. 7, which determined that in the absence of a preliminary ecology report it could not be demonstrated that no harm would be caused to protected species and their habitats.

7.15 Sustainable waste management

Policy DMHB 11 part (d) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste, with suitable access for

collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

The proposed landscape plan does not show any provision for refuse and recycling storage. To conform with the Council's 'waste-collection' distance parameter of 10 metres, refuse, recycling and food waste would need to be deposited kerbside on collection day. Whilst in principle this could be achievable, it is not the sole consideration when assessing their acceptability. Due regard must be given to the impact the proposed waste storage would have to the character and appearance of area, as per the requirements of Policy DMHB 11 part (d).

As stated in section 7.07 of the Committee Report, there are no refuse stores proposed. Whilst the proposed dwellings at Plots 1 and 4 could store waste to the rear of the site between collection days, the proposed dwellings at Plots 2 and 3 are more challenging as there is no external access between the front and rear gardens. Accordingly, any bin stores to the front of the site, in combination with other matters discussed in section 7.07, would have a negative impact on the street scene. Due to the proposed over development of the site, there is uncertainty that proposed bin stores could be site elsewhere without impacting other planning considerations. It would therefore not be appropriate to secure a condition to resolve these matters.

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

A section of the highway to the front of the application site is designated within a Surface Water Flooding Zone. If this application had been recommended for approval, a condition would have been secured requiring the submission of a sustainable water management scheme, that incorporates sustainable urban drainage systems (SuDs), to be submitted to the Council for consideration. Also, the landscaping condition would have required that permeable hard surfacing is used for the parking areas serving the proposed dwellings.

7.18 Noise or Air Quality Issues

NOISE

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

The site would be used in an exclusively residential capacity. As such, in terms of the operational phase of the proposed development, no significant issues are considered to be raised by the proposal, in respect to noise. Notwithstanding, if this application had been recommended for approval, a condition would have been secured requiring the submission of a construction management plan to minimise noise and other emissions caused during the construction phase as far as practicable.

AIR QUALITY

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

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

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

7.19 Comments on Public Consultations

Covered in other section 6 of this Committee Report.

7.20 Planning obligations

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

LEGAL AGREEMENTS

The aforementioned planning obligations would be necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development. The planning obligations being sought by the Council would therefore pass the tests of paragraph 57 of the NPPF (2023) and the statutory tests within the Community Infrastructure Levy Regulations (CIL) 2010 (as amended).

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 this application.

7.22 Other Issues

OTHER MATTERS

If this application had been recommended for approval, a condition would have been secured removing permitted development rights from the site to ensure that garages, sheds or other outbuilding, nor extension or roof alteration to the proposed dwellings at the site are erected without the written consent of the Local Planning Authority. This is considered to be necessary due to the size of the resulting rear gardens and in the interest of safeguarding the amenities of the surrounding area.

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 this application.

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. It is therefore recommended that the application be refused on the grounds set out in section 2 of this Committee Report.

11. Reference Documents

National Planning Policy Framework (July 2023)

The London Plan (March 2021)

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

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

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

Planning Obligations Supplementary Planning Document (July 2014)

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

Government Circular: Biodiversity and Geological Conservation- Statutory Obligations and their Planning System (2005)

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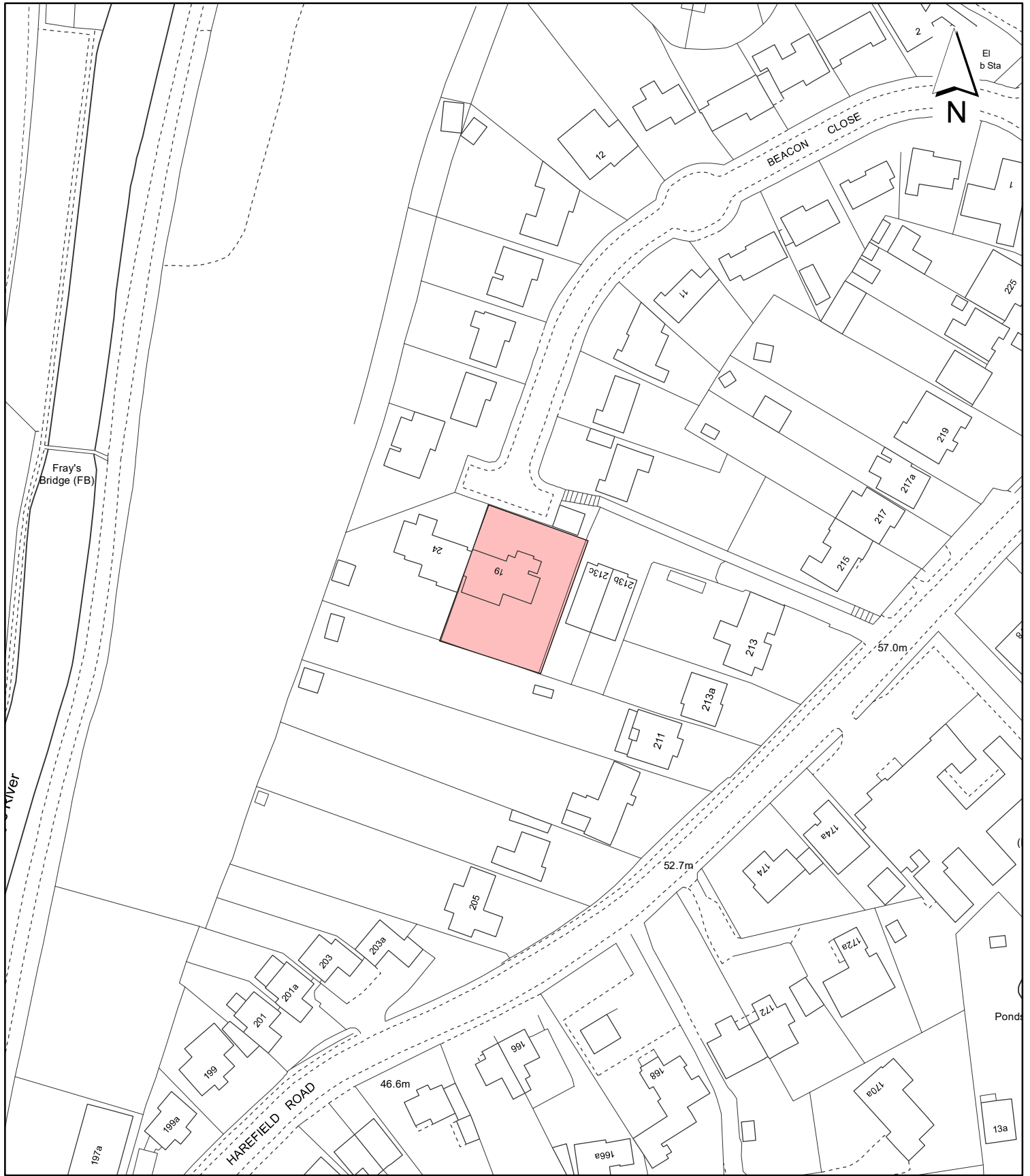
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Hillingdon Planning Committee -

PART 1 - MEMBERS, PUBLIC & PRESS



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