

## Report of the Head of Development Management and Building Control

**Address:** 32 NORWICH ROAD NORTHWOOD

**Development:** Demolition of the existing dwelling, and construction of a two and half storey building comprising 3 no. flats with associated car parking, amenity space, and bin and cycle storage.

**LBH Ref Nos:** 35516/APP/2022/3676

**Drawing Nos:** AAL-22-217-P06  
eGeo1914460\_T01A Rev. A  
eGeo1914460\_S01A  
eGeo1914460\_S02 Rev. A  
eGeo1914460\_S03 Rev. A  
eGeo1914460\_S04 Rev. A  
Carbon Emission Reporting Spreadsheet  
AAL-22-217-P01 Rev. A  
AAL-22-217-P02 Rev. A  
AAL-22-217-P03 Rev. A  
AAL-22-217-P04 Rev. A  
AAL-22-217-P05 Rev. A  
CWLD-AI-NR-LA-2237-01 Rev. B  
CWLD-AI-NR-LA-2237-02  
Design and Access Statement  
Energy Assessment Report, dated September 2023  
Transport Statement dated 21st September 2023  
Sunlight & Daylight Assessment, dated 29th September 2023  
Tree Survey, Arboricultural Impact Assessment & Arboricultural Method Statement, dated 4th September 2023

<b>Date Plans received:</b>	05-12-2022	<b>Date(s) of Amendments(s):</b>	05-12-2022
<b>Date Application valid</b>	05-12-2022		18-09-2023

### 1. SUMMARY

The application involves the demolition of the existing dwelling and the construction of a two storey building with additional accommodation in the roof space, comprising 3 flats with associated car parking, amenity space, and bin and cycle storage. It is important to note that this application is a resubmission following the previous refusal of application reference 35516/APP/2021/2969 (refused on 28th January 2022).

There is no objection in principle to the creation of additional residential units in land use terms. Since the refusal of application reference 35516/APP/2021/2969, substantial modifications have been made to the proposed scheme.

The revised plans are for a two-and-a-half-storey building, accommodating three flats. This is a significant change from the previous proposal of eight flats, contained within a part three/part two-storey building. The decrease in the number of flats has led to a considerable decrease in the size, scale, bulk, and height of the building. During this current application process, further amendments were made, including the removal of the proposed balconies and the replacement of the proposed flat-roofed third storey with roof space accommodation comprising a hipped roof with front and rear dormers. In light of these changes, it is considered that the revised proposal would not cause harm to the character and appearance of the area.

The submitted Daylight and Sunlight Assessment demonstrates that the proposed development would not result in an unacceptably harmful loss of daylight or sunlight for the occupiers at No. 30 and their associated private amenity space.

The proposed three car parking spaces would comply with the London Plan's maximum standards and are therefore deemed acceptable.

The previously refused vehicle crossover proposed from Norwich Road has been removed from this revised resubmission. The Council's Highways Officer has reviewed the proposal and has raised no objection, in respect to access (using the existing crossover), on-site car parking provision, vehicle trip generation and highway safety.

The proposal would provide future occupiers of the proposed flats with adequate provision of internal and external amenity space. The proposed housing mix would include a family-sized unit, in accordance with Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

Planning Officers are satisfied that this current application has fully addressed the grounds for refusal of application reference 35516/APP/2021/2969.

It is therefore recommended that this application be approved, subject to the imposition of planning conditions.

## **2. RECOMMENDATION**

**APPROVAL subject to the following:**

### **1. RES3 Time Limit**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

### **REASON**

To comply with Section 91 of the Town and Country Planning Act 1990

## **2. RES4 Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers AAL-22-217-P01 Rev. A, AAL-22-217-P02 Rev. A, AAL-22-217-P03 Rev. A, AAL-22-217-P04 Rev. A and AAL-22-217-P05 Rev. A and shall thereafter be retained/maintained for as long as the development remains in existence.

### **REASON**

To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012), Part 2 (2020) and the London Plan (2021).

## **3. RES7 Materials (Submission)**

Prior to the commencement of any work above damp proof course level of the development hereby approved, details and samples of all external materials and finishes shall be submitted to and approved in writing by the Local Planning Authority. Details should include information relating to make, product/type, colour and photographs/images.

Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

### **REASON**

To ensure that the development presents a satisfactory appearance in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

## **4. OM19 Construction Management Plan**

Prior to the commencement of any site clearance, demolition or construction work, a demolition and construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall detail:

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (iii) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (iv) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (v) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vi) The storage of demolition/construction materials on site.

The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

### **REASON**

To safeguard the amenity of surrounding areas in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

## **5. NONSC Sustainable water management and water efficiency**

Prior to the commencement of the development hereby approved (excluding demolition, ground works and substructure works), a scheme for the provision of sustainable water management and water efficiency shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- i. Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. Include a timetable for its implementation; and
- iii. Provide a management and maintenance plan for the lifetime of the development

The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:

- iv. Provide details of water collection facilities to capture excess rainwater;
- v. Provide details of how rain and grey water will be recycled and reused in the development; and
- vi. Provide details of how the dwelling will achieve a water efficiency standard of no more than 105 litres per person per day maximum water consumption.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

#### REASON

To ensure the development does not increase the risk of flooding in accordance with Policy DMEI 10 of the Hillingdon Local Plan Part 2 (2020) and Policies SI2 and SI 13 of the London Plan (2021).

#### **6. RES9 Landscaping (car parking & refuse/cycle storage)**

Prior to any works on site above damp proof course level, a landscape scheme shall be submitted and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of soft landscaping (including the planting of 3 new trees).
  - 1.a Planting plans (at not less than a scale of 1:100).
  - 1.b Written specification of planting and cultivation works to be undertaken.
  - 1.c Schedule of plants giving species including high carbon absorbing trees, plant sizes, and proposed numbers/densities where appropriate.
2. Details of hard landscaping.
  - 2.a Refuse storage.
  - 2.b Cycle storage for at least six cycles.
  - 2.c Means of enclosure/boundary treatments.
  - 2.d Car parking layouts (including three active electric charging points).
  - 2.e Hard surfacing materials, including permeable materials.
3. Details of Landscape Maintenance.
  - 3.a Landscape Maintenance Schedule for a minimum period of 5 years.
  - 3.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.
4. Other

4a. Details of ecological enhancements.

## 5. Schedule for Implementation

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies DMHB 11, DMHB 12, DMHB 14, DMEI 7 and DMT 2 of the Hillingdon Local Plan Part 2 (2020) and Policies T6.1 and G5 of the London Plan (2021).

## 7. RES22 Car parking provision - submission of details

Prior to the occupation of the development, the applicant shall submit a Car Parking Management Plan to the Council for approval confirming that one car parking space would be allocated to each of the dwellings. One of the parking spaces shall have active electrical vehicle charging points and the remaining spaces shall be installed with passive electrical charging. The development shall be carried out in accordance with the approved details and maintained as such for the lifetime of the development.

### REASON:

To ensure an appropriate distribution of parking spaces in accordance with the published London Plan Policy T6.1 Residential Parking.

## 8. RES8 Tree Protection

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority. Such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

- 2.a There shall be no changes in ground levels;
- 2.b No materials or plant shall be stored;
- 2.c No buildings or temporary buildings shall be erected or stationed.
- 2.d No materials or waste shall be burnt; and.

2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

3. Where the arboricultural method statement recommends that the tree protection measures for a site will be monitored and supervised by an arboricultural consultant at key stages of the development, records of the site inspections / meetings shall be submitted to the Local Planning Authority.

#### REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy DMHB 14 of the Hillingdon Local Plan Part 2 (2020)

### 9. RES10 **Tree to be retained**

Trees, hedges and shrubs shown to be retained on the approved plan(s) shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority.

If any retained tree, hedge or shrub is removed or severely damaged during (or after) construction, or is found to be seriously diseased or dying; another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority. These shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'. Remedial work should be carried out to BS BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

#### REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy DMHB 14 of the Hillingdon Local Plan Part 2 (2020) and to comply with Section 197 of the Town and Country Planning Act 1990.

### 10. NONSC **Step-free access**

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).

### 11. NONSC **Accessible and Adaptable Dwellings**

The development hereby approved 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 for the ground floor flat labelled as Flat 1 on drawing number AAL-22-217-P04 Rev. A. 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.

### **12. RES13 Obscure Glazing**

Notwithstanding the approved drawings, the east-facing side elevation windows in the development facing No. 30 Norwich Road and all windows serving a bathroom/WC hereby approved shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and be non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

#### REASON

To prevent overlooking to adjoining properties in accordance with policies DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

### **13. NONSC No additional windows or openings**

No additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved.

#### REASON

To prevent overlooking to adjoining properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

### **14. NONSC Air Quality Neutral Development**

Prior to any works on site above damp proof course level, details of the proposed air source heat pump (ASHP) heating system proposed for the new dwellings shall be submitted for approval. These details shall include plans and elevations demonstrating the dimensions of the ASHPs and proposed siting on/adjacent to the elevation of the building hereby approved.

The development shall be carried out in accordance with the approved details and maintained for the lifetime of the development.

Reason: In the interests of ensuring an air quality neutral development and to ensure that the development presents a satisfactory appearance in accordance with Policies DMHB 11 and DMEI 14 of the Hillingdon Local Plan Part 2 (2020), Policy SI 1 of the London Plan (2021) and London Plan Guidance: Air Quality Neutral (2023).

### **15. NONSC Noise Rating Level - Air Source Heat Pumps**

The rating level of the noise emitted from the Air Source Heat Pumps (ASHP) shall be at least 5dB

below the existing background noise, measured 1 metre outside the nearest and/or most affected noise sensitive premises, determined in accordance with the procedures set out in British Standard BS4142:2014.

#### REASON

To safeguard the amenity of the surrounding area in accordance with policy EM8 of the Hillingdon Local Plan Part 1 (2012).

## INFORMATIVES

### 1. I70 **LBH worked applicant in a positive & proactive (Granting)**

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

### 2. I73 **Community Infrastructure Levy (CIL) (Granting Consent)**

Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. Before commencement of works the development parties must notify the London Borough of Hillingdon of the commencement date for the construction works (by submitting a Commencement Notice) and assume liability to pay CIL (by submitting an Assumption of Liability Notice) to the Council at [planning@hillingdon.gov.uk](mailto:planning@hillingdon.gov.uk). The Council will then issue a Demand Notice setting out the date and the amount of CIL that is payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed.

The above forms can be found on the planning portal at:

[www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

Pre-Commencement Conditions: These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of the pre-commencement conditions have been discharged/complied with.

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

The decision to GRANT 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).

### 4. I15 **Control of Environmental Nuisance from Construction Work**



Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit ([www.hillingdon.gov.uk/noise](http://www.hillingdon.gov.uk/noise) Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

## **5. IT05 Wildlife and Countryside Act 1981**

Wildlife and Countryside Act 1981: Note that it is an offence under this act to disturb roosting bats, nesting birds or any other protected species. Therefore, if applicable, it is advisable to consult your tree surgeon / consultant to agree an acceptable time for carrying out the approved works.

## **153 Compulsory Informative (2)**

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

DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 10	Water Management, Efficiency and Quality
DMEI 14	Air Quality
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMH 4	Residential Conversions and Redevelopment
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping

DMHB 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 G6	(2021) Biodiversity and access to nature
LPP G7	(2021) Trees and woodlands
LPP H1	(2021) Increasing housing supply
LPP H10	(2021) Housing size mix
LPP H2	(2021) Small sites
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places
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 comprises a rectangular plot of land located on the corner of the junction of Norwich Road and Cranbourne Road. The existing property at the site is a large, two storey detached family-sized dwelling that is characterised by its crown roof profile and central front gable feature. The gradient of the site increases from south to north. The site benefits from a vehicular crossover at its rear, emerging onto Cranbourne Road, with a bus stop directly in front of the site on Norwich Road.

The street scene is residential in character comprising a mixture of housing types, mainly semi-detached properties with some detached houses. To the east of the site is No. 30 Norwich Road, a two storey semi-detached property. To the west is No. 34 Norwich Road, a two storey semi-detached property located on the opposite corner plot to the application site. Directly to the rear of the site is No.1 Cranbourne Road, a semi-detached property that has been extended by a two storey side extension. To the south of the site, and on the opposite side of the highway on Norwich Road, are Nos. 25 to 29 Norwich Road. The ground levels of Norwich Road increase in height from east to west.

The site lies within Flood Zone 1 of the Environment Agency's Flood Risk Map. Based on the Council's GIS, the site forms part of a Critical Drainage Area and the highway fronting the site lies

within a surface water flood risk zone. The site has a Public Transport Accessibility Level rating of 2 (poor).

### 3.2 Proposed Scheme

The application involves the demolition of the existing dwelling, and construction of a two and half storey building comprising 3 no. flats with associated car parking, amenity space, and bin and cycle storage. It is important to note that this application is a re-submission following the previous refusal of application reference 35516/APP/2021/2969 on 28th January 2022.

Significantly, post-refusal, the applicant has engaged with the local planning authority, seeking pre-application advice. During this process, planning officers suggested substantial alterations to the original scheme. These recommendations have been incorporated into this revised proposal. For detailed information on the key changes implemented, please refer to Section 3.3 of this report.

### 3.3 Relevant Planning History

35516/APP/2002/2399      32 Norwich Road Northwood

ERECTION OF A TWO STOREY SEMI-DETACHED APPEARANCE BUILDING FOR 4 TWO-BEDROOM FLATS WITH 6 PARKING SPACES AND ADDITIONAL VEHICLE ENTRANCE FROM CRANBOURNE ROAD (INVOLVING DEMOLITION OF EXISTING BUNGALOW AND OUTBUILDINGS)

**Decision:** 14-05-2003      Approved

35516/APP/2003/2381      32 Norwich Road Northwood

ERECTION OF A TWO STOREY SEMI-DETACHED APPEARANCE BUILDING WITH ATTIC ROOMS TO PROVIDE FOUR TWO-BEDROOM FLATS WITH FOUR FRONT AND FOUR REAR FACING VELUX WINDOWS IN ROOF, SIX PARKING SPACES AND ADDITIONAL VEHICLE ENTRANCE FROM CRANBOURNE ROAD (INVOLVING DEMOLITION OF EXISTING BUNGALOWS)

**Decision:** 27-11-2003      Withdrawn

35516/APP/2003/2933      32 Norwich Road Northwood

ERECTION OF A TWO STOREY BUILDING (WITH ROOMS IN THE ROOF SPACE) TO PROVIDE FOUR TWO-BEDROOM FLATS WITH ASSOCIATED LANDSCAPING AND PARKING

**Decision:** 12-07-2005      Withdrawn

35516/APP/2004/2201      32 Norwich Road Northwood

ERECTION OF A TWO STOREY HOUSE (WITH ACCOMMODATION IN ROOFSpace) IN MULTIPLE OCCUPATION FOR 8 NUNS

**Decision:** 30-09-2004      Approved

35516/APP/2005/33          32 Norwich Road Northwood

VARIATION OF CONDITION 2 (TO ALLOW 8 PERSONS TO LIVE IN MULTIPLE OCCUPATION) OF PLANNING PERMISSION REF 35516/APP/2004/2201 DATED 30/09/2004: ERECTION OF A TWO-STOREY HOUSE (WITH ACCOMMODATION IN ROOFSPACE) IN MULTIPLE OCCUPATION FOR 8 NUNS

**Decision:** 28-02-2005          Approved

35516/APP/2021/2969          32 Norwich Road Northwood

Demolition of existing detached property, and construction of new part two storey, part three storey building comprising 8 flats with associated vehicular crossovers, car parking and amenity space

**Decision:** 28-01-2022          Refused

### **Comment on Relevant Planning History**

The relevant planning history attached to this site is referenced above.

Planning application reference 35516/APP/2021/2969 sought the demolition of an existing detached property, and construction of a new part two storey, part three storey building comprising 8 flats with associated vehicular crossovers, car parking and amenity space. It was refused at the Minors Planning Committee held on 11th January 2022, with the decision notice issued on 28th January 2022. The grounds for refusal were as follows:

1. The proposed development, by reason of its siting, size, scale, bulk, massing, height and design (including uncharacteristic dormers and balconies and poor landscaping including loss of significant tree) would result in a cramped, incongruous and visually obtrusive form of development. The proposal would therefore cause significant harm to the character, appearance and visual amenities of the existing street scene and the surrounding area. The proposal is contrary to Policy BE1 of the Hillingdon Local Plan: Part One- Strategic Policies (2012), Policies DMHB 11, DMHB 12 and DMHB14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policies D1, D3 and D4 of the London Plan (2021) and the National Planning Policy Framework (2021).
2. The proposed development, by virtue of its siting, size, scale, bulk, height, design and inclusion of balconies, would cause harm to the living conditions of neighbouring residential occupiers at numbers 30 and 34 Norwich Road and number 1 Cranbourne Road, in terms of outlook, light, privacy, overlooking, overbearing impact and sense of enclosure. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One- Strategic Policies (2012), Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2021).
3. The proposed development would result in the net loss of an eight-bedroom dwelling (i.e. a family sized unit) and fails to provide any three or more bedroom (family sized) units. Robust justification has not been provided to demonstrate that the provision of family sized units would be unsuitable or unviable. The proposal would therefore not provide a suitable mix of housing to support sustainable, inclusive and mixed communities contrary to Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy H10 of the London Plan (2021) and the National Planning Policy Framework (2021).

4. The proposed development, by virtue of its substandard internal floorspace, poor outlook, poor levels of natural light and lack of privacy would result in substandard forms of residential accommodation to the detriment of future occupants. The proposal is therefore contrary to Policies DMHB 15 and DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy D6 of the London Plan (2021) and the National Planning Policy Framework (2021).
5. The proposed development, by reason of its inadequate size, quality and functionality of external amenity space provision, would result in substandard forms of residential accommodation to the detriment of future occupants. The proposal therefore conflicts with Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy D6 of the London Plan (2021) and the National Planning Policy Framework (2021).
6. The proposed development, by virtue of the proposed new vehicular crossover being located within a bus stop clearway and in proximity to the junction with Norwich Road and Cranbourne Road, would have a harmful impact on the safe use of the highway and impede the free flow of traffic. In the absence of the on-site car parking spaces to the front of the site, the proposal would cause unacceptable street parking stress, which in turn, would lead to highway safety issues. The proposal therefore conflicts with Policies DMT1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part 2- Development Management Policies (2020), Policies T6 and T6.1 of the London Plan (2021) and the National Planning Policy Framework (2021).
7. The proposed development would fail to provide secure, sheltered and accessible cycle parking spaces for future occupants, therefore failing 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).
8. The proposed development, by virtue of the absence of any lift provision and the lack of details to show that the internal layout would comply with Building Regulation requirement M4(2) and M4(3), fails to demonstrate that adequate provision would be provided 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).

#### PLANNING OFFICER COMMENT:

The applicant has actively engaged with the Council through the pre-application advice service, leading to a comprehensive revision of the proposed development. The revised scheme now features a two and a half storey building, housing three flats in contrast to the eight flats previously proposed and subsequently refused. The reduction in the number of proposed flats has resulted in a significant reduction in the overall size, scale, massing and height of the development, ensuring it aligns more closely with the character of the surrounding area.

Furthermore, the applicant has excluded the vehicle crossover from Norwich Road, which was part of the previous proposal. Notably, the current proposal includes a a ground floor flat designed to comply with Category M4(2) of the Building Regulations.

Given these substantial changes, it is assessed that all the previous reasons for refusal have been fully addressed in this current application.

#### **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

Part 2 Policies:

DMCI 7 Planning Obligations and Community Infrastructure Levy

DMEI 10 Water Management, Efficiency and Quality

DMEI 14 Air Quality

DMEI 2 Reducing Carbon Emissions

DMEI 7 Biodiversity Protection and Enhancement

DMEI 9 Management of Flood Risk

DMH 1 Safeguarding Existing Housing

DMH 2 Housing Mix

DMH 4 Residential Conversions and Redevelopment

DMHB 11 Design of New Development

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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 G6 (2021) Biodiversity and access to nature

LPP G7 (2021) Trees and woodlands

LPP H1 (2021) Increasing housing supply

LPP H10 (2021) Housing size mix

LPP H2 (2021) Small sites

LPP SI12 (2021) Flood risk management

LPP SI13 (2021) Sustainable drainage

NPPF11 NPPF 2021 - Making effective use of land

NPPF12 NPPF 2021 - Achieving well-designed places

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

Eight neighbouring properties were originally consulted. Due to the receipt of revised drawings, neighbouring properties were re-consulted on 15th November 2023. On 8th February 2024 an additional 14 properties were consulted on the proposal. Representations in objection to the proposal have been received from 20 individual neighbouring residents (including the petitioner).

A representation opposed to the proposal has also been received from the Northwood Hills Residents Association.

A petition with 31 signatories in objection to the proposal has also been received.

### INDIVIDUAL REPRESENTATIONS

The matters raised in the individual representations received are summarised as follows:

- The existing house is attractive and should not be demolished
- Objections to the demolition and rebuild on grounds of sustainability and carbon emissions, and disruption
- No information has been provided as to why the existing house needs to be replaced
- New building is unlikely to improve on the energy performance of the existing house constructed circa 2005
- Loss of a family sized unit
- Flats are not desirable, suitable or in keeping with the street scene
- Block of flats is out of keeping with the visual amenity and character of the street
- Proposal will encourage flats in the area
- The development exceeds the prescribed density levels in the Local Plan
- Proposed building would be an eye sore
- Inadequate private outdoor space for future occupants of proposed flats
- Loss of privacy to neighbouring properties and their private gardens
- Proposed balconies would cause overlooking issues
- Insufficient on-site car parking provision
- Concerns about traffic, parking and congestion (noting the neighbouring schools, nurseries and bus stop)
- Noise, pollution and inconvenience caused during the demolition and construction phase
- A nearby B&B is causing anti-social behaviour
- Negative impact on residential community and serene local environment
- History of rejections
- Set a dangerous precedent for conversions and flats affecting the landscape and quality of life for residents
- Would diminish property values.
- Strain on infrastructure



## REPRESENTATION FROM NORTHWOOD HILLS RESIDENTS' ASSOCIATION:

We are against this proposal for the following reasons:

1. The proposed development would adversely impact neighbouring occupiers privacy: overlooking sense of enclosure and overbearing impact.
2. Lack of sufficient amenity space.
3. Lack of sufficient parking.
4. The needs of a disabled person have not been considered. Lack of a lift.
5. Lack of adequate fire exits.
6. No room sizes are quoted so we ask that officers check the design meets Hillingdon's minimum standards.

## PETITION:

An ePetition against the application with 31 signatories was received. The contents of the petition is outlined as follows:

Statement:

We the undersigned petition Hillingdon Council to Refuse the planning application ref 35516/APP/2022/3676 for property at 32 Norwich Road, Northwood, HA6 INB

Justification:

Justification text from the lead petitioner:

I am against this proposal for the following reasons:

1. The appearance of the proposed development is out of character, both in terms of design and materials, with properties in the surrounding streets which are generally of a traditional semi-detached design with hipped roofs, front gables and render finish. I note the application appears to justify the proposed design by referring to the art deco houses on the opposite side of the street, but the design is not even art deco.
2. The appearance of the proposed development is out of character with local properties by the provision of balconies
3. The proposed design is over the prescribed density range as set out in Policy DMHB 17 of the Hillingdon Local Plan Part 2. Excess population density adversely affects the quality of life and access to services for local residents and is a big issue with the current level of infill development.
4. The loss of family sized dwellings. This site could potentially provide two 3 or 4 bedroom houses which is what the area needs - not more flats. The application equates the provision of one 3 bedroom flat with a family sized dwelling but I disagree - a family sized unit should ideally have access to a garden or communal open space which this development does not provide.
5. The loss of privacy for adjoining properties and street users by the provision of balconies.
6. I don't consider balconies sized 1.585m x 3.83m and 2.486m x 3.498m comply with Policy DMHB 18 of the Hillingdon Local Plan Part 2 to provide the required 'good quality and useable private outdoor space'.

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Furthermore one flat does not have a balcony.

7. There is insufficient car parking spaces; Hillingdon Parking Standards state there should be 1 space per unit and this proposed development provides only 3 thereby being 1 space short.

**PLANNING OFFICER RESPONSE:** The main body of the report addresses the concerns raised by the representations received. It can be noted that the proposal has been amended to remove the proposed balconies. There are no planning policies specifically preventing the demolition of the dwelling and proposed replacement building. Whilst representations suggesting the existing building be retained and internally re-configured are noted, the local planning authority is required to assess the proposal before it. Impacts on property prices are also not a material planning consideration.

### **Internal Consultees**

**COUNCIL'S ACCESS OFFICER:**

This proposal for the demolition of an existing dwelling, and construction of a three-storey building comprising 3 no. flats is subject to compliance with London Plan policy D7 and H2. No concerns are raised subject to compliance with the following conditions:

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

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

The ground floor dwellings hereby approved must be constructed to meet the standards for a Category 2, M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015.

Reason: To ensure that an appropriate standard of housing stock, in accordance with London Plan Policies D5 and D7, is achieved and maintained.

**COUNCIL'S HIGHWAYS OFFICER:**

**Site Characteristics & Background:**

This corner plot site is located within a residential catchment in Northwood on the junction of Norwich and Cranbourne Road and consists of a substantial detached single tenure residential build with an established carriageway crossing positioned on Cranbourne Road.

It is proposed to demolish the property thereby facilitating the build of a single new building incorporating 3 flats (1x3 and 2x2 bedrooms) with a total of 3 on-plot car parking spaces (inclusive of 1 disabled compliant) served by the aforementioned carriageway crossing with 6 cycle spaces located within the amenity area to the rear.

The local road network is generally devoid of extensive parking restrictions with the exception of double yellow lines located on the neighbouring road junction together with a bus stop clearway fronting the build and the address displays a public transport accessibility level (PTAL) of 2 which is considered as poor and therefore heightens dependency on the ownership and usage of private motor transport.

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It is noted that a previous 2021 application (ref. 35516/APP/2021/2969) for a larger scale flatted build was refused for several reasons including one relating to the proposed carriageway crossing on Norwich Road that would effectively sever an established bus stop clearway which was considered undesirable.

With this new application, the applicant has now abandoned this aspect of the proposal.

#### Parking Provision:

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

London Plan (2021): Policy T6.1 (Residential Parking) requires that new residential development should not exceed the maximum parking standards as set out in table 10.3.

The proposal would require an on-plot provision of 4 or 5 spaces for the whole build to fully comply with Hillingdon's adopted parking standard. Whilst the overriding regional London Plan suggests up to 2.5 spaces (in effect 3 spaces maximum). 3 spaces are proposed which therefore satisfies the latter and is therefore considered acceptable. The spaces are to be allocated to each unit which is a logical action supported by the Highway Authority (HA).

#### Electric Vehicle Charging Points (EVCP's):

In line with the London Plan (2021), within the final parking quantum there is a requirement for a minimum 20% 'active' EVCP provision with all remaining spaces being designated as 'passive' provisions. In this case, the applicant has indicated that all 3 spaces would be designated as 'active' provisions to future proof for anticipated demand which demonstrates conformity of the requirement.

#### Cycle Parking:

In terms of cycle parking, there would be a requirement to provide a total of 5 secure and accessible spaces for the 3 units to meet the London Plan cycle parking standards. This has been acknowledged in the submission with an indicated 6 spaces located within the amenity area to the rear which is considered an acceptable arrangement.

#### Vehicular Trip Generation:

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

The proposal is likely to increase potential traffic generation as compared to the existing residential dwelling. However peak period traffic movement into and out of the site would not be expected to rise above 2 additional vehicle movements during the most crucial and sensitive peak morning and late afternoon/early evening traffic periods. Such potential uplift is considered marginal in generation terms and therefore can be absorbed within the local road network without notable detriment to traffic congestion and road safety.

#### Vehicular Access Arrangements:

There is no objection in principle to the utilisation of the existing carriageway crossing on Cranbourne Road

as it is considered sufficient to serve the 3 on-plot spaces.

#### Operational Refuse Requirements:

Refuse collection would be conducted via Cranbourne Road. A bin storage location should be located in proximity of the public highway in order to conform to the council's 'waste collection' maximum distance parameter of 10m i.e. distance from a refuse vehicle to the point of collection. As presented, there appears to be conformity to this requirement hence there are no further observations.

#### Construction Management Plan (CMP):

A detailed CMP will be a requirement. The plan will need to be secured under planning condition in order to optimise construction related routing, frequency and construction related parking arrangements etc thereby avoiding/minimising potential detriment to the surrounding public realm during the build programme.

#### Conclusion:

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

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

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

Policy DMH 4 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that residential conversions and the redevelopment of dwellings into new blocks of flats will only be permitted where:

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

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

Regarding criterion (i) of Policy DMH 4, the proposed development would not result in more than 10% of properties within the area redeveloped into flats. The internal floor area of the existing building

exceeds 120 square metres, aligning with criterion (iii). The proposal includes a duplex flat; however, it is designed to provide a high-quality of internal accommodation in accordance with Policy D6 of the London Plan (2021). It is, therefore, considered that the proposal passes the relevant tests set out in Policy DMH 4 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

There is no objection, in principle, to the creation of additional residential units in this location in land use terms. However, this would be subject to the proposal being in accordance with all relevant planning policies and guidance in the Development Plan.

#### 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 2 x two-bedroom flats and 1 x three-bedroom flat. Accordingly, one family sized unit would be provided to replace the existing family unit lost as part of the proposal.

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 108-264 habitable rooms/hectare and 35-80 units/hectare for sites within 800m of a town centre with a PTAL rating of 2.

The site is located within 800m of a town centre and has a PTAL rating of 2. Based on a total site area of 0.06 hectares, the proposed scheme would have a density level of 166 habitable rooms and 50 units per hectare. The proposed density levels fall within the recommended density range set out in Policy DMHB 17 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

Despite the above considerations, the local contextual factors are deemed of greater significance in determining this application. The key, therefore, is whether the development would integrate acceptably with the character and appearance of the locality and respect residential amenities. This is prioritised over the density levels of the proposal.

For further assessment on these planning considerations, please refer to the other sections of this report.

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

Not applicable to this application.

### **7.04 Airport safeguarding**

Not applicable to this application.

### **7.05 Impact on the green belt**

Not applicable to this application.

### **7.06 Environmental Impact**

Covered in other sections of this Committee Report.

### **7.07 Impact on the character & appearance of the area**

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

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) states that all new developments should achieve a high quality of design in all new buildings and the public realm contributes to community cohesion and a sense of place.

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. Policy DMHB 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) advises that development should be well integrated with the surrounding area.

The proposed building would measure approximately 12.3 metres wide, approximately 12.4 metres at its deepest point, and approximately 9.3 metres high. When compared to the generous size of the plot and the footprint of the existing property at the site, it is considered that the size and scale of the proposed building would be in keeping with the context of the site. The proposed building would be set-in from the side boundary, allowing for visual gaps between buildings to be retained. This is welcomed as the rhythm and spacing between buildings is an important characteristic of the surrounding suburban area.

The proposed building would be in general alignment with the established front building line of the neighbouring properties directly to its east. As such, it is considered that the proposed development would respect the pattern of development within the area. The application site is larger in size compared to the adjacent property at No. 30 Norwich Road, and is therefore able to comfortably accommodate the depth of the rear building line of the proposed building.

Following negotiations, revised drawings were submitted by the applicant showing a hipped roof profile with dormers and roof space accommodation, replacing the previously proposed flat-roof third storey. It is considered that the revised roof profile would respect the prevailing character of roofs on properties located on the northern side of Norwich Road. The submitted proposed street scene elevation drawing shows that the ridge height of the building would generally conform with the changes in ground levels on Norwich Road which increases from east to west.

The proposed building would feature a front projection and a flat roof canopy which would provide a degree of visual interest to the street scene. Due to their modest size, the proposed front and rear dormers would achieve an appropriate degree of subordination. Full details in respect to the external materials and finishes would be secured by condition.

In light of the above, it is considered that the revised proposal, in terms of its siting, size, scale, bulk, massing, height and design, would not cause harm to the character, appearance and visual amenities of the street scene. The proposal would therefore accord with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 11 and 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 that: B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

Paragraph 5.38 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that: "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, outlook is defined as the visual amenity enjoyed by occupants when looking out of their windows or from their garden. The Council will expect new development proposals to carefully consider layout and massing in order to ensure development does not result in an increased sense of enclosure and loss of outlook."

The proposed development would clear a 45-degree line from the rear elevation windows at No. 30 Norwich Road. A Sunlight and Daylight Assessment has been submitted in support of the application. It outlines that the tested windows at No. 30 Norwich Road would meet the BRE requirement with respect to the Vertical Sky Component (daylight) and Annual Probable Sunlight Hours (sunlight). The tests also show that the amenity space at No.30 Norwich Road would meet the BRE requirement for sunlight amenity. Therefore, it is considered that the proposed development would not result in a harmful loss of daylight or sunlight for the occupiers at No.30 and their associated private amenity space.

There would be a separation distance of approximately 3.7 metres between the side wall of the proposed building and that of No.30. Bearing this in mind, and noting the revised hipped roof profile of the proposed building, it is considered that the proposal would not result in an overbearing impact or

a sense of enclosure for No. 30.

The proposed development would be separated approximately 20 metres from No. 1 Cranbourne Road; 17 metres from 34 Norwich Road and 26 metres from Nos. 25 and 27 Norwich Road. Given these separation distances, and noting the reduced scale, massing and height of the proposed building, it is considered that the proposal would not adversely impact on the living conditions of these neighbouring occupiers, in response to loss of light, outlook or sense of enclosure.

In terms of privacy, it is noted that the proposed development would include habitable windows and dormer windows in its rear elevation that fall slightly below the Local Plan's recommended 21 metres. However, the side wall of No.1 Cranbourne Road is angled. As a result, there would be no direct overlooking its first-floor side window. Besides, the spatial relationship between the proposed building and No.1 would not be dissimilar to the existing property at the application site which also includes front and rear dormers.

The proposed side windows facing No. 30 Norwich Road all serve non-habitable rooms and would be conditioned to be obscure glazed and non-opening up to 1.8 metres of the finished floor level.

Having regard to the above, it is considered that the proposal would not cause undue harm to the living conditions of neighbouring occupiers, in compliance with Part B of Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy D3 of the London Plan (2021).

## **7.09 Living conditions for future occupiers**

INTERNAL AMENITY SPACE PROVISION:

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) sets out the same gross internal area space standards set out in the Technical housing standards - nationally described space standard (2015).

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

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

- A one storey dwelling with 2 bedrooms, 3 person occupancy should have a minimum GIA of at least 61 square metres.
- A one storey dwelling with 3 bedrooms, 6 person occupancy should have a minimum GIA of at least 70 square metres.
- A two storey dwelling with 2 bedrooms, 4 person occupancy should have a minimum GIA of at least 79 square metres.

The proposed development would provide the following:

- Flat 1 - 3 bedroom, 6 person, single storey unit with a GIA measuring 101 square metres
- Flat 2 - 2 bedroom, 4 person, two storey unit with a GIA of 95 square metres



- Flat 3 - 2 bedroom, 3 person, single storey unit with a GIA of 62 square metres

As demonstrated above, all the proposed flats would meet the minimum space standard requirement set out in Policy D6 of the London Plan (2021). All the proposed bedrooms would exceed the minimum floor area standards set out in parts 3) and 4) of Policy D6 of the London Plan (2021). The submitted section drawings demonstrate that at least 75 % of the gross internal area would be 2.5 metres high, in compliance with criterion 8) of Policy D6 of the London Plan (2021).

The submitted Sunlight and Daylight Assessment details that all tested windows of the proposed development would meet BRE requirements for daylight and sunlight to habitable rooms, and sunlight amenity to the proposed amenity spaces. Therefore, it is considered that the proposed development would provide future occupiers with an acceptable level of daylight and sunlight.

All habitable rooms would be served by windows fitted in the front or rear elevations of the building. This ensures that future occupants would have an acceptable degree of outlook.

There would be soft landscaping up to 1.5 metres depth adjacent to the ground floor habitable windows of Flat 1 which would serve as defensible space. This would help to minimise the sense of being overlooked by those accessing the front entrance of the proposed building or using the communal amenity space.

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

#### EXTERNAL AMENITY SPACE PROVISION:

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

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

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

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

The proposed development would provide one x three-bedroom flat and two x two-bedroom flats, requiring 80 square metres of private external amenity space in total to comply with Table 5.3. In total, the proposal would provide 90 square metres of external amenity space, consisting of a communal garden and dedicated rear garden for Flat 1.

Based on the plans submitted, the proposed family sized ground floor flat (Flat 1) would have direct access to a dedicated private garden space measuring 31 square metres, and access to the shared amenity space measuring 59 square metres. The proposed dedicated gardens would be directly accessed via the bi-folding doors on the rear elevations of Flat 1. It is recognised that the proposed garden for Flat 1 is not completely private, as it would be visible to future occupants using the communal amenity space. However, the defensible space around the proposed gardens, which is demarcated by soft landscaping treatment and a gate, would help to ensure that an appropriate degree of separation is retained between private and communal spaces.

It is acknowledged that the proposed upper floor flats (Flats 2 and 3) would not be afforded with private amenity space provision. However, the introduction of balconies on the upper floors is considered unacceptable on the grounds of design and neighbouring residential amenity, particularly as first floor balconies are not a common feature in the area. It would therefore be inappropriate, in this particular instance, to require the proposed development to comply with the private amenity space standards set out in Table 5.3.

Instead, Flats 2 and 3 would have access to a communal garden area measuring 59 square metres which is considered to be an acceptable solution. The proposed communal garden, coupled with the dedicated garden space for Flat 1, would exceed the total quantitative requirement of private amenity space set out in Table 5.3 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020). Thus, it provides adequate outdoor space for future occupants' health and well-being.

On balance, it is considered that the proposed development would provide sufficient quantity and quality of external amenity space to serve the flats proposed, in accordance with the objectives of Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

#### **7.10 Traffic impact, Car/cycle parking, pedestrian safety**

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.

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.

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.

#### **PARKING AND ACCESS:**

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

that two- bedroom flats should be provided with a maximum 1 to 1.5 spaces per unit and three- bedroom flats should be provided with a maximum of 2 spaces per unit.

Policy T6.1 of the London Plan (2021) states that development comprising up to 2 bed units in outer London with a PTAL rating of 2 to 3 should provide a maximum of 0.75 car parking spaces per dwelling. Development of 3+ beds in these areas should provide a maximum of 1 car parking space per dwelling. For the proposed development, this would equate to three car parking spaces.

Based on Transport for London's WebCAT planning tool, the application site has a PTAL rating of 2 (poor). The proposal includes the provision of three parking spaces, in compliance with the London Plan's maximum standards. Consequently, the development would achieve an adequate level of parking provision.

Should the application be approved, a parking allocation plan would be secured by condition.

The Council's Highways Officer has raised no objection in principle to the utilisation of the existing carriageway crossing on Cranbourne Road as it is considered sufficient to serve the three car parking spaces.

In line with the Highways Officer's recommendation, a Construction Management Plan would be secured by condition if the application is approved. This measure is deemed necessary to minimise or avoid potential harm to the public realm and local highway network.

#### TRIP GENERATION:

The Council's Highways Officer has provided an assessment indicating that the proposed development may result in a slight increase in traffic compared to the current dwelling. Despite this, it is anticipated that there would not be a significant increase in peak period traffic movements, with expectations not exceeding two additional vehicle movements during the critical morning and late afternoon/early evening peak times. This relatively small increase in traffic is deemed minimal in terms of generation and is expected to be accommodated by the local road network without significant impact on traffic congestion or road safety.

#### ELECTRIC VEHICLE CHARGING POINTS:

Part G of Policy T6 and part C of Policy T6.1 of the London Plan (2021) state that all residential car parking spaces must provide infrastructure for electric or ultra-low emission vehicles. At least 20% of spaces should have active charging facilities, with passive provision for all remaining spaces. Accordingly, the proposed development would require one active electric charging point and two passive electric charging points.

The Design and Access Statement states that all car parking spaces would be fitted with active electric charging points. If approved, this would be secured by condition.

#### BICYCLE PARKING:

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, which require 2 long stay spaces per 2 and 3 bedroom dwelling.

For a development of this size, five long stay cycle spaces are required to comply with Policy T5 of the London Plan (2021).

The submitted plans show that a bicycle store with sufficient capacity to store six cycles would be provided within the communal garden area. There is no objection to this location as the bicycle store would be in an accessible and secure location. The covered design of the cycle store would protect bicycles from the weather, in accordance with the London Plan (2021) standards. If approved, a condition would be secured requiring the cycle store to be provided prior to the first occupation of the development.

It is therefore considered that the proposal would provide secure and accessible cycle parking spaces for future occupants. This complies 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 for at least 10% of dwellings to meet Building Regulation requirement M4(3) 'wheelchair user dwellings', with all other dwellings meeting Category M4(2) 'accessible and adaptable dwellings'.

Paragraph 3.7.6 of the London Plan (2021) states that in exceptional circumstances the provision of a lift to dwellings may not be achievable. In the following circumstances - and only in blocks of four storeys or less - it may be necessary to apply some flexibility in the application of this policy:

- Specific small-scale infill developments (see Policy H2 Small sites).
- Flats above existing shops or garages.
- Stacked maisonettes where the potential for decked access to lifts is restricted.

Paragraph 3.7.7 of the London Plan (2021) states that if it is agreed at the planning stage (for one of the reasons listed above) that a specific development warrants flexibility in the application of the accessible housing standards M4(2) and M4(3), affected dwellings above or below ground floor would be required to satisfy the mandatory building regulations requirements of M4(1) via the Building Control process. M4(2) and M4(3) dwellings should still be required for ground floor units.

It is acknowledged that the proposed development would not contain a lift, which means that the upper floor flats would only be able to meet Building Regulation M4(1). Should the proposal be approved, a condition would be secured to ensure the ground floor flat (Flat 1) meets Building Regulation M4(2). This means 1 out of the 3 proposed flats would be adaptable for wheelchair users (equating to 33.3%). The Council's Access Officer agrees with this approach. Also, the step-free access details recommended by the Council's Access Officer would be secured by condition.

The proposal, which constitutes a small-scale infill development, would meet the exceptional circumstance test found in paragraph 3.7.6 of the London Plan (2021). On the specific details and merits of the scheme, there is no conflict with Policies D5 and D7 of the London Plan (2021).

### **7.13 Provision of affordable & special needs housing**

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

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

The proposal is for fewer than 10 additional new residential units and therefore does not meet the threshold in order to require affordable housing provision. Consequently, 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).

## **7.14 Trees, landscaping and Ecology**

### **TREES AND LANDSCAPING:**

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

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that landscaping and tree planting should enhance amenity, biodiversity and green infrastructure. This is supported by Policy DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) which states:

- A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.
- B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.

A Tree Survey, Arboricultural Impact Assessment and Method Statement report has been submitted in support of the application. The report identifies that an early-mature Silver Birch (T1), which is protected by a Tree Preservation Order 794, is the most significant vegetation on the site. The Silver Birch (T1) would be retained as part of the proposed development, and the Tree Survey report confirms that works can be undertaken in line with acceptable arboricultural practice. A draft Arboricultural Method Statement (AMS) and draft Tree Protection Plan (TPP) are included in section 4 of the Tree report. In the event of an approval, a condition would be secured requiring full tree protection measure details to be submitted to the Council for consideration.

The proposal would involve the removal of a Leyland Cypress hedge (H3). However, it is assessed as being of low quality and value (BS5937:2012, Category 'C'), and is therefore not considered to have any significant impact on the wider public visual amenity due to its size and historical management. This Leyland Cypress hedge is unlikely to warrant the making of a Tree Preservation Order on visual amenity grounds and its removal would be mitigated through the planting of three new trees.

The submitted Landscape Plan shows soft landscaping to the front, perimeter and for the community amenity space. It is considered that the soft landscaping would help to integrate the development within its surrounding suburban context. The car parking area to the rear of the site would be permeable, which is welcomed in terms of managing surface water run-off. In the event of an approval, a condition would be secured requiring full details of the hard and soft landscaping and maintenance schedule would be secured.

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

#### ECOLOGY:

Policy G6 of the London Plan (2021) states that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.

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

The site does not contain any ponds, open woodland or dense scrub and shrubbery. There are no adjacent protected ecological sites. Therefore, it is considered unlikely that protected species are present, making an ecology assessment unnecessary. This approach aligns with 'Circular 06/05: Biodiversity and Geological Conservation- Statutory Obligations and their Impact within the Planning System' which states that, "...bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development."

If approved, an informative would be secured advising if protected species are found at the site, the applicant(s) must comply with the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitations and Species Regulations 2017 (as amended).

#### **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 site plan indicates that refuse and recycling stores would be located alongside the northern site boundary, adjacent to the vehicle access point from Cranbourne Road. There are no objections in principle to this location, as it facilitates convenient access for future residents of the proposed flats and the Council's refuse collection crew. The Council's Highways Officer has noted that the store's location meets the Council's waste collection maximum distance parameter of 10 metres, that is, the maximum distance from a refuse vehicle to the collection point.

If approved, a compliance condition would be attached to ensure that refuse and recycling stores are provided as per the submitted plans.

Thus, the proposed development is expected to offer a convenient location for refuse and recycling facilities, in accordance with Policy DMHB11 part (d) of the Hillingdon Local Plan: Part 2 -

Development Management Policies (2020).

### **7.16 Renewable energy / Sustainability**

Policy 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.

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

### **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, indicating it is at low risk of fluvial and tidal flooding, with a less than 1 in 1,000 probability. Consequently, there are no fluvial or tidal flood risk-related restrictions on development in this location, including vulnerable uses like Use Class C3 (dwellinghouses).

The site lies within a Critical Drainage Area as per the Council's GIS map. The adjacent highway is in an area at risk of surface water flooding. Should approval be granted, a condition would be imposed to require a sustainable water management scheme incorporating sustainable urban drainage systems (SuDs) for Council review.

With these conditions, the proposed development is not expected to increase flood risk on-site or elsewhere, in accordance with Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policies SI 12 and SI 13 of the London Plan (2021).

### **7.18 Noise or Air Quality Issues**

NOISE:

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 is intended for exclusive residential use. Therefore, during the operational phase of the proposed development, the site is not expected to cause significant issues regarding noise and disturbance. However, it is proposed that a condition be included to require the submission of a Construction Management Plan, in the event of an approval. This is to ensure that noise and pollution are minimised to the greatest extent possible during the construction phase.

Three Air Source Heat Pumps are being proposed adjacent to the western side wall of the building. If approved, a condition would be secured to limit the noise from these equipment to at least 5dBA lower than the existing background noise, measured 1 metre outside the nearest and/or most affected noise sensitive premises, determined in accordance with the procedures set out in British Standard BS4142:2014.

#### AIR QUALITY:

Policy SI1 of the London Plan (2021) and Policy DMEI 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) require development proposal to be at least "air quality neutral".

The proposal would provide 3 on-site parking spaces which does not exceed the maximum standards contained within the London Plan. In addition the proposed heating system would be air source heat pumps (zero emission). Therefore in accordance with London Plan Guidance: Air Quality Neutral, in respect to minor applications, the proposal would have acceptable transport and building emissions, and is considered air quality neutral.

In addition, a condition is included requiring the submission of a Construction Management Plan, which would mitigate air and other emissions during the construction phase.

### **7.19 Comments on Public Consultations**

Covered in other sections of this Committee Report

### **7.20 Planning obligations**

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

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

### **7.22 Other Issues**

None.

## **8. Observations of the Borough Solicitor**

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant



primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

#### Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

#### Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

#### Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

#### **9. Observations of the Director of Finance**

Not applicable

## **10. CONCLUSION**

For the reasons set out in this Committee Report, it is considered that the proposal would comply with the objectives of national, regional and local planning policies and guidance. It is therefore recommended that the application be approved, subject to the imposition of the conditions set out in Section 2 of this Committee Report.

## **11. Reference Documents**

National Planning Policy Framework (2023)

The London Plan (2021)

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

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

Hillingdon Local Plan Accessible Hillingdon Supplementary Planning Document (2017)

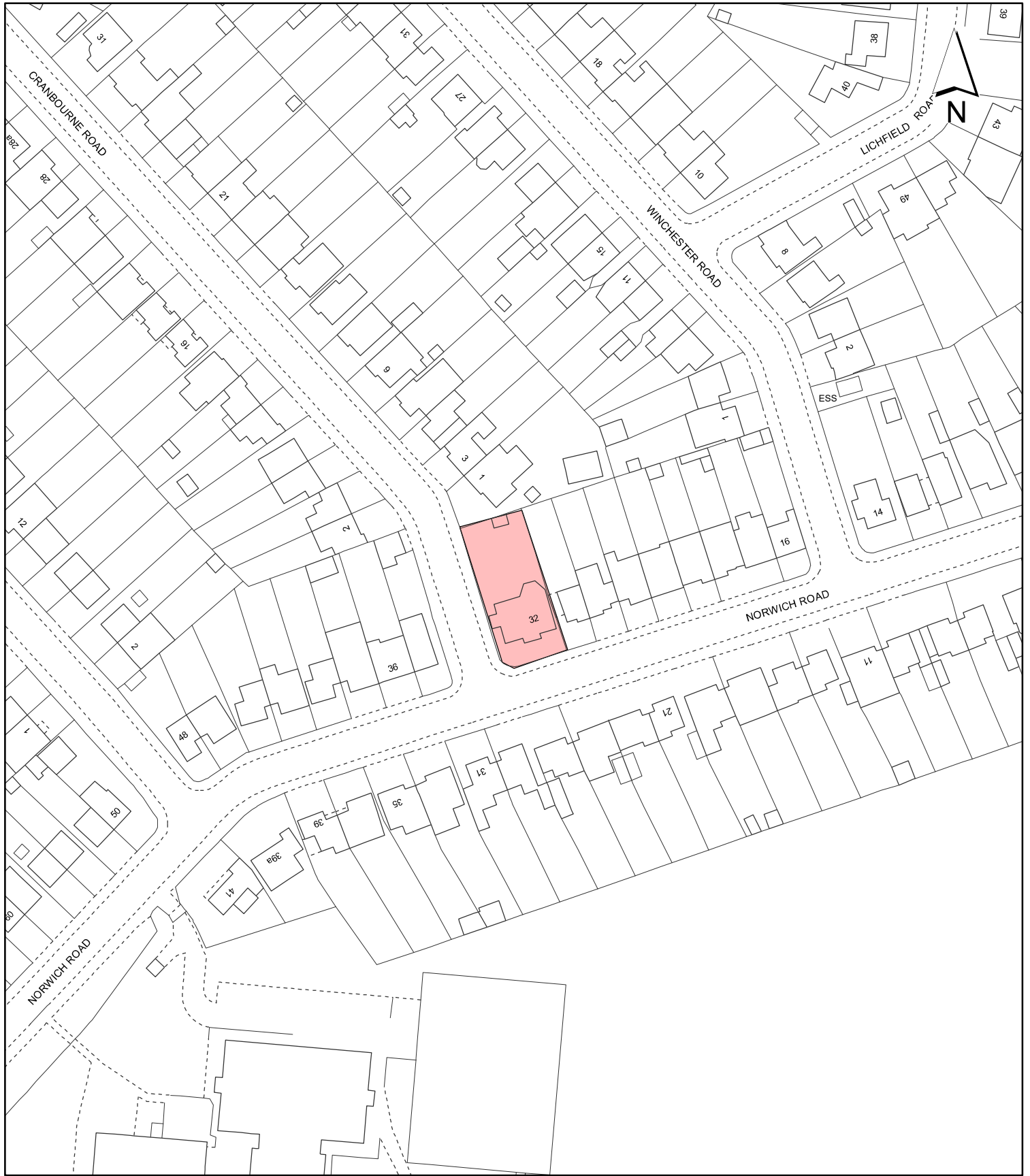
Planning Obligations Supplementary Planning Document (2014)

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**Notes:**

 Site boundary

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Scale:  
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Planning Committee:  
**Minor**

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