

Report of the Head of Development Management and Building Control

Address: DYSON DRIVE UXBRIDGE

Development: Alteration to car parking layout

LBH Ref Nos: 78464/APP/2023/3668

Drawing Nos: Planning and Design and Access Statement November 2023
FLU.CP.01
2317171/TS/01
2317171/TS/02
Car Parking Statement, October 2023, 231717/TS/AG/KL/01, Lanmor Consulting

Date Plans received: 20-12-2023 **Date(s) of Amendments(s):**

Date Application valid 20-12-2023

1. SUMMARY

The application proposes the alteration to the car parking layout at Dyson Drive to provide residents with 8 additional car parking spaces. The application has come before the Committee due to the submission of a petition with 49 signatures in support of the proposal.

The site is located within a Public Transport Accessibility Level (PTAL) rating area of 2 and therefore it is considered that there would be a moderate reliance on the private car to travel to and from the site, even though the site is within walking distance to the Uxbridge Town Centre. Notwithstanding this point, the additional spaces in combination with the existing spaces would exceed the London Plan (2021) maximum car parking standards which seek to reduce vehicle trips and promote sustainable travel modes.

Moreover the design and location of the proposed new spaces on the existing shared surface would result in residents exiting their vehicle directly onto the shared surface, not a pedestrian footpath, which raises highway safety concerns.

As such the development would result in the exacerbation of the overprovision of parking, prejudice highway safety and fail to promote sustainable modes of transport, which has resulted in an objection from the Highway Authority. The application is recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 **Parking, highway safety and sustainable modes of transport**

The development would result in an overprovision of car parking, prejudices highway safety and fails to encourage sustainable modes of transport including cycling, walking and the use of public transport, in conflict with Policies DMT 1, DMT 2, DMT 5 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies T2, T4, T6 and T6.1 of the London Plan (2021) and Paragraphs 115 and 116 of the NPPF (2023).

INFORMATIVES

1. I52 Compulsory Informative (1)

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

2. I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2021). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

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

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service. We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

3. CONSIDERATIONS

3.1 Site and Locality

The application site refers to a recently constructed residential development that forms part of St Andrews Park (the former RAF Uxbridge Site). Dyson Drive is located within Phase 3B of this development and lies within an area of land located in the south western part of the site. Dyson Drive is a private road (unadopted) and the site is bounded by Hillingdon Road to the west, the built out phase 2A to the south, spine road and pocket park to the east and future phases to the north. The northern boundary of the site is occupied by a double line of mature horse chestnut trees which are to be retained, forming an important strategic landscape green link and frame to the Parade Ground phase. The site is situated within a Developed Area as identified in the policies of the Hillingdon Local Plan (2012).

3.2 Proposed Scheme

The application proposes an alteration to car parking layout on Dyson Drive to formally mark out and provide eight additional parallel parking spaces.

3.3 Relevant Planning History

585/APP/2009/2752 R A F Uxbridge Hillingdon Road Uxbridge

1. Outline application (all matters reserved, except for access) including demolition of some existing buildings and:

- a) Creation of up to 1,296 residential dwellings (Class C3) of between 2 to 6 residential storeys;
- b) Creation of up to 77 one-bedroom assisted living retirement accommodation of between 3 to 4 storeys;
- c) Creation of a three-form entry primary school of 2 storeys;
- d) Creation of a hotel (Class C1) of 5 storeys of up to 90 beds;
- e) Creation of a 1,200 seat theatre with ancillary cafe (Sui Generis); office (Class B1a) of up to 13,860sq.m; energy centre (Sui Generis) of up to 1,200sq.m; and retail (Class A1, A2, A3, A4, A5) of up to 2,850sq m; in buildings of between 4 to 6 storeys as well as a tower element associated with the theatre of up to 30m;
- f) Creation of a local centre to provide up to 150sq.m of retail (Class A1 and A2) and 225sq.m GP surgery (Class D1); Means of access and improvements to pedestrian linkages to the Uxbridge Town centre; car parking; provision of public open space including a district park; landscaping; sustainable infrastructure and servicing.

2. In addition to the above, full planning permission for:

- a) Creation of 28 residential dwellings (Class C3) to the north of Hillingdon House of between 2 to 3 storeys as well as associated amenity space and car parking;
- b) Change of use of Lawrence House (Building No. 109) to provide 4 dwellings (Class C3), associated amenity space and car parking including a separate freestanding garage;
- c) Change of use and alterations to the Carpenters building to provide 1 residential dwelling (Class C3);
- d) Change of use and alterations to the Sick Quarters (Building No. 91) to provide 4 dwellings (Class C3) as well as associated amenity space and car parking;
- e) Change of use of Mons barrack block (Building No. 146A) to provide 7 dwellings (Class C3) as well as associated amenity space and car parking.
- f) Change of use of the Grade II listed former cinema building to provide 600sq.m Class D1/2 use (no building works proposed);
- g) Change of use and alterations to the Grade II listed Hillingdon House to provide 600sq.m for a restaurant (Class A3) on the ground floor and 1,500sq.m of office (Class B1) on the ground, first and second floors;

Decision: 18-01-2012 Approved

585/APP/2015/4494 St Andrew'S Park Hillingdon Road Uxbridge

Reserved matters (layout, scale, appearance and landscaping) in compliance with conditions 2 and 3 for Phase 3B (Southern area) of planning permission ref: 585/APP/2009/2752, dated 18-01-12 (Outline application (all matters reserved, except for access) including demolition of some existing buildings and mixed used redevelopment of the Former RAF Uxbridge site)

Decision: 07-03-2016 Approved

Comment on Relevant Planning History

The relevant planning history is listed above.

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:

DMHB 11 Design of New Development

DMHB 14 Trees and Landscaping

DMT 1 Managing Transport Impacts

DMT 2 Highways Impacts

DMT 5 Pedestrians and Cyclists

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- DMT 6 Vehicle Parking
- LPP D3 (2021) Optimising site capacity through the design-led approach
- LPP T1 (2021) Strategic approach to transport
- LPP T2 (2021) Healthy Streets
- LPP T4 (2021) Assessing and mitigating transport impacts
- LPP T6 (2021) Car parking
- LPP T6.1 (2021) Residential parking

5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date: Not Applicable
- 5.2 Site Notice Expiry Date: **18th January 2024**

6. Consultations

External Consultees

9 residents were consulted by letter dated 27-12-23 and a site notice was posted that expired on the 18th of January 2024. All forms of consultation have expired and 12 letters of support were received along with 2 letters of objection. The objections have been made by the occupiers of No.19 Dyson Drive who desire to have a parking space allocated to their property as part of this application.

In addition a petition in support was received with 49 signatories. The petition states:
'That planning ref: 78464/APP/2023/3668 be approved as all the residents of the road support the proposal.'

OFFICER COMMENTS:

The representations received are noted, however the scheme is contrary to planning policy. The application proposes the alteration to car parking layout to provide 8 no allocated parking spaces for use by Nos. 3, 5, 7, 9, 11, 13, 15 and 17 Dyson Drive. Whilst there is no mention of No.19 Dyson Drive in the application submission, the application can only be determined based upon the drawings and information provided.

Internal Consultees

HIGHWAYS OFFICER

The application site is known as Dyson Drive, an unadopted residential cul de sac which forms a junction with Churchill Road which is a local access route shown as 'under section 38' dated 2nd September 2014 on London Borough of Hillingdon (LBH) GIS system.

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Transport for London use a system called PTAL (Public Transport Accessibility Level) to measure access to the public transport network. PTAL assesses walk times to the nearest public transport location taking into account service frequency. The location is then scored between 0 and 6b where 0 is the worst and 6b the best. According to the Transport for London WebCAT service the application site has a PTAL ranking of 2 indicating access to public transport is poor compared to London as a whole suggesting that most trips to and from the application site would be made by the private motor car. The Mayor's Transport Strategy aims to encourage people to walk, cycle and use public transport as an alternative and National Planning Policy Framework (NPPF) Chapter 9: Promoting Sustainable Transport.

Access and Car Parking

The application proposes to provide 8no. formal, allocated parallel parking spaces to replace the existing informal parallel parking that currently occurs on the shared surface at Dyson Drive. Drawing 2317171/TS/01 titled Proposed Parking Layout shows the proposed layout which provides car parking on the shared surface reducing the available area for pedestrians and cyclists. No alternative pedestrian access has been provided requiring occupants accessing, but particularly exiting from vehicles, to step out into the shared surface which raises concerns on highway safety grounds and would fail to concur with the NPPF (2023) Chapter 9: Promoting Sustainable Transport, the London Plan (2021) and London Borough of Hillingdon Local Plan Part 2 - Development Management Policies (2020).

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The London Plan (2021) Table 10.3 - Maximum Residential Parking Standards allows dwellings with one or two bedrooms in outer London with a PTAL of 2 to have up to 0.75no. parking spaces per dwelling and dwellings with three or more bedrooms to have a maximum of 1no. spaces per dwelling.

Dyson Drive is part of the wider St Andrews's Park development and is located within Phase 3B. Planning application 585/APP/2015/4494 gave approval for the following dwellings detailed below. The maximum parking allowed by the current London Plan (2021) is provided for context:

No. of Bedrooms	No. of Dwellings	London Plan T10.3	Max Allowed
1	14	0.75	10.5
2	24	0.75	18
3	18	1	18
			46.5

This phase of the development currently provides 70no. car parking spaces as per the 585/APP/2015/4494 planning consent dated 07-03-16. Since this permission was granted the policy landscape has altered and the consented level exceeds the maximum of 46.5no. parking spaces allowed by the London Plan (2021) Table 10.3 - Maximum Residential Parking Standards. The provision of an additional 8no. car parking spaces would therefore exacerbate the existing over provision of car parking (when considered against current policy), which would not be acceptable and would raise an objection on highway grounds and a recommendation for refusal as the proposal would fail to accord with the London Plan Policy T6: Car Parking and Policy T6.1 Residential Parking. The application also fails to accord with the Mayor's Transport Strategy which aims to encourage cycling, walking and the use of public transport.

Recommendation

There are highway objections to this proposal and therefore the Highway Authority recommend refusal based on the over provision of car parking which exceeds the maximum parking standards and

sustainability grounds that fail to accord with:

1. Car Parking

- The London Plan (2021) Policy PolicyT6: Car Parking, Policy T6.1 Residential Parking
- London Borough of Hillingdon Local Plan Part 2 - Development Management Policies Policy DMT 6: Vehicle Parking.

2. Sustainability

- NPPF Chapter 9: Promoting Sustainable Transport Paragraph 116
- The London Plan (2021) Policy T2: Healthy Streets, Policy T4 Assessing and Mitigating Transport Impacts
- London Borough of Hillingdon Local Plan Part 2 - Development Management Policies Policy DMT 1: Managing Transport Impacts, Policy DMT 2: Highways Impacts and Policy DMT 5: Pedestrians and Cyclists.

The application also fails to accord with the Mayor's Transport Strategy which aims to encourage cycling, walking and the use of public transport .

In view of the Highway Authority's objection and recommendation to refuse the application, the development is considered to exacerbate the overprovision of car parking, prejudice highway safety and fail to encourage sustainable modes of transport including cycling, walking and the use of public transport.

For the above reasons the development conflicts with Policies DMT 1, DMT 2, DMT 5 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies T2, T4, T6 and T6.1 of the London Plan (2021) and Paragraphs 115 and 116 of the NPPF (2023).

ACCESS OFFICER

I have considered the detail of this proposal to formalise the parking arrangements on Dyson Drive (private road), and deem there to be no accessibility issues raised by the proposal. However, the following informative should be attached to any grant of planning permission:

The Equality Act 2010 seeks to protect people accessing goods, facilities and services from discrimination on the basis of a 'protected characteristic', which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.

AIR QUALITY OFFICER

In this instance the proposal will be air quality neutral and no other air quality considerations will be required.

CONTAMINATED LAND OFFICER

Having consider the applicant submitted application in relation to our land contamination record and the nature of the proposed development (Alteration to car parking layout), please be advise that we have no objection to the development.

However, the following land contamination informative is recommend should the planning application be approved. There is a possibility there may be some contaminating substances present in the ground. Our contaminated land record shows the site to be on a former contaminated land use identified as MOD Land/Riffle Range.

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Proposed Informative (if minded to approve):

You are advised this development is on a former contaminated land use identified as MOD Land/Riffle Range from our land contamination database. Therefore, it is advised that persons working on site to take basic precautions in relation to any contamination they may find. This advice is provided on the grounds of Health and Safety of the workers on site and to ensure the appropriate restoration of the site is done should there be any contamination identified during the development where there is a need for ground work once such works are complete to minimise risk to the occupants of the site.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The proposal is for the construction of new parking spaces on a residential street, however the additional car parking is contrary to the relevant Development Plan policies as set out within this report.

7.02 Density of the proposed development

Not applicable to this application.

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

The site is not located within a Conservation Area, Listed Building or Area of Special Local Character.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

Not applicable to this application.

7.08 Impact on neighbours

The application involves minor works to the hard surfacing which includes line painting and therefore would not give rise to impacts upon the amenities of local residents.

7.09 Living conditions for future occupiers

The application involves minor works to the hard surfacing which includes line painting therefore would not give rise to impacts upon the living conditions of future occupiers.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

HIGHWAY SAFETY AND PARKING:

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

Paragraph 116 of the NPPF (2023) continues by stating -. Within this context, applications for

development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible - to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Policy T2 Part A of the London Plan (2021) states - Development proposals and Development Plans should deliver patterns of land use that facilitate residents making shorter, regular trips by walking or cycling.

Policy T4 Parts E and F of the London Plan (2021) states - E) The cumulative impacts of development on public transport and the road network capacity including walking and cycling, as well as associated effects on public health, should be taken into account and mitigated; and, F) Development proposals should not increase road danger.

Policy T6 Part D of the London Plan (2021) states - The maximum car parking standards set out in Policy T6 .1 Residential parking to Policy T6 .5 Non-residential disabled persons parking should be applied to development proposals and used to set local standards within Development Plans.

Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) require the Council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

Policy DMT 5 Part A of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states - Development proposals will be required to ensure that safe, direct and inclusive access for pedestrians and cyclists is provided on the site connecting it to the wider network.

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

The application site is known as Dyson Drive, an unadopted residential cul de sac which forms a junction with Churchill Road. The site is located within a PTAL 2 rated area meaning that there is a reliance on the motor vehicle to travel to and from the site.

Dyson Drive is part of the wider St Andrews's Park development and is located within Phase 3B. Planning application 585/APP/2015/4494 gave approval for 56 residential units and 70 car parking spaces resulting in a parking ratio of 1.25 spaces per unit. In combination with the 8 additional spaces proposed as part of this application the ratio would be raised to 1.39 per unit.

As this is a new planning application it must be assessed in consideration with the most up to date planning policy. The London Plan (2021) Table 10.3 - Maximum Residential Parking Standards allows dwellings with one or two bedrooms in outer London with a PTAL of 2 to have up to 0.75no. parking spaces per dwelling and dwellings with three or more bedrooms to have a maximum of 1no. spaces per dwelling. The table below provides a breakdown of the maximum number of spaces permitted for each unit type and an overall total in accordance with the London Plan.

No. of Bedrooms	No. of Dwellings	London Plan T10.3	Max Allowed
1	14	0.75	10.5
2	24	0.75	18
3	18	1	18
			46.5

The above table states 46.5 spaces should be provided for the 56 units therefore the 78 spaces proposed would result in an over provision of parking. The Design and Access Statement refers to parking control/enforcement as one of the main drivers for submitting the application. Whilst noted, given the site is unadopted land, the lack of parking controls cannot be resolved by the Council and this is also not a material consideration which would help the applicants case for justifying benefits that may outweigh the potential harm.

Turning to highway safety matters, the proposed 8 parking spaces would be allocated and replace the existing informal parallel parking that currently occurs on the shared surface at Dyson Drive. Drawing 2317171/TS/01 titled Proposed Parking Layout shows the proposed layout which provides car parking on the shared surface reducing the available area for pedestrians and cyclists. No alternative pedestrian access has been provided requiring occupants accessing, but particularly exiting from vehicles, to step out into the shared surface which raises concerns on highway safety grounds and would fail to concur with the published NPPF Chapter 9 Promoting Sustainable Transport, the London Plan (2021) and London Borough of Hillingdon Local Plan Part 2 - Development Management Policies (2020).

Taking the above points into consideration, the proposed development would result in an over-provision of car parking and would give rise to highway safety concerns. As such the development fails to comply with Policies DMT 1, DMT 2, DMT 5 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies T2, T4, T6 and T6.1 of the London Plan (2021) and Paragraphs 115 and 116 of the NPPF (2023).

7.11 Urban design, access and security

LAND CONTAMINATION:

Policy DMEI 12 Part B of Hillingdon's Local Plan Part 2 - Development Management Policies (2020) states - Conditions will be imposed where planning permission is given for development on land affected by contamination to ensure all the necessary remedial works are implemented, prior to commencement of development.

Given that the works mainly involve some line painting on existing hard surfacing, the construction of the development would not pose a risk in terms of potential contamination. The Council's Contaminated Land Officer has reviewed the proposal and does not raise an objection, subject to the imposition of an informative if the Council were minded to approve the application.

In the event of the application being approved the informative would be attached to the decision. The

development would accord with Policy DMEI 12 of Hillingdon's Local Plan Part 2 - Development Management Policies (2020).

7.12 Disabled access

Policy D5 of the London Plan sets out that proposals should achieve the highest standards of accessible and inclusive design by providing high quality people focused spaces that are designed to facilitate social interaction and inclusion, be convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment, and be able to be entered, used and exited safely, easily and with dignity for all.

The Council's Access Officer has considered the detail of this proposal to formalise the parking arrangements on Dyson Drive (private road), and deems there to be no direct issues that are purely related to accessibility matters. However, it is worth noting that the proposed layout shows the car parking to be located on the shared surface, reducing the available area for pedestrians and cyclists. No alternative pedestrian access has been provided and as a result it would require occupants accessing and exiting from vehicles to step out into the shared surface. This raises concerns on highway safety grounds.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

Not applicable to this application.

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

AIR QUALITY:

Policy SI1 of the London Plan (2021) states- B) To tackle poor air quality, protect health and meet legal obligations the following criteria should be addressed: 2) In order to meet the requirements in Part 1, as a minimum: a) development proposals must be at least Air Quality Neutral.

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

A) Development proposals should demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants.

B) Development proposals should, as a minimum:

i) be at least "air quality neutral";

ii) include sufficient mitigation to ensure there is no unacceptable risk from air pollution to sensitive receptors, both existing and new; and

iii) actively contribute towards the improvement of air quality, especially within the Air Quality Management Area.

The site lies within the Uxbridge Air Quality Focus Area and the Hillingdon Air Quality Management Area. The Council's Air quality officer has reviewed the application and does not consider the proposal to give rise to significant harm which would require mitigation.

The development would therefore accord with Policy DMEI 14 of Hillingdon's Local Plan Part 2 - Development Management Policies (2020), Policy SI 1 of the London Plan (2021) and London Plan Guidance: Air Quality Neutral (2023).

7.19 Comments on Public Consultations

Please see 'External Consultees' at Section 6 of this report.

7.20 Planning obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

No other issues are identified.

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

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

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the

development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

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

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

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

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

The neighbour representations and the petition are noted and the matters raised have been considered in full. In this instance, as discussed in this report, the development is not considered to comply with the development plan.

The development would result in the exacerbation of the overprovision of parking, prejudice highway safety and fail to promote sustainable modes of transport. Therefore, having regard to the material considerations and all matters raised, the application is recommended for refusal.

11. Reference Documents

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

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

London Plan (2021)

London Plan Guidance: Air Quality Neutral (2023)

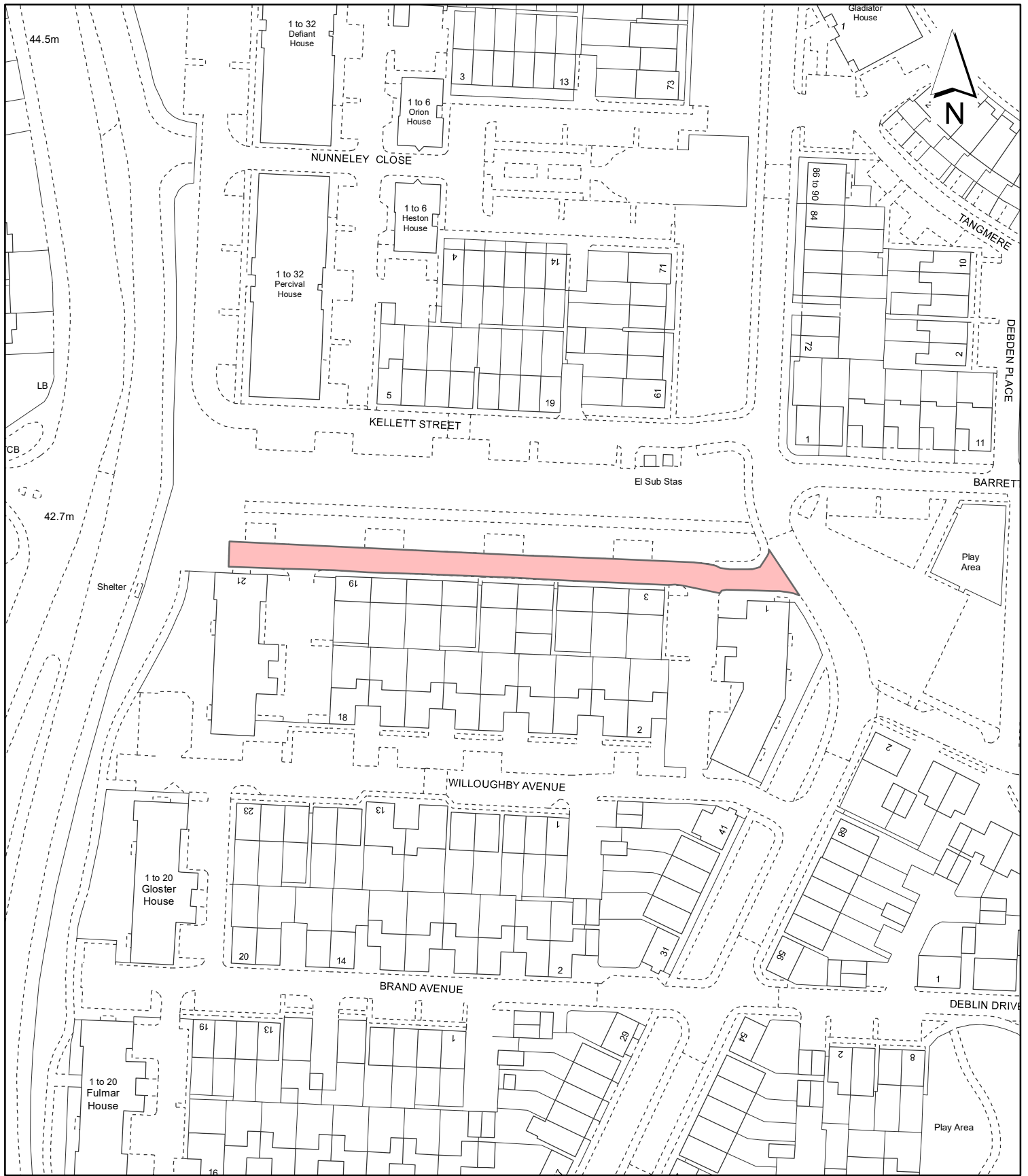
National Planning Policy Framework (2023)

Contact Officer:

Christos Chrysanthou

Telephone No:

01895 250230



Notes:

 Site boundary

For identification purposes only.
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Site Address:

**Dyson Drive
Uxbridge**

Planning Application Ref:
78464/APP/2023/3668

Planning Committee:
Minor

Scale:
1:1,250

Date:
March 2024

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

Civic Centre, Uxbridge, Middx. UB8 1UW
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