

1. SUMMARY

The application proposes the erection of 6no. dwellings with new access to Foxdell and erection of 3no. dwellings with new access to Dene Road with associated landscaping and parking.

The proposed housing mix comprises 1 x five-bedroom family sized house (Plot 1); 1 x four-bedroom family sized house (Plot 2); 1 x one-bedroom flat and 3 x two-bedroom flats (Plots 3-6); and 3 x two-bedroom houses (Plot 7 to 9).

The site encompasses wider parts of the grounds of No.17 Dene Road (known as Green End), which is a Grade II* Listed Building. The site also is designated within Dene Road, Northwood, Area of Special Local Character. With regard to the criteria of Policy DMH 6 of the Hillingdon Local Plan: Part 2- Development Management Policies (2020), it is considered, in respect to this individual case, that the proposed development passes the 'exceptionality test'. It is therefore considered, on balance, that the principle of introducing dwellings on the wider parts of Green End's garden is acceptable. In reaching this position, due weight has also been afforded to the 'backland development' scheme allowed at Appeal on a neighbouring site towards the western end of Foxdell (i.e. 5 & 6 Firs Walk, application references 30837/APP/2019/3096 & 30837/APP/2020/1723). The reduction to the open grounds of the site would alter the setting of Green End and would represent a degree of harm. However, it is clear that careful consideration has been given to the layout of the proposed development to ensure that intrinsic views experienced from the Listed Building remain unaffected. The siting, size, scale, massing, height and design of the proposed dwellings have been carefully devised to minimise their impact on setting of Green End. Moreover, the proposed landscaping strategy, which includes the planting of new trees, would enhance the overall aesthetics and protect views from and towards the Listed Building.

Given the separation distances involved and retained tree screening along the boundaries, coupled with the siting, scale, height of the proposed dwellings, it is considered that the proposal would not cause undue harm on the living conditions of neighbouring occupiers.

Each of the proposed 9no. units would provide good-quality internal and external amenity space, all in accordance with local policy standards.

The on-site car parking provision (totalling 13no. spaces) would exceed the London Plan's maximum parking standards. However, on this individual case, the Council's Highways Department has raised no objection to the proposed number of car parking spaces, given the 'Poor' PTAL rating. The applicant has formally agreed to enter into a legal agreement concerning the highways works for the proposed new access point on Foxdell. Subject to such agreement, the proposal would not present a risk to road safety, hinder the free flow of traffic.

In terms of public benefits, the proposal would provide nine private dwellings which would contribute to the Borough's supply of housing. The proposed housing mix would include 1 x four-bedroom house and 1 x five-bedroom house, which would widen the choice of family housing in the Borough. The Council's latest housing assessment indicates there is a substantial borough-wide requirement for family-sized homes. As such, moderate weight has been afforded to the proposal's contribution to the Borough's housing need. In addition, the legal agreement would secure a financial sum of £136,750 in lieu of on-site affordable housing provision.

The construction of the proposed dwellings would provide short term benefits to the local and wider

economy. The future occupants of the proposed housing units are likely to stimulate consumer spending, boost local labour supply and help to support local services. The proposal would, therefore, provide some benefits, in social and economic terms. Furthermore, the proposal would represent a development opportunity that reflects the requirement of the National Planning Policy Framework to maintain the area's prevailing character by attaching importance to securing well-designed, attractive and healthy places.

In accordance with paragraphs 135 and 208 of the NPPF (2023), considered together, it is concluded that the public benefits outlined above would outweigh the less than substantial heritage harm identified in Section 7.07 of this Committee Report.

Taking all the above into account, it is therefore concluded that the proposal would preserve the setting of the listed buildings within (Green End) and adjacent to the site (No.7 Dene Road), and would not cause undue harm to the character and appearance of the surrounding Dene Road, Northwood, Area of Special Local Character. The proposal would, therefore, accord with Policies BE1 and HE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012), Policies DMHB 1, DMHB 2, DMHB 5, DMHB 11 and DMHB 12 of the Hillingdon Local Plan : Part 2 - Development Management Policies (2020), Policies D3, D4 and HC1 of the London Plan (2021) and the National Planning Policy Framework (2023).

It is therefore recommended that planning permission is granted, subject to the imposition of relevant planning conditions and securement of a legal agreement in respect to the proposed highway works on Foxdell and an affordable housing contribution.

2. RECOMMENDATION

That delegated powers be given to the Head of Development Management and Building Control to GRANT planning permission, subject to the following:

A) That the Council enter into a legal agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following Heads of Terms:

i) Highways Works: The applicant shall enter into a s278 highways agreement to ensure that the access from Foxdell is constructed to an appropriate council standard, at the applicant's cost.

ii) Affordable Housing Contribution: £136,750 is to be paid for the council to provide off-site affordable housing.

B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 Agreement and any abortive work as a result of the agreement not being completed.

C) That officers be authorised to negotiate and agree the detailed terms of the proposed agreement and conditions of approval.

D) That, if the Legal Agreement has not been finalised within 6 months (or such other time frame as may be agreed by the Director of Planning, Regeneration and Environment), delegated authority be given to the Director of Planning, Regeneration and Environment to refuse planning permission for the following reason:

'The applicant has failed to provide measures to mitigate the impacts of the development through enhancements to services and the environment necessary as a consequence of demands created by the proposed development (in respect of carbon offsetting and air quality). The scheme therefore conflicts with Policy DMCI 7 of the Hillingdon Local Plan: Part 2 (2020); the adopted Planning Obligations Supplementary Planning Document (2014); Policy DF1 of the London Plan (2021); and paragraphs 55-58 of the National Planning Policy Framework (2023).'

E) That if the application is approved, the following conditions be imposed:

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:

22GEDR SL1 (Site Location Plan)
22 GEDR SP2 Rev D (Context Site Plan)
22 GEDR SP3 Rev E (Site Proposals with Existing Ground Contours)
22 GEDR SP1 Rev J (Site Proposals)
22 GEDR P1 (Proposed Elevations and Floorplans Plot 1)
22 GEDR P2 (Proposed Elevations and Floorplans Plot 2)
22 GEDR P3 Rev 6B (Proposed Elevations and Floorplans Plots 3-6)
22 GEDR P7 Rev 9B (Proposed Elevations and Floorplans Plots 7-9)
22GEDR G1 Rev A (Proposed Garage Plot 1)
22GEDR G2 Rev A (Proposed Garage Plot 2)
22 GEDR SD1Rev A (Bin and Bike Store Plots 2-6 and Gates)
1192:L09 Revised 13 February 2024 (Landscape Plan)
22.31-001 Rev A (Swept Paths - Fire Appliances and 7.5 Tonne Box Van)

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. OM19 Construction Management Plan

No development approved by this permission shall be commenced until a Construction Management Plan has been 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).

4. RES6 Levels

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

5. RES7 Materials (Submission)

Notwithstanding the submitted documents, prior to the commencement of development, details and samples of all external materials and finishes shall be submitted to and approved in writing by the Local Planning Authority. Details shall include manufacturer/supplier information, product type/code and RAL colour where relevant. Samples shall be made available on site for inspection.

The submitted details shall include, but not be limited to:

- a. Brickwork (including details on bond, pointing, mortar mix)
- b. Cladding and elevational treatments
- c. Roof tiles
- d. Windows and Doors (including details on materials, form and glazing)
- e. Soffit/ fascias
- f. Guttering and downpipes

The development shall only be carried out in accordance with the approved details.

REASON

These details are required prior to commencement of any works to ensure that the development presents a satisfactory appearance and preserves the setting of heritage assets in accordance with Policies DMHB 1, DMHB 2, DMHB 5, DMHB 11 and DMHB 12 of the Hillingdon Local Plan (Part 2) and Policies HC1, D1, D3 and D4 of the London Plan (2021).

6. NONSC Contamination

(i) Notwithstanding the Ground Investigation prepared by K F Geotechnical, dated 7th February 2018, Ref: G/121750/001, the development hereby approved shall not commence until a scheme to deal with contamination has been submitted to and approved by the Local Planning Authority. All works which form part of any required remediation scheme shall be completed before any part of the development is occupied or brought into use unless the Local Planning Authority dispenses with any such requirement specifically and in writing.

The scheme shall include the following measures unless the LPA dispenses with any such requirement specifically and in writing:

a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;

(b) A site investigation, including where relevant soil, soil gas, surface water and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use; and

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement along with the details of a watching brief to address undiscovered contamination.

No deviation shall be made from this scheme without the express agreement of the LPA prior to its implementation.

(ii) If during remedial or development works, contamination not addressed in the submitted remediation scheme is identified, an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and

(iii) Upon completion of the approved remedial works, this condition will not be discharged until a comprehensive verification report has been submitted to and approved by the LPA. The report shall include the details of the final remediation works and their verification to show that the works have been carried out in full and in accordance with the approved methodology.

(iv) No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping and/or engineering purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be independently tested for chemical contamination, and the factual results and interpretive reports of this testing shall be submitted to and approved in writing by the Local Planning Authority.

REASON

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Hillingdon Local Plan: Part 2 (January 2020) Policy DME1 12: Development of Land Affected by Contamination.

7. NONSC Sustainable Drainage

The development hereby approved shall be carried out strictly in accordance with the sustainable water management and drainage details specified in the Drainage Strategy, dated August 2022, Reference 221526/DS/JR/RS/01, Rev A by Lanmor Consulting.

REASON

To ensure the development does not increase the risk of flooding in accordance with Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan Part 2 (2020) and Policies SI 12 and SI 13 of the London Plan (2021).

8. NONSC Water Efficiency

The development hereby approved shall be implemented in accordance with the following water efficiency standards. The dwellings labelled Units 3 to 6 shall achieve water efficiency standards of no more than 105 litres per person per day maximum water consumption. The dwellings at plots 1, 2, 7, 8 and 9 shall achieve water efficiency standards of no more than 110 litres per person per day maximum water consumption (to include a fixed factor of water for outdoor use of 5 litres per person per day in accordance with the operational requirement defined within Approved Document G of the Building Regulations).

REASON

In the interest of water efficiency in accordance with Policy DMEI 10 part H) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

9. RES9 Landscaping (car parking & refuse/cycle storage)

Notwithstanding the approved drawings and prior to any works on site above damp proof course level, a full landscape scheme and details shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall take into account the sensitive heritage nature of the site and include: -

1. Details of Soft Landscaping

- 1.a Planting plans at not less than a scale of 1:100 (including details of location, specimen and size of at least 85 proposed replacement trees, and shall include high carbon-absorbing varieties)
- 1.b Written specification of planting and cultivation works to be undertaken,
- 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

2. Details of Hard Landscaping

- 2.a Refuse Storage
- 2.b Cycle Storage (including long and short stay spaces in compliance with Policy T5 of the London Plan)
- 2.c Means of enclosure/boundary treatments
- 2.d Car Parking Layouts (including 2 active and 11 passive electric vehicle charging points and 1 disabled car parking)
- 2.e Hard Surfacing Materials
- 2.f External Lighting
- 2.g Biodiversity enhancement details

3. Location and dimensions of ground source heat pumps and air source heat pumps

4. Details of Landscape Maintenance

4.a Landscape Maintenance Schedule for a minimum period of 5 years.

4.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

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 1 and DMT 2 of the Hillingdon Local Plan Part 2 (2020) and Policy G5 of the London Plan (2021).

10. NONSC Ecological Enhancement Plan

Prior to commencement of superstructure works, a scheme for the enhancement of ecology shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall set out how the development will contribute positively to ecological value through the use of features and measures within the landscaping (i.e. nectar rich and diverse planting including living walls and/or roofs) and the fabric of the new built form (i.e. bat and bird boxes). The scheme shall include a plan with the features annotated and the development must be built and operated in accordance with the approved scheme.

REASON

To ensure the development contributes positively to the ecological value of the area in accordance with Policy EM7 of the Hillingdon Local Plan: Part 1 (2012), Policy DMEI 7 of the Hillingdon Local Plan: Parts 2 (2020) and Policies G6 and G7 of the London Plan (2021).

11. NONSC Arboricultural reports and Tree Protection Plan

Notwithstanding the tree protection measures specified in the documents titled 'Arboricultural Implications Assessment', Rev C dated 20.02.2024, 'B.S.5837 Arboricultural Method Statement', Rev C dated 21.02.2024, and Tree Protection Plan Rev. D, dated February 2024, (all prepared by Merewood Arboricultural Consultancy Services), revised tree protection measures shall be submitted for approval. These revised documents shall include further details of the methods proposed to ensure that the root protection areas of the trees adjacent to the proposed access from Foxdell are suitably protected.

The development hereby approved shall be carried out in accordance with the approved details.

REASON

To ensure that trees and other vegetation can and will be retained 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).

12. 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 and shall be of a size and species to be agreed in writing by the Local Planning Authority and 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.

13. NONSC Noise Levels of Ground and Air Source Heat Pumps

For the lifetime of the development hereby permitted the rating level of noise caused by the operation of the ground source heat pumps and air source heat pumps shall be below 35 dB(A) measured 1 metre outside of any window of any dwelling, or similarly noise sensitive premises, determined in accordance with the procedures set out in British Standard BS4142:2014.

REASON

In order to safeguard the amenities of adjoining residential occupiers in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

14. RES22 Parking Allocation

The residential units hereby approved shall not be occupied until a parking allocation scheme in relation to proposed dwellings titled as Units 3 to 9 on the approved drawings has been submitted to, and approved in writing by, the Local Planning Authority. The parking allocation scheme shall, as a minimum, include a requirement that all on-site car parking shall be allocated and dedicated for the use of each of the residential units hereby approved and shall remain allocated and dedicated in such a manner for the life-time of the development.

REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy DMT 6 of the Hillingdon Local Plan Part Two 2 (2020) and Policy T6 of the London Plan (2021).

15. NONSC Crossover from Dene Road

The vehicle access from Dene Road shall conform to the dimensions specified in the council's 'Domestic Vehicle Footway Crossover' (2022). Specifically, the crossover shall have a maximum

width of 5m at the back of footway and 6.2m at the edge of kerb.

REASON

In the interests of highway and pedestrian safety in accordance with policy DMT 2 of the Hillingdon Local Plan Part 2 (2020)

16. NONSC Refuse Management Plan

Prior to first occupation of the development hereby approved, a refuse management collection plan shall be submitted to the local planning authority for approval in writing. This shall include refuse collection area/s on site and arrangements/commitment for refuse and recycling to be deposited at the collection area on the collection day. The development shall be carried out in accordance with the approved refuse management plan.

REASON

To ensure that appropriate waste management collection arrangements is accommodated on site in accordance with Policy DMHB11 part (d) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

17. 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 of the development hereby approved 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).

18. NONSC Category M4(3) for Unit 3

The ground floor flat titled Unit 3 on the approved plans shall not be occupied until certification of compliance with the technical specifications for an M4(3) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015 has been obtained. All such provisions must remain in place for the life of the buildings.

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 Policies D5 and D7 of the London Plan (2021).

19. NONSC Category M4(2) for Units 1, 2, 4, 7, 8 and 9

The residential dwellings titled Plots/Units 1, 2, 4, 7, 8 and 9 on the approved plans 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 obtained. All such provisions must remain in place for the life of the buildings.

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 Policies D5 and D7 of the London Plan (2021).

20. RES13 Obscure Glazing

The following first floor side elevation windows and side rooflights 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:

- The first floor side elevation windows and side rooflights of the dwelling on Plot 2 facing No. 5C Vantage Mews and 17 Green End;
- The first floor windows and rooflights on the west-facing side elevation of the building serving Units 3-6 facing No. 3 Foxdell; and
- The first floor window on the west-facing side elevation of the dwelling on Plot 9 facing No. 1 Foxdell.

REASON

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

21. NONSC Secure By Design

The development hereby approved shall achieve 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO). No dwelling shall be occupied until accreditation has been achieved.

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to ensure the development provides a safe and secure environment in accordance with policy DMHB 15 of the Local Plan Part 2 (2020).

22. RES12 No Additional Windows or Doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England)Order 2015 (or any order revoking and re-enacting that Order with or without modification), 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).

23. RES14 Outbuildings, Extensions and Roof Alterations

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification); no garage(s), shed(s) or other outbuilding(s), nor extension or roof alteration to any dwellinghouse(s) shall be erected without the grant of further specific permission from the Local

Planning Authority.

REASON

To protect the character and appearance of the area and amenity of residential occupiers in accordance with policies DMHB 11 and DMHD 2 of the Hillingdon Local Plan Part 2 (2020)

INFORMATIVES

1. 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 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.

2. 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.

3. 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@hillington.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

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.

4. 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).

5. I47 Damage to Verge - For Council Roads:

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge of footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

6. I47A Damage to Verge - For Private Roads:

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge of footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

7. 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.

DMEI 10	Water Management, Efficiency and Quality
DMEI 12	Development of Land Affected by Contamination
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMH 2	Housing Mix
DMH 6	Garden and Backland Development
DMH 7	Provision of Affordable Housing
DMHB 1	Heritage Assets
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMHB 2	Listed Buildings
DMHB 5	Areas of Special Local Character
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D12	(2021) Fire safety
LPP D5	(2021) Inclusive design
LPP D7	(2021) Accessible housing
LPP DF1	(2021) Delivery of the Plan and Planning Obligations
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 HC1	(2021) Heritage conservation and growth
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF11 -23	NPPF11 23 - Making effective use of land
NPPF12 -23	NPPF12 23 - Achieving well-designed and beautiful places
NPPF16 -23	NPPF16 23 - Conserving and enhancing the historic environment
NPPF2 -23	NPPF2 2023 - Achieving sustainable development
NPPF4 -23	NPPF4 23 - Decision making
NPPF5 -23	NPPF5 23 - Delivering a sufficient supply of homes
NPPF9 -23	NPPF9 23 - Promoting sustainable transport

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a generously sized parcel of land within the wider grounds of No.17 Dene Road and possesses mature trees along its boundaries. The original building at No. 17 Dene Road was a timber-framed hall dating from circa. 1500. The building was historically used as a farmhouse and is now in use as a single dwellinghouse (Use Class C3). The most notable architectural elements of the exterior of No. 17 Dene Road are its bay windows, steeply pitched roof and central dormer on the southern elevation.

The application site is situated within the Dene Road, Northwood Area of Special Local Character, a non-designated heritage asset.

This area relates to the original development of Northwood from a rural hamlet to suburban town. Originally, the Dene Road area was developed as large residential dwellinghouses set on spacious open plots; development influenced by the railway line into London. Each property was uniquely designed in a traditional manner, boasting good architectural quality in their appearance. Many of the original buildings, notably Tormead and Sunshine House, invoke a sense of grandeur.

The surrounding locality of the site is predominately characterised by detached residential properties, exhibiting heights of 2 to 2.5 storeys and occupying spacious plots. These dwellings showcase a variety of architectural designs, contributing to the diverse visual appeal of Dene Road Area of Special Local Character. Aside from the detached residential properties, the surrounding area also comprises apartment buildings. Notably, to the east of No. 17 Dene Road, there are flatted developments at Olde Court and Florence Court, providing a mix of housing options in the vicinity. In addition, to the south-east of No. 17 Dene Road, there is a Grade-II Listed Building at No. 7 Dene Road, contributing to the historical and architectural significance of the neighbourhood. Further to the south-east lies Northwood Town Centre, Green Lane Conservation Area.

The street scene has a pleasant verdant appearance, with front boundary treatment largely defined

by mature vegetation. Whilst the original layout of the area has been somewhat diminished by 20th-Century infill developments having the effect of reducing the size of original plots, overall, the quality, character and appearance can still be appreciated.

Towards the western end of Foxdell, specifically at 5-6 Firs Walk, has the benefit of outline planning consent obtained in 2020 through Appeal, enabling the erection of 3no. dwellings with a new access point from Foxdell (application references: 30837/APP/2019/3096 & 30837/APP/2020/1723).

The application site is positioned in a relatively sustainable location in proximity to various amenities, including a variety of shops and services. Green Lane District Centre is located to the south-east. Although the site has a Public Transport Accessibility Level rating of 2 (Poor), it is noted that Northwood Underground Station is situated nearby (approximately 0.2 miles).

3.2 Proposed Scheme

The application proposes the erection of 6no. dwellings with new access to Foxdell and erection of 3no. dwellings with new access to Dene Road with associated landscaping and parking.

It should be noted that revised drawings have been submitted during the course of the application. These revisions are summarised as follows.

Originally, the application proposed the erection of 2no. dwelling houses with new access to Foxdell and the erection of 7no. dwellings with new access to Dene Road with associated landscaping and parking. The changes made mainly concerned the proposed garages on Plots 1 and 2 and the proposed terraced houses on Plot 7 to 9. The proposed garages were reduced in height to reduce the impact on occupiers at No.6 Vantage Mews. The proposed terraced properties on Plots 7 to 9 were repositioned closer towards the front of the site, in order to increase their rear garden spaces. These revised drawings were re-consulted on in June 2023.

Further amendments were made in relation to the proposed site layout, specifically in connection with rotating the proposed building containing Units 3-6 by 180 degrees, and re-siting the proposed car parking for these homes south of the building, accessed from Foxdell. The reasons for this was to further mitigate any potential privacy concerns to No. 3 Foxdell by ensuring that no proposed habitable room windows would face towards this neighbouring property; reducing the level of proposed hard landscaping and increasing the level of soft landscaping onsite, including the private garden sizes for proposed houses 7, 8 and 9. These most recent revisions to the drawings and proposal description were re-consulted on in March 2024.

3.3 Relevant Planning History

6410/APP/2002/1793	17 Dene Road Northwood
	CARRYING OUT OF REPAIRS AND REFURBISHMENT (APPLICATION FOR LISTED BUILDING CONSENT)
Decision: 11-12-2002	Approved

6410/APP/2004/1138 17 Dene Road Northwood

DETAILS OF REPLACEMENT TILES IN COMPLIANCE WITH CONDITION 8 OF LISTED BUILDING CONSENT REF: 6410/APP/2002/1793 DATED 11/12/2002 'CARRYING OUT REPAIRS AND REFURBISHMENT OF A LISTED BUILDING'

Decision: 18-05-2004 Approved

Comment on Relevant Planning History

The relevant planning history attached to the site is referenced 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

PT1.HE1 (2012) Heritage

Part 2 Policies:

DMEI 10 Water Management, Efficiency and Quality

DMEI 12 Development of Land Affected by Contamination

DMEI 2 Reducing Carbon Emissions

DMEI 7 Biodiversity Protection and Enhancement

DMEI 9 Management of Flood Risk

DMH 2 Housing Mix

DMH 6 Garden and Backland Development

DMH 7 Provision of Affordable Housing

DMHB 1 Heritage Assets

DMHB 11 Design of New Development

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DMHB 12 Streets and Public Realm
DMHB 14 Trees and Landscaping
DMHB 15 Planning for Safer Places
DMHB 16 Housing Standards
DMHB 17 Residential Density
DMHB 18 Private Outdoor Amenity Space
DMHB 2 Listed Buildings
DMHB 5 Areas of Special Local Character
DMT 1 Managing Transport Impacts
DMT 2 Highways Impacts
DMT 5 Pedestrians and Cyclists
DMT 6 Vehicle Parking
LPP D12 (2021) Fire safety
LPP D5 (2021) Inclusive design
LPP D7 (2021) Accessible housing
LPP DF1 (2021) Delivery of the Plan and Planning Obligations
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 HC1 (2021) Heritage conservation and growth
LPP S112 (2021) Flood risk management
LPP S113 (2021) Sustainable drainage
LPP T4 (2021) Assessing and mitigating transport impacts
LPP T5 (2021) Cycling
LPP T6 (2021) Car parking
LPP T6.1 (2021) Residential parking
NPPF11 NPPF 2023 - Making effective use of land
NPPF12 NPPF 2023 - Achieving well-designed places
NPPF14 NPPF 2023 - Meeting the challenge of climate change flooding
NPPF16 NPPF 2023 - Conserving & enhancing the historic environment
NPPF2 NPPF 2023 - Achieving sustainable development
NPPF4 NPPF 2023 - Decision-Making
NPPF5 NPPF 2023 - Delivering a sufficient supply of homes
NPPF8 NPPF 2023 - Promoting healthy and safe communities
NPPF9 NPPF 2023 - Promoting sustainable transport

Local Plan Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.HE1 (2012) Heritage

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Part 2 Policies:

DMEI 12 Development of Land Affected by Contamination

DMEI 10 Water Management, Efficiency and Quality

DMEI 9 Management of Flood Risk

DMEI 7 Biodiversity Protection and Enhancement

DMEI 2 Reducing Carbon Emissions

DMH 7 Provision of Affordable Housing

DMH 6 Garden and Backland Development

DMH 2 Housing Mix

DMHB 1 Heritage Assets

DMHB 18 Private Outdoor Amenity Space

DMHB 17 Residential Density

DMHB 16 Housing Standards

DMHB 15 Planning for Safer Places

DMHB 14 Trees and Landscaping

DMHB 12 Streets and Public Realm

DMHB 11 Design of New Development

DMHB 5 Areas of Special Local Character

DMHB 2 Listed Buildings

DMT 6 Vehicle Parking

DMT 5 Pedestrians and Cyclists

DMT 2 Highways Impacts

DMT 1 Managing Transport Impacts

LPP D12 (2021) Fire safety

LPP D7 (2021) Accessible housing

LPP D5 (2021) Inclusive design

LPP DF1 (2021) Delivery of the Plan and Planning Obligations

LPP G7 (2021) Trees and woodlands

LPP G6 (2021) Biodiversity and access to nature

LPP H10 (2021) Housing size mix

LPP H2 (2021) Small sites

LPP H1 (2021) Increasing housing supply

LPP HC1 (2021) Heritage conservation and growth

LPP SI13 (2021) Sustainable drainage

LPP SI12 (2021) Flood risk management

LPP T6.1 (2021) Residential parking

LPP T6 (2021) Car parking

LPP T5 (2021) Cycling

LPP T4 (2021) Assessing and mitigating transport impacts

NPPF16 - NPPF16 23 - Conserving and enhancing the historic environment
23

NPPF12 - NPPF12 23 - Achieving well-designed and beautiful places
23

NPPF11 - NPPF11 23 - Making effective use of land
23

NPPF9 - NPPF9 23 - Promoting sustainable transport
23

NPPF5 - NPPF5 23 - Delivering a sufficient supply of homes
23

NPPF4 - NPPF4 23 - Decision making
23

NPPF2 - NPPF2 2023 - Achieving sustainable development
23

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date: Not Applicable

5.2 Site Notice Expiry Date: Not applicable

6. Consultations

External Consultees

PUBLIC CONSULTATION

31no. neighbouring properties were originally consulted by letters dated 17th August 2022. A site notice was displayed on 23rd August 2022, and a press notice was published on 31st August 2022.

Following receipt of revised drawings and supporting documents, neighbouring occupiers were re-consulted on 6th June 2023. For both the consultation in August 2022 and the re-consultation in June 2023 a total of 32no. objections were received by a Council. A representation was also received stating they were supportive of the proposed access arrangements and Arts and Craft style of the proposed dwellings, but then raised concerns about the impact on the living conditions of neighbouring occupiers. The revisions secured in June 2023 are summarised in section 3.2 of this report and the total comments received have been summarised below.

Following receipt of further revised drawings, neighbouring occupiers were re-consulted on 18th and 25th March 2024. A total of 16no. objections were received by a Council. The revisions are summarised in section 3.2 of this report and comments received in this most recent round of re-consultation have been summarised below.

Two petitions in opposition to the proposal were also received. These are further detailed below.

Summarised matters raised in residents consultation (August 2022 and June 2023)

- Overdevelopment
- Unnecessary density of housing
- Too much development is occurring on Dene Road
- Conflict with Policy DMH 6 of the Local Plan
- Out of keeping with the ASLC, notably the proposed flats and 3 town houses
- Encroachment into the garden of Green End (a Listed Building)
- Destruction of green belt land
- Proposed building on plots 7 to 9 is too large and close to No. 1 Foxdell
- Loss of loss light and privacy for occupiers on Foxdell and Vantage Mews
- Noise emissions from Air Source Heat Pumps
- Trees should be retained
- Concerns about the loss of trees adjoining Foxdell and Vantage Mew site boundaries
- Loss of vegetation and greenery
- Inadequate on-site car parking provision
- Access from Foxdell is impossible due to trees
- Significant increase in traffic and congestion
- On-street parking pressures in the vicinity of the application site
- Damage to Dene Road (a private road)
- Harm to wildlife
- Submitted statement in relation to wildlife and ecology lacks independent assessment
- Compromise access to emergency vehicles during construction phase

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- Clarification on construction hours
- Noise and pollution associated with construction phase and the proposed development
- Damage to road by heavy construction vehicles
- Drainage and sewage impacts have not been fully considered
- Unclear if electric and gas utilities have been considered
- Disingenuous of the developer to suggest the site requires development to fund upkeep of Green End
- Revised plans do not address the issues with the proposal, in respect to harm to neighbouring occupiers living conditions

Summarised matters raised in residents consultation (March 2024)

- Overdevelopment
- Harm to listed building at 17 Dene Road
- Impact on root system of Maple trees
- Loss of vegetation and greenery
- Loss of privacy for occupiers on Dene Road
- Concerns regarding siting of properties too close to the boundary with neighbours
- Loss of light to neighbouring property's ground floor hallway, stairwell and sole bathroom
- Traffic impact and damage to road
- Harm to wildlife
- Compromise access to emergency vehicles during construction phase
- Exacerbation of local on-street parking congestion
- Concerns regarding access to development too restrictive and poses safety hazards for larger or emergency vehicles
- Noise emissions from air source heat pumps
- Continued disturbance, noise and pollution associated with construction phase and the proposed development
- Reduction in the quality of views currently enjoyed from neighbouring block

PLANNING OFFICER RESPONSE

For clarity, the site is not Metropolitan Green Belt land. For the reasons discussed in Section 7.01 of this Committee Report, it is considered that the proposed development would pass the exceptionality test set out in Policy DMHB 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), in respect to 'backland development'. It is considered that the quantum of proposed dwellings can be comfortably accommodated within the site, due to its generous size. As such, the proposed development would not constitute overdevelopment of the plot. This stance is supported by Historic England who has not raised any objection to the proposed number of dwellings. Further, the proposed density levels are reflective of the site's context, and falls below the Local Plan's density matrix range.

The proposed apartment building on Plots 3 to 6 has been intentionally designed to appear as a detached dwelling. It is therefore considered that this specific building would not appear out of character with the ASLC. Notwithstanding, officers note that there are existing apartment buildings on Dene Road, which are also located within the ASLC (i.e. Olde Court and Florence Court). With respect to the proposed terraced houses on Plots 7 to 9, these particular properties have been designed as mews to ensure they appear visually subservient to Green End (a Grade II* Listed Building).

Careful consideration has been given to the proposal's effect on the setting of Green End. As discussed in Section 7.07 of the Committee Report, the layout of the proposed development has been devised to ensure that essential views from Green End remain unaffected. Historic England has noted that while the garden setting would be reduced to its historical farmyard area, it would still retain its character, supporting

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the historic context.

For the reasons covered in Section 7.08, the proposed dwellings would not cause undue harm to the living conditions of neighbouring occupiers. This would be subject to details in respect to tree planting screening and subject to windows being obscure glazed, secured by condition. In addition, a condition would be secured to ensure the proposed ground source heat pumps and air source heat pumps do not exceed 35 dB(A) measured 1 metre outside of any window of any dwelling.

It is noted that the 26no. trees would need to be felled to facilitate the proposed development. The Council's Trees and Landscape Officer has raised no objection in this regard, given that affected trees are Category C and are of low quality. Furthermore, the application was accompanied by a landscaping plan which shows extensive planting of trees and vegetation, full details of which would be secured by condition. On this basis, it is considered that the proposal would protect the verdant character of the ASLC.

The proposal would include 13no. car parking spaces, which would represent an overprovision when compared to the London Plan's standards. However, the Council's Highways Officer has raised no objection to this over-provision, as it reduces the potential for untoward parking displacement within and outside the site envelope. In respect to the proposed access points, the section of Dene Road where the new vehicle crossover is private. The applicant has formally agreed to submit a Unilateral Undertaking to cover the highway works for the new access point on Foxdell (adopted highway). In terms of vehicle traffic generation, the Council's Highways Officer has commented that the not present a degree of highway activity that could be deemed as harmful to the local road network.

A Construction Management Plan would be secured to avoid/minimise potential detriment to the public realm, if planning permission were to be granted. This condition would also secure details in respect to construction hours. In the event of an approval, an informative would be advised that the applicant will be required to make good any damage caused the public highway will be recouped.

There are no ecologically protected sites immediately adjacent to the site, and no existing buildings on the site that would be demolished. Considering these factors, it is considered that the probability of protected species being present is low. Thus, obviating the need for an ecology assessment, in line with 'Circular 06/05: Biodiversity and Geological Conservation-Statutory Obligations and their Impact within the Planning System'. Refer to Section 7.14 for further details. Notwithstanding the above, an informative would be secured in the event of an approval advising that should protected species be found at the site, the applicant(s) must fulfil their duties under the Wildlife and Countryside Act 1981.

The application was accompanied by a Drainage Strategy prepared by Lanmor Consulting. In the event of an approval, a compliance condition would be secured requiring the development to be carried out in accordance with the details contained in this report. Subject to this condition, it is considered that the proposal would not increase the risk of flooding at the site or elsewhere.

Material planning considerations will be discussed in the following sections of the report.

PETITIONS

In September 2022 a petition opposed to the proposal with 111no. signatories was received by the Council. The desired outcome of these signatories was that the application is refused planning permission.

In April 2024 a second petition with 30no. signatories, also opposed to the application, was received by the Council. The grounds for opposition stated verbatim on the petition are as follows:

- Overdevelopment which is out of character with the local area which is characterised by generous plots, mature gardens and old trees;
- Garden development is against the Council's policy;
- Loss of amenity for existing houses through significant increase in traffic resulting in noise and pollution, light issues, loss of privacy and loss of greenery;
- Severe safety concerns regarding additional traffic generation within the narrow and illogical Foxdell access route and construction traffic including serious threat to the large tree close to the proposed Foxdell opening which the Council has committed to protect;
- Environmental damage through construction impact on large very old trees surrounding the site ('crown lifting') which is unacceptable and a loss of habitat to local species.

Internal Consultees

EXTERNAL CONSULTTEES

HISTORIC ENGLAND (summarised)

Recommendation

Historic England has no objection to the application on heritage grounds, but we do consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 195 to 202 of the NPPF.

Impact of the proposals on significance

The loss of its extensive, open setting as part of the plot necessarily alters and diminishes the character of its setting as this contributes to the significance of Greenend as a house of fairly high-status and ancient origins, and as an historic farmhouse. The garden setting of the historic house would be reduced to the apparent area of its historic farmyard - but would retain this, which is some support to the legibility of its history. The best views out of the house, north to the road and south-east across the lawn towards the roof of 7 Dene Road towards the church spire, would retain their depth and be only peripherally affected.

While the quantum of development is considerable, the concentration and spacing of development handles the eight residential units without obviously excessive loss of open space or vegetation. The size and form of the proposed buildings - though they would mean the loss of the exceptionally spacious plot that sets Greenend apart and signals its special history in Northwood - would represent a density and character of development comparable to that of the special suburban character of the area. In size and arrangement they are carefully at or below/behind the ridge and building lines of the main house - but only just.

The proposed houses are designed in a well-detailed Arts and Crafts inspired style, mixing features such as expressed chimney-stacks, hipped roofs, gables and cat-slide roofs to achieve a varied disposition of different building types around the main house, aiming to maintain amenity and avoid overlooking. There would be little legible relationship of orientation or arrangement between the proposed houses and the appreciable historic setting of the house, however, which may reduce the sense of its precedence within the plot.

While good design limits and mitigates harm from the proposed buildings, there would also be hard boundaries, treatments to access roads and hard-standings, and associated domestic paraphernalia - and future extensions - and the risk that such development might increase in the future. This could continue to erode the remaining sense of a formerly rural setting, and could even erode the special local character of this secluded, historic suburb. Changes of this sort would cause further harm to the setting and the area of

special local character.

Historic England's position on the proposals

The house is a rare Grade II* listed building, of 'greater than special interest', and though the building would be unaffected, impacts on its garden setting can meaningfully harm its significance. Its conservation carries particularly great weight. Any proposal for development of a separate dwelling in the grounds of Greenend would diminish the qualities of its setting that support and express its layered history and historic status such that it is likely to cause some harm to significance.

In this case, the quantity of development is large, but it is carefully handled and somewhat mitigated by design and landscaping. It is likely to result in a low to medium level of less than substantial harm to the significance of the house and a comparable level to the area of special character. It seems likely to be possible to limit this harm to the lower degree if safeguards, controls and amendments can be incorporated into the application that would still better preserve the significant setting. Any revisions to the proposals should take all opportunities to better support significant qualities of the current plot as the setting of the listed building, and to reduce the extent or appearance of harmful features.

Landscaping

The proposed development has been sited to avoid occupying the areas of the present garden which appear to have most significance in relation to present uses, layouts and designed layers. The approach to planting is generally welcome. Nonetheless, the arrangement of proposals - and particularly of landscaping and boundaries - could go further to preserve and present subtle landscape features that help to express this setting significance: notably, the slightly sunken path of the former access track from the south, and the embankments that may trace the remains of a past field system. Reduction in the extent of the grounds to be enclosed for separate gardens, pushing boundaries back to better articulate interesting landscape features, could reduce the impact on setting. More subtly, orientation and arrangement of the proposed buildings could perhaps better reinforce apparent historic landscape patterns.

Details

Fencing, gates, any surfaces for driving, parking or access and other services or utilities should be as small and as soft or as visually permeable as possible to reduce the harmful visual suggestion of modern suburban development of contrasting character. Structures such as bin and bike stores for the new units should be situated around the outside of the site as far as possible, to minimise their visibility from the Greenend. These matters and the quality of architectural details and materials and of the landscaping should be tightly controlled and secured by condition.

Planning balance

Though the grounds of Greenend are large, the proposals represent a large amount of development. Any more development than is proposed would entail encroachment on the house that would considerably increase the degree of harm caused. You should therefore consider how future development, including by extension, could be prevented as part of approving any application for garden development in this location.

Though the proposed design mitigates the harmful impact on the setting quite effectively, reduction of the amount of development equally would likely be able to reduce harm. You will therefore need to judge whether the proposals are clearly and convincingly justified and to seek to ensure they avoid or minimise harm to the listed building, as part of judging the planning balance in this case.

PLANNING OFFICER COMMENTS: Revisions have been secured to reduce the amount of hardstanding for vehicle access and parking, as well as removing the standalone communal cycle store and bin store for proposed plots 7-8 to reduce any visual impact. Conditions have been included to secure the full details for the landscaping scheme, which includes boundary treatment.

INTERNAL CONSULTEES

COUNCIL'S CONSERVATION/URBAN DESIGN OFFICER

Green End is a Grade II* listed hall house and is an important surviving building from the pre-suburban history of Northwood when it was known as Greenhill Farm and accessed off Green Lane. It was remodelled in 1893-4 by C H Townsend so that it now superficially presents as an Edwardian building.

There is also a Grade II listed Edwardian detached house, 7 Dene Road to the east also designed by Townsend. The site is within the Dene Road Area of Special Local Character. The application is accompanied by a heritage statement from the Built Heritage Consultancy laying out the significance of the house and its site.

A convincing argument is made that the western half of the garden was planned for development early on. So that Townsend's remodelling of the west elevation is deliberately blank as it was expected that there would be an adjacent house. It is also shown that this plot was sold in 1968 before Green End was listed.

There is no in-principle objection to the development of the western side of the plot given the evidence that it was planned for development since the late nineteenth century. Previous to that the area around the farm reflected the 1806 enclosure field layout. The southern part of the proposal site extends into the east side of the garden below the house. The land slopes from north to south and the garden has many trees and shrubs.

The proposal is for four separate buildings comprising nine dwellings in total with access from Dene Road and Foxdell to the west. The two to the front of the site line up with two buildings on Foxdell to the west while the buildings to the south of the plot (Units 1 & 2) are detached houses. Unit 2 is clearly higher impact, being closer to 7 Dene Road (Grade II listed) as well as being more directly in the sight line of Green End.

However, Green End will still be left with large gardens and Unit 2 is on balance acceptable. The success of the proposal in limiting the wider impact on the setting of Green End and to a lesser degree on 7 Dene Road will rely on the detail of the landscaping and boundary treatments. There is much reliance in the supporting documentation on the existing trees and vegetation but the site is not a Tree Preservation Order Area or a conservation area so the retention of the trees is not controllable in planning terms. There should be a condition for detailed hard and soft landscaping and boundary treatments.

The detail of the houses is therefore particularly important were any of the trees to be removed or thinned out. The architectural style is Arts and Crafts which will sit well within the context of the ASLC which was originally developed with large houses in large plots in an Arts and Crafts style. Many of these houses have now been demolished and the plots subdivided so that the higher density of the houses to the front has a more recent context. Unit 7,8 and 9 facing Dene Road superficially presents as a detached house despite it being terraced, this will preserve the original character along Dene Road.

Each unit has a parking space and the area is well served by local transport. Ideally there would be no parking spaces but provided they are well landscaped this should minimise the impact. Also to minimise the impact on the setting of the listed buildings there should be a sensitive scheme for external lighting.

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Recommendation: No major objections.

Conditions needed for:

- Materials; roofing materials and brick elevations (including information on bond, pointing, mortar mix)
- Windows and doors, materials, form, glazing
- Hard and soft landscaping and boundary treatments.
- External lighting

COUNCIL'S TREES AND LANDSCAPE OFFICER

There appears to be some inconsistencies between the number of trees proposed to be removed when comparing the Tree Protection Plan and the site proposal drawings.

Notwithstanding the above, overall, it is considered that the scheme is acceptable, from a trees and landscaping perspective. There are some concerns about the access off Foxdell Close and the proximity to the tree root protections. However, in the event that this application is approved, this matter could be dealt with via a condition requiring the submission of an updated and detailed Arboricultural Method Statement. The application submission also refers to relocation of some of the smaller trees which would need to be referenced in the updated Method Statement.

PLANNING OFFICER COMMENT: For clarity, the Arboricultural Reports and Tree Protection Plans were updated to show a number of additional trees to be retained to match the site proposals drawings. The Council's Tree Officer has reviewed these updated documents and has confirmed that the discrepancy issue has now been resolved. The other matters raised above by the Trees and Landscape Officer will be dealt with via conditions.

COUNCIL'S ACCESS OFFICER

This proposal for 9no. new dwellings has been assessed against the requirements of London Plan Policy H2 and D7. No concerns are raised subject to the following conditions attached to any approval:

Condition: 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.

Condition: Plots 3 and 4 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.

PLANNING OFFICER COMMENT: 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'. To ensure that the proposed development meets this requirement, it is proposed that the Access Officer's recommended conditions is revised to require the proposed ground floor flat labelled as Unit 3 to meet Building Regulation Category M4(3).

This approach would be consistent with part H) of Policy T6.1 of the London Plan (2021), given that the proposed disabled car parking space is located in front of the proposed apartment building. The proposed dwellings on Plots 1, 2, 4, 7, 8 and 9 would be conditioned to meet Building Regulation Category M4(2). For the reasons discussed in Section 7.12, the proposed first floor flats (Plots 5 and 6) would meet the mandatory requirements of M4(1) via the Building Control process.

COUNCIL'S HIGHWAYS OFFICER (summarised)

Site Characteristics:

The site is located within an extensive private residential catchment in Northwood situated northeast of Rickmansworth Road and accessed via Sandy Lodge Way/Dene Road. The proposal would accommodate a newly created access at the eastern end onto neighbouring Foxdell (which is adopted public highway) together with a new and separate pedestrian/vehicular access on Dene Road which is private in tenure. Historically, the principle of a new vehicular/pedestrian access at the western end of Foxdell has already been established by a previously refused permission thereafter allowed upon appeal for a back-land residential development consisting of 3 houses at 5 & 6 Firs Walk located just west of the proposal site (ref. 30837/APP/2020/1723).

The site address exhibits a public transport accessibility level (PTAL) rating of 2 which is considered as 'poor' and therefore encourages a higher dependency on the ownership and use of private motor transport.

Parking Provision & Internal Parking Layout

In line with the adopted Hillingdon parking standard, the maximum parking requirement for plots 1, 2, 7, 8, 9 would equate to a maximum of 2 spaces per plot whilst the flatted block (plots 3-6) would, in total, demand up to 4-6 spaces. This would equate to a maximum provision of 14 to 16 spaces. Whilst, in contrast for a PTAL rating of 2, the London Plan (2021) parking standard demands up to a lesser range of 7-8 spaces.

A total of 13 spaces are proposed with 7 communal spaces for plots 3-9 and 3 spaces for plots 1 & 2 located within and fronting each double garage which is considered a reasonable compromise between the regional and local requirements particularly as it reduces the likelihood for untoward on-street parking displacement resulting from a higher dependency on the private motor car due to the very low PTAL rating. It is therefore considered acceptable.

If recommended for grant, the allocation of parking space/s for plots 3-9 would benefit from a parking allocation plan secured by way of planning condition.

Disabled Compliant Parking Provision

In accord with the parking standard 10% of parking spaces should be disabled compliant equating to 1 space. This level is indicated within the communal provision for plots 3-6, which is considered acceptable.

Electric Vehicle Charging Points (EVCPs)

In line with the London Plan (2021), within the final parking quantum there is a requirement for a minimum of 20% 'active' EVCP provision with all remaining spaces being designated as 'passive' provisions. The applicant confirms that 1 EVCP will be provided per dwelling which is welcomed and considered acceptable. However, the remaining spaces should also be designated as 'passive' provisions which has not been confirmed by the applicant, hence this aspect should be secured by way of planning condition.

Cycle Parking

In terms of cycle parking there should be a provision of 1 no. secure and accessible space for units up to 2-

bedrooms in scale (7 spaces - plots 3-9) with 2 spaces for the each of the larger 5-bedroom dwellings (4 spaces - plots 1 & 2) to conform to the adopted borough cycle parking standard.

For Plots 1 and 2 it is understood that 2no. cycle spaces would be integral to each double garage hence the standard is met. For plots 3 to 9 two separate cycle stores are proposed and should be able to accommodate the required 7no. spaces in total hence this provision is considered acceptable.

Site Access and Internal Site Layout

For Plots 1 to 6 vehicular and pedestrian access would be facilitated via a new opening from Foxdell (Adopted highway and situated on the western flank of the site).

The principle of the new access arrangements and internal access road is considered acceptable in the site circumstance. It should be noted that the principle of a new vehicular/pedestrian access at the western end of Foxdell has already been established by a previously refused permission (thereafter allowed upon appeal) for a backland residential development at 5 and 6 Firs Walk located west of the proposal site (30837/APP/2020/1723).

The internal layout and arrangement of the new roadway within the site envelope broadly conforms to the Department for Transport's Manual for Streets best practice for road and parking layouts. Owing to the proposed turning head within the site curtilage, the layout will allow for passenger and small/medium-sized delivery vehicles using the site to enter and leave the site in a forward gear which is the recommended practice on highway safety grounds.

The new access point would be arranged post-permission and required to be constructed to an appropriate council standard under a S278 (Highways Act 1980) agreement/unilateral undertaking (or suitable alternative arrangement) at the applicant's expense.

For Plots 7, 8 and 9 there is no in-principle objection to the proposed new opening onto Dene Road which is private in tenure. As a result, the Highway Authority has no direct jurisdiction over the installation of the said facility. Nevertheless, it is considered best practice for the crossing to conform to the council's 'Domestic Vehicle Footway Crossover' (2022) Policy i.e. with a maximum width of 5m at the back of footway and 6.2m at the edge of kerb. A low front boundary treatment not exceeding 0.6m in height on both sides of the crossing is also recommended on highway safety grounds. Although not depicted, all of the above can be secured by way of planning condition.

Vehicular Trip Generation

The proposal would clearly increase traffic generation from the site in comparison to the existing single dwelling unit. However, with only 3no. new units (Plots 7 to 9) leading onto Dene Road, any resultant vehicular movement would be considered minimal and relatively insignificant in highway impact terms during the most sensitive morning and late afternoon/early evening peak traffic periods.

Foxdell would be impacted, more so, to a marginally higher degree as a consequence of activity linked with Plots 1 to 6. However, this too, would not present a degree of highway activity that could be deemed as harmful to the local road network. It is noted that from comparable historical appeal outcomes, the Highway Authority considers that the Planning Inspectorate would be highly likely to take a similar view if the application were to be refused on excessive traffic generation and appealed thereafter. Hence, in conclusion, any likely overall uplift would be considered marginal in generation terms and therefore can be absorbed within the local road network without notable detriment to traffic congestion and road safety. There are no further observations.

Operational Refuse Requirements

For Plots 1 to 6 refuse collection would be conducted via Foxdell. No firm detail related to a specific bin storage area has been submitted for Plots 1 and 2. In order to conform to accepted 'waste collection distances' from the public highway, any waste should be positioned within 15m (for black bags) or 10m (for paladin bins) of a refuse vehicle on the public highway. Irrespective of bin store positioning, adherence to this parameter is considered physically achievable for Plots 1 and 2 by way of an informal on-plot regime ensuring that refuse is positioned within the above distance parameter on collection days. Whilst Plots 3 to 6 would be served by a communal bin storage area located in proximity of the new internal roadway which indicates broad conformity to the standard. The maximum carrying distance from each flat to the bin store would not exceed 30m. It would again be expected that an informal on-plot management regime would ensure that refuse is positioned within the specified distance parameter on collection days. There are no further observations.

For Plots 7 to 9 refuse collection would be conducted via Dene Road. Again, in order to conform to accepted 'waste collection distances' from the public highway, any waste should be positioned within 10m of a refuse vehicle on the public highway. Bin storage is to be positioned to the rear of each unit which is considered acceptable on the premise that an informal on-plot management regime would ensure that refuse is positioned within the above distance parameters on collection days.

Construction Logistics Plan (CLP)

A full and detailed CLP would be a requirement given the constraints and sensitivities of the local residential road network in order to avoid/minimise potential detriment to the public realm. It will need to be secured under a suitable planning condition.

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 and DMT 6 and Policy T4, T5 and T6 of the London Plan (2021).

PLANNING OFFICER COMMENT: The recommended conditions have been adopted. In addition, a condition has been included to secure a refuse management plan. A legal agreement would also be secured to cover the required highway works for the proposed access point from Foxdell. It is also noted that the Highways Officer has indicated that the boundary adjoining the crossover on Dene Road should be no higher than 0.6m. Following further discussions with the Highways Officer, it is noted that the grass verge on Dene Road would enable adequate pedestrian visibility splays for vehicles existing the site onto Dene Road. Consequently the reduction in the boundary height is not required, retaining the tree-lined and soft landscaped boundary with Dene Road.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Paragraph 123 of the NPPF (2023) states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and

improving the environment and ensuring safe and healthy living conditions.

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

Policy DMH 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that there is a presumption against the loss of gardens due to the need to maintain local character, amenity space and biodiversity. In exceptional cases a limited scale of backland development may be acceptable, subject to the following criteria:

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

Policy DMH 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) does not define what constitutes an 'exceptional case' where a limited scale of backland development may be acceptable, nor does the supporting text contain a definition of this term. However, the supporting text to Policy DMH 6 explains that the Council's restrictive approach has been informed by the 2016 London Plan and reflects the direct and indirect value of gardens which includes the contribution to local character. Based on the wording of Policy DMH 6, it is considered that the policy presumption against development upon residential garden, is in the interest of maintaining local character, amenity space and biodiversity. For the reasons discussed throughout this committee report, the proposal is considered to maintain local character (section 7.07), would preserve and provide suitable amenity space (7.01), and would have an acceptable impact on biodiversity interest (section 7.14).

The glossary in Hillingdon Local Plan: Part 1 - Strategic Policies (2012) defines 'back-land development' as "Development of 'landlocked' sites behind existing buildings, such as rear gardens and private open space, usually within predominantly residential areas. Such sites often have no street frontages." Based on this definition, it is considered that the application site would constitute as 'backland development' and that Policy DMH 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) should be applied.

With regards to criteria i) of Policy DMH 6, it is considered that the proposed development would not unduly impact on the living conditions of neighbouring residential occupiers for the reasons discussed in section 7.08 of this Committee Report. Given the position of the proposed access points onto Dene Road and Foxdell and on-site car parking spaces, it is considered that no adverse impact would be caused for neighbouring occupiers, in terms of noise or light. The proposal therefore complies with criterion ii) of Policy DMH 6. The proposed dwellings would be of an appropriate scale that would preserve the setting of the neighbouring Grade II* Listed Building. No objection has been raised by Historic England in respect to the proposal's impact on the setting of the Listed Building. Public views of the site would be restricted by reason of the existing trees and vegetation along the boundaries, which would be further enhanced by additional planting forming part of the proposed development. The only public views would be limited to the proposed access points on Dene Road and Foxdell.

All of the Category A and B trees would be retained as part of the proposed development. 26no. Category C trees would be lost. However, the Council's Tree Officer has raised no objection to the loss of these specific trees due to their limited health and low visual amenity value. Furthermore, weight has been given to the 85no new trees being proposed to mitigate the loss of the Category C trees. The planting of the proposed new trees would be secured through the imposition of a condition, if planning permission were to be granted.

As discussed in Section 7.14, the likelihood of protected species being present at the site is low, and as such, an ecological assessment is not required. Details in respect to biodiversity enhancements would be secured through the landscaping condition, in the event of an approval.

Also, significant weight has been given to the allowed Appeal Decisions at 5-6 Firs Walk for outline applications for erection of 3 dwellings under outline application (LPA reference 30837/APP/2019/3096, Appeal reference APP/R5510/W/20/3253781 and LPA reference 30837/APP/2020/1723, Appeal reference APP/R5510/W/20/3259529). Both of these allowed schemes involve the introduction of a new access point on the western end of Foxdell. Thus, establishing a precedent for the proposed creation of an access point on the eastern end of Foxdell.

Given the matters set out in the preceding paragraphs, and affording significant weight to the above Appeals Decisions, it is considered that it could be contended that the proposed development would pass the exceptionality test set out in Policy DMH 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020). Nevertheless, this is subject to the other planning considerations discussed in this Committee Report, and the proposal being in accordance with all of the relevant planning policies and guidance within the Development Plan.

7.02 Density of the proposed development

Paragraph 128 of the NPPF (2023) sets out that planning decisions should support developments that make effective use of land, taking into account:

- (a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- (b) local market conditions and viability;
- (c) the availability and capacity of infrastructure and services - both existing and proposed - as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- (d) the desirability of maintaining an area's prevailing character and setting, (including residential gardens), or of promoting regeneration and change; and
- (e) the importance of securing well-designed and beautiful, attractive and healthy places.

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

Policy DMHB 17 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all new residential development should take account of the Residential Density Matrix contained in Table 5.2, which recommends a density range of 105-175 habitable rooms per hectare

and 35-50 units per hectare for sites in residential areas within 800 metres of a town centre.

Based on a total site area of 0.42 hectares, the proposed scheme would have a density level of 80 habitable rooms per hectare and 21 units per hectare. Whilst the proposed density levels would be low in relation to the density range quoted above, it is considered that this is more reflective of the immediate local area, noting its relationship with the neighbouring Grade II* Listed Building at 17 Dene Road.

Notwithstanding, the density range set out in Policy DMHB 17, it is considered that what is of greater significance to the determination of this application is the local contextual factors. The key consideration is therefore whether the development would acceptably integrate with the character and appearance of the locality and would respect residential amenity considerations, rather than the consideration of the numerical density of the proposal.

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

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

The impact the proposed development would have on the Grade II* Listed Building at No. 17 Dene Road, the Grade II Listed Building at No. 7 Dene Road and the Dene Road, Northwood Area of Special Local Character is considered in Section 7.07 of this Committee Report.

The application site is not designated within an Archaeological Priority Area or Conservation Area.

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

Impact on the Character and Appearance of the Area, including the Setting of Listed Buildings and Dene Road Area of Special Local Character:

POLICY CONTEXT

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

Paragraph 205 of the NPPF (2023) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

Paragraph 207 of the NPPF (2023) states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Policy D3 of the London Plan (2021) requires development proposals to be of high quality and to enhance the local context by delivering buildings and spaces that positively respond to local distinctiveness. Policy HC1 of the London Plan (2021) states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.

Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) requires all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods.

Policy HE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) states that planning permission will not be granted for proposals which are considered detrimental to the setting of a Listed Building. This is reinforced by Policies DMHB 1 and DMHB 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) which states that the Council will expect development proposals to avoid harm to the historic environment, and that planning permission will not be granted for proposals which are considered detrimental to the setting of a Listed Building.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states, amongst other things, that all development, including new buildings, 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) requires developments to be well integrated with the surrounding area and accessible.

ASSESSMENT

Special Interest and Significance of the Heritage Asset:

As previously stated, the Grade II* Listed Building at No. 17 Dene Road, specifically known as Green End, dates from circa 1500. Based on evidence before Planning Officers, the special interest and significance of Green End are derived, in part, from a combination of its historic and architectural interest. The building's age; historic fabric; vernacular form and design, utilising traditional matters; and associates with the area's rural past, all make important contributions in these regards.

In relation to the building's setting, due regard has been given to the definition set out in the NPPF (2023) and the guidance in Historic England's Good Practice Advice Note 3. Annex 2: Glossary of the NPPF (2023) defines 'Setting of a heritage asset' as: " The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral."

In respect to the extensive gardens that surrounds Green End, the submitted Heritage Statement prepared by Built Heritage Consultancy (dated July 2022) suggests that the garden falls into two categories. The first being those parts of the garden that once lay east to the former north-south division line, with the second category falling into the western side of the same line. This claim appears to be substantiated by the historic conveyance plan that has been included within the Heritage Statement. With this in mind, the Heritage Statement contends that the western side of the garden is considered to contribute to a lower degree than the gardens on the eastern side.

A degree of weight has been afforded to the above argument. This being said, the gardens that surround Green End, which includes the application site, is the surrounding in which the listed

building is experienced. As such, these open spaces (including the western side of the garden) form part of the setting of Green End as a designated heritage asset. This stance would be consistent with Historic England's consultation response, stating "The wider grounds of the house do contribute to its significance by preserving something of the character and spaciousness of its rural origins, and providing lots of vegetation; but the suburbanisation of the surroundings (an Area of Special Local Character) is nonetheless evident."

In accordance with Section 66(1) of The Planning (Listed Building and Conservation Areas) Act 1990, it is therefore considered pertinent to assess the proposal's effect on the setting of the Listed Building (Green End).

Effect of the Proposal on the Setting of the Heritage Asset:

The proposal would result in the formal subdivision of the garden area at Green End and the introduction of nine new dwellings to the site. Two of the new houses (Plots 1 and 2) would be detached family-sized dwellings and would be positioned towards the rear of the plot, with access from Foxdell. A proposed building comprising four flats (Plots 3 to 6) would be sited towards the centre of the plot with access also from Foxdell, and the three proposed terraced houses on Plots 7 to 9 would be positioned towards the front of the site. Records have also been provided within the Heritage Statement showing that the western side of the garden was sold in 1968 (prior to Green End being Listed) for purposes of erecting houses.

The proposal would have implications for the setting of the Listed Building (Green End) and its historical significance. Green End, being a building of historic interest, owes part of its significance to its setting. The reduction to the open grounds of the site would invariably alter the setting of Green End and would represent a degree of harm. However, officers consider careful regard has been given to the layout of the proposed development to ensure that intrinsic views experienced from the Listed Building remain unaffected. Notably, Historic England has commented that "the garden setting of the historic house would be reduced to the apparent area of its historic farmyard - but would retain this, which is some support to the legibility of its history. The best views out of the house, north to the road and south-east across the lawn towards the roof of No. 7 Dene Road towards the church spire would retain their depth and be only peripherally affected."

In terms of siting, the proposed dwellings have been designed in a loose and informal arrangement, intentionally set-away from Green End.

The proposed dwellings on Plots 1 and 2 are orientated so that their front elevation views are facing inwards towards their respective plots and access points, rather than towards the Listed Building. The proposed apartment building on Plots 3-6 is set behind the front building line of Green End, to ensure it does not visually compete with the Listed Building.

The proposed dwellings on Plots 1 and 2 would be separated from Green End by approximately 45 metres; Plots 3 to 6 would be separated approximately 19 metres; and Plots 7 to 9 would be separated by approximately 27 metres.

Moreover, the extensive boundary of existing and proposed trees to the east would screen views of the proposed apartment building and the proposed terraced houses from Green End.

Although the proposed terraced houses on Plots 7 to 9 would be positioned towards the front of the site, the tree screening and separation distance is considered to be sufficient to preserve the clear

visual prominence of the Listed Building when viewed within the grounds of the wider site. Given these factors, it is considered that the proposal successfully respects the spatial relationship between the Listed Building.

It is noted that the proposed dwellings would not align with the building lines of the adjacent neighbouring properties to the west and south of the site along Foxdell, 5B and 5C Dene Road and Vantage Mews. However, public views of the proposed dwellings would be limited to only the proposed access points. It is therefore considered that the design approach that has been adopted where the siting of the proposed dwellings has been devised around Green End (given its heritage significance) is considered to be appropriate.

The proposed dwellings on Plots 1 and 2 would be 2-storeys in scale, with the first floor being accommodated within the roof space to minimise the overall height of the buildings. Similar design approaches have also been applied to the proposed apartment building on Plots 3 to 6 and the proposed terraced houses on Plots 7 to 9. Noting the changes in site levels, the ridge height of the proposed dwellings have been intentionally set below that of Green End. Additionally, the proposed hipped roofs further helps to reduce the overall bulk and massing of the proposed buildings, whilst complementing the roof profile on Green End.

Whilst the footprint of the proposed dwellings on Plots 1 and 2 would be on the larger size, their scale would be consistent with other nearby detached properties on Dene Road. As such, it is considered that these specific dwellings would not appear out of character with the area.

The proposed apartment building has been designed so as to appear as a detached house, with the massing and bulk of the building broken up by the use of cladding at first floor level and roof form. Similarly, the proposed terraced houses on Plots 7 to 9, which have taken a declared inspiration from mews-style houses, has an appropriate visual appearance as a single detached house. This, together with the modest scale and height, ensure that the proposed dwellings on Plots 7 to 9 would have a visually subservient appearance (noting their forward position beyond Green End).

Taking these factors into account, it is considered that the proposed buildings are sensitive in scale and would not appear as cramped or dominating features within the site or surrounding area. The design of the proposed buildings takes inspiration from the Arts and Crafts architectural style, which aligns with the heritage of the character of the area. This architectural choice demonstrates sensitivity to the Listed Building's historic significance and the surrounding architectural context set within Dene Road ASLC. The proposed buildings would include various roof forms, asymmetrical compositions as per the Arts and Crafts ethos and casement windows. The design elements selected for the proposed buildings are sympathetic to the existing character of the locality, resulting in a harmonious integration of the proposed development into the area.

The use of high-quality materials is central to the design of the development. As such, a condition would be secured requiring full product specification details of the proposed materials and finishes to be submitted to the Council for approval.

The proposed landscaping would enhance the overall aesthetics and protect views from and towards the Listed Building. The landscaping strategy surrounding the proposed dwellings will play a significant role in enhancing the overall character and appearance of the development and surrounding ASLC. Whilst an indicative landscaping plan has been provided, full details would be secured by condition. Careful attention will be given to the selection of native species, creating a cohesive and natural transition between the greenery and the proposed development.

Noting the separation distances involved, it is considered that the proposed development would not cause harm to the settings of the Grade II Listed Building at No. 7 Dene Road or the setting of the Northwood Town Centre, Green Lane Conservation Area. However, this is notwithstanding the above assessment in respect to the impact on the setting of Green End.

Overall, for the reasons above, the proposal would result in less than substantial harm to the significance of the designated heritage asset comprising the Listed Building at No. 17 Dene Road (Green End), and the non-designated heritage asset Dene Road, ASLC. The degree of harm caused is considered to be within the low to medium range. In such circumstances, paragraph 207 of the NPPF identifies these harms should be weighed against the public benefits of the proposal, which includes the securing of optimal use of listed buildings.

PLANNING BALANCE

In terms of public benefits, the proposal would provide nine private dwellings which would contribute to the Borough's supply of housing. The proposed housing mix would include 1 x four-bedroom house and 1 x five-bedroom house, which would widen the choice of family housing in the Borough. The Council's latest housing assessment indicates there is a substantial borough-wide requirement for family-sized homes. As such, moderate weight has been afforded to the proposal's contribution to the Borough's housing need. In addition, the legal agreement would secure a financial sum of £136,750 for off-site affordable housing provision.

The construction of the proposed dwellings would provide short term benefits to the local and wider economy. The future occupants of the proposed housing units are likely to stimulate consumer spending, boost local labour supply and help to support local services. The proposal would, therefore, provide some benefits, in social and economic terms. Furthermore, the proposal would represent a development opportunity that reflects the requirement of the National Planning Policy Framework to maintain the area's prevailing character by attaching importance to securing well-designed, attractive and healthy places.

In accordance with paragraphs 135 and 208 of the NPPF (2023), considered together, it is concluded that the public benefits outlined above would outweigh the 'less than substantial' harm resulting from the subdivision of the site grounds discussed above.

7.08 Impact on neighbours

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states:

B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

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

Paragraph 5.40 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states: "For the purposes of this policy, 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."

Potential Neighbouring Impact of Proposed Plot 1

The nearest neighbouring properties in relation to the proposed dwelling on Plot 1 are No. 6 Vantage Mews (to the south) and No. 5 Foxdell, positioned to the west. There would be a separation distance of approximately 15 metres between the closest first-floor rear wall of Plot 1 and the principal flank wall of No.6 Vantage Mews. With regards to No. 5 Foxdell, there would be a flank to flank separation distance of approximately 11 metres. Bearing these separation distances in mind, and noting the mature vegetation on the mutual boundaries shared with the application site, it is considered that the proposal would not result in an unreasonable loss of light or outlook for the occupiers at No.6 Vantage Mews and No.5 Foxdell.

It is observed that No.6 Vantage Mews and No.5 Foxdell both contain first floor side windows which face towards the site. The side windows at No.6 Vantage Mews serve a bathroom and ensuite (according to the plans approved as part of the original housing estate under application 38244/APP/2005/993). Planning permission ref. 58728/APP/2019/1110 for a two storey side extension at No. 5 Foxdell shows that the first-floor side windows are high-level secondary windows, with the principal windows serving the habitable room fitted in the front and rear elevations of the two-storey side extension. It is also noted that no first-floor side windows facing No. 5 Foxdell are proposed. As such, it is considered that the proposal would not result in a material loss of privacy for the occupiers at No.6 Vantage Mews and No.5 Foxdell.

Upon Officers' request, the scale of the proposed garages serving Plots 1 and 2 have been reduced. The revised drawings now show that the proposed garages would have a flat sedum green roof measuring 2.8 metres high. Given their modest height, and noting the existing 2 metre high close boarded fence and the existing garage to the front of No.6 Vantage Mews, it is considered that the proposed garages would not result in a loss of light, outlook or have an overbearing impact on the occupiers at No. 6 Vantage Mews.

Potential Neighbouring Impact of Proposed Plot 2

Nos. 5B and 5C Dene Road are detached properties located to the rear (south) of the site. The proposed dwelling sited closest to these neighbouring properties would be on Plot 2.

The proposed dwelling on Plot 2 has been designed so that it would be orientated at a 90-degree angle in relation to Nos. 5B and 5C. This allows for this proposed dwelling's front and rear elevations to be positioned to the west and east respectively, rather than towards No.5B and 5C. There would be a separation distance of approximately 20 metres between the flank wall of the proposed dwelling Plot 2 and the front elevation windows of 5B, and approximately 17.5 metres from the front elevation of 5C. Furthermore, the submitted plan shows new trees would be planted along the shared boundary, which would help screen views of the proposed dwelling on Plot 2. Full details of the tree planting would be secured by condition, if planning permission were to be granted. Also, a condition would be secured requiring the first floor side (south) window serving a bathroom and side roof lights serving a nursery to be obscure glazed and non-opening up to 1.8 metres of the finished floor level. Taking these factors into account, it is considered that the proposal would not adversely impact on

the residential amenities of Nos. 5B and 5C, in terms of loss of light, loss of outlook, overbearing impact or privacy.

The rear garden of No. 7 Dene Road, is adjacent to the rear boundary of the proposed garden of Plot 2. However, there would be a separation distance in excess of 40 metres between the rear elevation of No.7 and that of the proposed dwelling on Plot 2. In addition, mature tree planting would be retained along the shared boundary. As such, it is considered that the proposal would not impact on the residential amenities of No.7 Dene Road.

There would be a separation distance of approximately 20 metres between the front elevation windows of No.6 Vantage Mews and the proposed dwelling on Plot 2. Whilst this would marginally fall below the Local Plan's recommended 21-metre guideline, any views would be from an oblique angle and at a long range. As such, it is considered that the proposed development would not erode the privacy of the neighbouring occupiers at No.6 Vantage Mews.

Potential Neighbouring Impact of Proposed Flatted Building (Units 3-6)

No. 3 Foxdell would be the nearest neighbouring property in relation to the proposed apartment building on Plot 3 to 6. This neighbouring property sits on a higher ground level than the application site and its layout is such that its side (south) elevation faces onto its own private amenity space.

It is noted that first-floor rear elevation windows of No.3 Foxdell serve bedrooms, which face towards the site boundary. The outlook from these windows is limited due to the extensive tree screening along the mutual boundary shared with the application site. There would be a separation distance of approximately 10.5 metres between the first-floor windows of No.3 Foxdell and the side wall of the proposed apartment building. Given the spatial relationship between No.3 Foxdell and the proposed apartment building, as well as the dense boundary planting and trees which would provide privacy and screening, it is considered that the proposal would not lead to a loss of outlook or an overbearing effect for the occupiers at No.3 Foxdell. In terms of privacy, the first floor window and side roof lights of the proposed building serve a stairwell and hallway. Therefore, a condition is included requiring these to be obscure-glazed and fixed shut above 1.8 metres above floor level. Accordingly, there would not be any loss of privacy to No. 3 Foxdell.

Potential Neighbouring Impact of Proposed Plots 7 to 9

The proposed terraced houses on Plots 7 to 9 would be sited adjacent to the mutual boundary shared with No. 1 Foxdell. Although No.1 Foxdell contains a window in its rear elevation, according to the plans approved under permission ref. 40878/APP/2013/796, this window serves a bathroom. Given these circumstances, it is considered that the proposed terraced houses on Plots 7 to 9 would not result in a loss of light, outlook or have an overbearing impact on the occupiers at No. 1 Foxdell.

In the event of an approval, a condition would be secured requiring the first floor side windows on Plot 7 to be obscure glazed and non-opening up to 1.8 metres above the finished floor level. Although the subject side windows serve bedrooms within Plot 7, the principal outlook from these rooms are provided by the front elevation window and rear roof lights. As such, a condition of this nature would not prejudice the quality of internal accommodation afforded to the future occupiers of Plot 7.

Potential Neighbouring Impact on Green End

In terms of Green End, the proposed dwellings on Plots 1 and 2 would be separated from this

property by approximately 40 metres and 45 metres, respectively. There would be a separation distance of approximately 19 metres from Plots 3 to 6 and approximately 27 metres from Plots 7 to 9. Furthermore, extensive tree screening exists and is being proposed to the west of Green End, which would further minimise the impacts in respect of the proposed dwellings on Plots 3 to 9. As such, it is considered that the proposed development would not impact on the living conditions of the occupier at Green End, in respect to light, outlook, privacy or otherwise.

For the reasons above, it is considered that the proposed development would not cause unacceptable harm to the living conditions for the occupiers of neighbouring properties. It would, therefore, accord with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

7.09 Living conditions for future occupiers

INTERNAL AMENITY SPACE:

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

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

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

Policy D6 of the London Plan (2021) require double bedrooms to have a floor area of at least 11.5 square metres, with one of the double rooms being at least 2.75 metres wide. Each other additional bedroom must be at least 2.55 metres wide.

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

- A one storey dwelling with 1 bedroom, 2-person occupancy should provide a GIA of at least 50 square metres.
- A one storey dwelling with 2 bedrooms, 4-person occupancy should provide a GIA of at least 70 square metres.
- A two-storey dwelling with 2 bedrooms, 4-person occupancy should provide a GIA of at least 79 square metres.
- A two-storey dwelling with four bedrooms, 8 person occupancy should provide a GIA of at least 124 square metres.
- A two-storey dwelling with five bedrooms, 8 person occupancy should provide a GIA of at least 128 square metres.

The proposed development would provide the following:

Plot 1: A two-storey detached house, containing a five-bedroom, 10-person occupancy unit measuring 443 square metres.

Plot 2: A two-storey detached house, containing a four-bedroom, 8-person occupancy unit measuring 352 square metres.

Unit 3: A two-bedroom, 4-person occupancy ground floor flat measuring 78 square metres.

Unit 4: A two-bedroom, 4-person occupancy ground floor flat measuring 78 square metres.

Unit 5: A two-bedroom, 4-person occupancy first floor flat measuring 76 square metres.

Unit 6: A one-bedroom, 2-person occupancy first floor flat measuring 66 square metres.

Plot 7: A two-storey house, containing a two-bedroom, 4-person occupancy dwelling measuring 93 square metres.

Plot 8: A two-storey house, containing a two-bedroom, 4-person occupancy dwelling measuring 79 square metres.

Plot 9: A two-storey house, containing a two-bedroom, 4-person occupancy dwelling measuring 93 square metres.

As demonstrated above, all the proposed dwellings on Plots 2 to 9 would meet the minimum space standard requirement set out in Policy D6 of the London Plan (2021).

Policy D6 of the London Plan (2021) does not stipulate the minimum requirement for a 5- bedroom 10-person dwelling, which is the occupancy level of the proposed dwelling on Plot 1. However, with a gross internal floor area of 443 square metres, the overall internal size of the proposed dwelling is acceptable. It is also noted that the gross internal floor area of the proposed dwelling would far exceed the largest occupancy level rate referred to in Table 3.1 of the London Plan, i.e., 132 square metres for a 6 bedroom 8-person two storey dwelling.

All the proposed bedrooms would exceed the minimum floor area standards set out in Policy D6 of the London Plan (2021). All the proposed dwellings (including the proposed flats on Plots 3 to 6) would be dual-aspect, and would therefore provide future occupiers with a reasonable level of natural light.

It is noted that the room labelled as 'Bedroom 2' within Plot 9 would be served by an obscure-glazed side window and a roof light. However, the rooflight on the proposed rear elevation would provide suitable outlook of the proposed rear garden given its position within the roof scape. It is therefore considered, that the overall internal amenity space for the future occupiers of Plot 9 would be acceptable, in respect to outlook. There are no outlook issues in respect to the proposed habitable room windows serving the remaining dwellings.

There would be a separation distance of at least the recommended '21-metre' guideline between habitable rooms windows of the proposed dwellings. Therefore there are no concerns with loss of privacy to the residential dwellings proposed.

The submitted plan shows defensible space in the form of soft landscaping to the front, eastern elevation and rear of the ground floor windows serving the proposed flats at Units 3 and 4. It is considered that the proposed defensible space would be of a sufficient depth to mitigate privacy issues for the future occupiers of the affected dwellings. The details would be secured by condition.

On the above basis, it is considered that the proposed dwellings would provide satisfactory internal living conditions for future occupants, in accordance with Policies DMHB 15 and DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy D6 of the London Plan and the NPPF (2023).

EXTERNAL AMENITY SPACE:

Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all new residential development and conversions will be required to provide good quality and usable private outdoor amenity space.

Amenity space should be provided in accordance with the standards set out in Table 5.3, which states that:

- One-bedroom flats should be provided with at least 20 square metres of private amenity space.
- Two-bedroom flats should be provided with at least 25 square metres of private amenity space.
- Two-bedroom houses should be provided with at least 60 square metres of private amenity space.
- Four (plus)-bedroom houses should be provided with at least 100 square metres of private amenity space.

The proposed site plan shows the proposed four-bedroom plus dwellings on Plots 1 and 2 would benefit from rear gardens measuring approximately 320 and 345 square metres, respectively. More than a sufficient amount of rear garden space would therefore be provided for the future occupiers of Plots 1 and 2.

The proposed 3 No. x two-bedroom flats and 1 No. x one-bedroom flat on Plots 3-6 would require 95 square metres of external amenity space to conform with the above policy standards. The submitted plans show that the external amenity space provision for the proposed flats would be provided in the form of communal gardens measuring in excess of 200 square metres. The ground floor flat at Unit 4 would also benefit from a private garden leading onto the communal gardens.

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."

It is acknowledged that three of the proposed flats would not be afforded with private amenity space provision, which means that the proposed development would not be fully compliant with the requirements of Table 5.3 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020). However, it is considered that, on balance, the assessment should be applied as per the recommendations of Paragraph 5.70 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020). In this case, it is considered that the provision of balconies for the upper floors would not be appropriate given the suburban context of the site, particularly noting the adjacent Listed Building.

As such, the provision of external amenity space in the form of a communal garden to the rear of the building is considered to be an acceptable solution. The proposed communal garden would exceed the total requirement of private amenity space set out in Table 5.3. It is therefore considered, on balance, that the proposed development provides ample outdoor amenity space for future occupiers

of Plots 3-6.

Following revised plans at the request of officers to increase the private rear amenity gardens for the proposed terraced dwellings (Plots 7, 8 and 9), the areas of these proposed gardens would now all adhere to or exceed the minimum standards for private amenity space set out in Table 5.3 of the Hillingdon Local Plan and are as follows: 91 square metres for Plot 7, 63 square metres for Plot 8 and 60 square metres for Plot 9.

The submitted site plan also shows a shared communal amenity space to the front of the proposed houses on Plot 7 to 9, measuring approximately 155 square metres. This communal space provides additional external amenity provision for Plots 7 to 9. A condition would be secured removing permitted development rights from the site to ensure that the external amenity space provision is not undermined by any further extensions.

Overall, taking these material considerations into account, there is an acceptable provision of external amenity space that would be afforded to the future occupiers of the all of the proposed units. It is considered that each of the dwellings would be provided with satisfactory external amenity spaces for the use of future occupants, in accordance with Policies DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy D6 of the London Plan and the NPPF (2023).

7.10 Traffic impact, Car/cycle parking, pedestrian safety

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

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

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

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

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

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

ACCESS

The proposed family sized houses on Plots 1 and 2 and Plots 3-6, comprising the apartment building incorporating 3 x two-bedroom and 1 x one-bedroom flats would all be accessed via a new opening at the eastern end of Foxdell (which is adopted public highway). The proposed 3 x two- bedroom houses (Plots 7-9) would be accessed from Dene Road.

It is worth noting that the principle of a new vehicular/pedestrian access at the western end of Foxdell has already been established by an allowed Appeal Decision for a residential development consisting of 3 houses at 5 & 6 Firs Walk located just west of the proposal site (LPA reference: 30837/APP/2020/1723, Appeal reference APP/R5510/W/20/3259529). Applying substantial weight to this allowed Appeal Decision, the Council's Highways Department has raised no objection to the proposed new access arrangements from Foxdell which would serve Plots 1 and 2 and Plots 3-6 of the subject proposal.

The revised site plan, along with new tracking drawings for fire engine turning, confirm that the new turning head is able to sufficiently accommodate fire appliance turning, as well as turning for delivery vehicles to be able to enter the site to collect refuse and exit in a forward gear.

The eastern end of Foxdell where the proposed new access is proposed is adopted public highway. A highway agreement would be entered into with the Council to ensure the carrying out of the highway works for access of Foxdell. These works would be carried out at the applicant's expense and in accordance with the provisions of the legal agreement. It is considered that the new access point from Foxdell is acceptable, in terms of planning use terms, subject to the highways works being secured by legal agreement as part of the permission (in the event of an approval).

There is no in principle objection to the proposed new opening onto Dene Road which is private in tenure. As a result, the Highway Authority has no direct jurisdiction over the installation of the said facility. Nevertheless, it is considered best practice for the crossing to conform to the council's 'Domestic Vehicle Footway Crossover' (2022) Policy i.e. with a maximum width of 5m at the back of the footway and 6.2m at the edge of the kerb. Pedestrian visibility splays are also recommended on highway safety grounds. Although not depicted, all of the above can be secured by way of planning condition. A compliance condition would therefore be secured to ensure that the vehicular crossover is installed in accordance with these dimensions.

The submitted plans shows that the proposed electric gates would be sufficiently set-back to allow vehicles to pull onto the proposed crossover, whilst waiting for the gates to open. As a result, the likelihood of vehicles queuing and waiting on the highway would be relatively low.

ON-SITE PARKING PROVISION

Appendix C of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that 1- and 2-bedroom flats should be provided with 1 to 1.5 spaces, and houses should be provided with a maximum of 2 spaces per unit.

Based on this, the maximum parking requirement for plots 1, 2, 7, 8, 9 would equate to 2no. spaces per plot. The proposed apartment building (Plot 3-6) would demand up to 4-6no. car parking spaces. This would equate to a maximum provision of 14-16no. spaces. In contrast, the London Plan (2021) maximum parking standards demands a lesser range of 7-8no. spaces for a site with PTAL rating of 2.

The submitted plans show a total of 13no. car parking spaces for the proposed development. The proposed family-sized houses on Plots 1 and 2 would be provided with 3no. car parking each located within and fronting each double garage. The proposed apartment block containing four flats would be provided with four communal car parking spaces (including 1 disabled car parking space). The proposed two-bedroom terraced houses on Plots 7-9 would be provided with 1no. car parking space each in the form of a communal layout.

It is acknowledged that the proposed on-site car parking provision would exceed the London Plan's maximum car parking standards. However, the Council's Highways Department has commented that, in this specific case, this excess is considered acceptable. The reason being that it reduces the potential for untoward parking displacement within and outside the site envelope, resulting from the higher dependency on the private motor car due to 'Poor' PTAL rating and absence of on-street parking controls on the section of Dene Road where the application site is located.

In the event of approval, a condition would be secured requiring the submission of a parking allocation plan for the communal car parking spaces serving Plots 3 to 9.

ELECTRIC VEHICLE CHARGING POINTS

In line with Policy T6.1 of the London Plan (2021), there is a requirement for a minimum of 20% 'active' electric vehicle charging points provision within the final parking quantum of development, with all remaining spaces being designated as 'passive' provisions. Although the submitted Design and Access Statement indicates electric charging points would be provided, full details are required to ensure full compliance with Policy T6.1 of the London Plan, in this respect. This matter would be resolved by way of a condition if planning permission were to be granted.

ACCESSIBLE PARKING

In accordance with the Accessible Hillingdon SPD, 10% of car parking spaces must be for blue badge holders (disabled users) which equates to 1 car parking space. The submitted site layout plan shows that 1no. disabled parking space would be provided, measuring at least 2.4 metres by 4.8 metre, plus a 1.2 metre transfer zone (as required by the Council's Accessibility SPD). The proposed disabled car parking space would be secured by condition, in the event of an approval.

VEHICLE TRAFFIC GENERATION

The Council's Highways Department has commented that the proposal would increase traffic generation from the site as compared to the existing single dwelling unit.

However, with only 3no. new units (plots 7-9) leading onto Dene Road, any resultant vehicular movement would be considered minimal and relatively insignificant in highway impact terms during the most sensitive morning and late afternoon/early evening peak traffic periods. Foxdell would be impacted, more so, to a marginally higher degree as a consequence of activity linked with plots 1-6. However, this too, would not present a degree of highway activity that could be deemed as harmful to the local road network. This stance would be consistent with the Planning Inspector for the allowed Appeal Decision for a replacement dwelling and three houses at 5-6 Firs Walk (LPA reference 30837/APP/2020/1723, Appeal reference APP/R5510/W/20/3259529).

Paragraph 24 of the Appeal states:

"With the three dwellings and the realigned access for No.6, the additional traffic generation along

Foxdell would be small given the current traffic generated by existing dwellings on this road."... "There is no evidence that increased traffic movements would have an unacceptable impact on highway safety."

It is noted that from comparable historical appeal outcomes, the Highway Authority considers that the Planning Inspectorate would be highly likely to take a similar view if the application were to be refused on excessive traffic generation and appealed thereafter. Hence, in conclusion, any likely overall uplift would be considered marginal in generation terms and therefore can be absorbed within the local road network without notable detriment to traffic congestion and road safety.

The Highways Department has recommended that a Construction Logistic Plan be secured by condition. This has been included in this committee report recommendation.

BICYCLE PROVISION

Policy T5 of the London Plan (2021) states that developments should provide cycle parking at least in accordance with the minimum standards set out in Table 10.2 and Figure 10.3, and that cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards (LCDS).

In terms of long-stay cycle parking spaces, Table 10.2 of the London Plan (2021) requires 1.5no. spaces per 2-person 1 bedroom dwelling, and 2no. spaces per all other dwellings. 2no. short spaces are required for proposals comprising 5 to 40 dwellings.

Policy DMT 5 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals will be required to ensure that safe, direct and inclusive access for pedestrians and cyclists is provided on the site connecting it to be wider network.

The submitted Design and Access Statement indicates that secure storage would be provided within the garages of Plots 1 and 2. The submitted plans shows dedicated cycle storage buildings for Plots 3 to 7. All the proposed cycle stores would be in a secure, covered and accessible location for future occupants. Although no details in respect to short stay cycle spaces has been provided, this could be secured by way of a condition if planning permission were to be granted. Similarly, a condition would be secured requiring specific details as to the design and dimensions of the cycle store racks for the garages and the proposed cycle stores for Plots 3 to 9.

Subject to the above conditions, the proposal would provide an adequate provision of on-site cycle parking, in compliance 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

SECURE BY DESIGN

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

In the event of an approval, a condition would have be secured to the proposed development to achieve accreditation from Secure by Design. Subject to such a condition, the proposal would accord with Policy DMHB 15 of the Hillingdon Local Plan: Part 2 - Development Management Policies

(2020).

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 apartment building would not contain any lift provision, which means that the upper floor flats labelled as Units 5 and 6 would only be able to meet Building Regulation M4(1). However, the following circumstances have been taken into account as material consideration.

In this case, the scheme has been devised in such a manner to minimise the bulk and massing of the roof forms on the proposed apartment building. This was part of the design approach adopted to protect the setting and historic importance of the Grade II* Listed Building at 17 Dene Road. The introduction of a lift within the proposed apartment building serving Units 3-6 would require its roof height to be increased or for the roof form to be altered. This, in turn would add unacceptable bulk to the roof form of the proposed development, which would not be supported from a heritage conservation perspective.

Furthermore, the provision of a lift is likely to add a substantial service charge to the proposed building, which would be unreasonable given that the lift would only serve two of the proposed flats (i.e., Units 5 and 6).

Considering the above individual and specific case, it is considered, on balance, that it would be acceptable for the proposed first floor flats labelled as Units 5 and 6 to meet the mandatory Building Regulations requirement of M4(1) via the Building Control process. However, this would be subject to the remaining proposed dwellings meeting the requirements of Policy D7.

Given that the proposed disabled car parking spaces is located in front of the proposed apartment building, it would be appropriate to require the proposed ground floor labelled Unit 3 to meet Building Regulation requirement Category M4(3). The other proposed ground floor flat would be conditioned to meet Category M4(2). The proposed dwellings labelled as Units 1, 2, 4, 7, 8 and 9 would be conditioned to meet Building Regulation requirement Category M4(2).

It is acknowledged that the proposal fails to fully comply with Policy D7 of the London Plan (2021). However, paragraph 3.7.7 of the London Plan (2021) does allow Local Authorities to apply a flexible approach in exceptional circumstances. Conditions would be secured to ensure seven out of the nine proposed dwellings would be of an inclusive design. It is therefore considered that it would be unreasonable to refuse this application on the grounds of that two of the proposed flats not being able to meet Building Regulations M4(2) or M4(3).

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 housing mix comprises: 1 x five-bedroom family sized house (Plot 1); 1 x four-bedroom family sized house (Plot 2); 1 x one-bedroom flat and 3 x two-bedroom flats (Plots 3-6); and 3 x two-bedroom houses (Plot 7 to 9).

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).

7.13 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.

Policy DMH 7 Part A) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that in accordance with national policy developments with a capacity to provide 10 or more units will be required to maximise the delivery of on-site affordable housing. Part D) of Policy DMH 7 adds that, to ensure that Policy H2: Affordable Housing of the Local Plan Part 1 is applied consistently and fairly on all proposed housing developments, the requirement for affordable housing will apply to:

- i) sites that are artificially sub-divided or partially developed;
- ii) phased developments where a housing development is part of a much larger development of 10 or more units (gross), affordable housing will be required as part of the overall scheme; and
- iii) additional units created through or subsequently amended planning applications, whereby the amount of affordable housing required will be calculated based on the new total number of units on the site. Affordable housing will be required where a development under the 10no. unit threshold is

amended to have 10 or more housing units in total (gross).

Criterion ii) and iii) of Policy DMH 7 are not considered applicable to the application. With respect to criteria i), there is no definition within the Local Plan Part 2 of what constitutes as 'partially developed'. The proposal comprises 9no. dwellings, 4no. of which would be flats with the remaining 5no. consisting of houses. It is noted that the proposed family sized houses on Plots 1 and 2 would be generous in size. This would not be out of character with the immediate locality of the site, noting the large, detached houses on the private section of Dene Road and Foxdell Drive. Furthermore, the proposed buildings have been arranged in such a way that respects the setting of the Grade II* Listed Building at 17 Dene Road.

Planning Officers have also considered whether a greater number of small units could be accommodated at the site, instead. The introduction of additional smaller units could necessitate additional hardstanding to be provided to accommodate the demands for on-site car parking spaces. This in turn, could reduce the amount of space available for soft landscaping, thereby diminishing the verdant character of the site. Moreover, the introduction of additional smaller units would result in the intensification of the use of the site and overall density levels. This would have implications as how the proposal is assessed against Policy DMHB 17 of the Hillingdon Local Plan: Part 2 - Development Management Policies.

Nevertheless, given the generous internal floor area of the large dwellings, and the provision of car parking on the upper end of local plan car parking standards, the development as proposed, could in principle and without prejudice to the assessment of any separate planning permission, be capable of providing one additional unit of accommodation. Therefore, the proposal of nine dwellings (one below the affordable housing 10 unit threshold) is considered somewhat artificially low. Accordingly, the applicant has committed to a financial contribution of £136,750 towards off-site affordable housing provision.

The proposal is therefore consistent with 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.

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

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

C) Where space for ground level planting is limited, such as high rise buildings, the inclusion of living walls and roofs will be expected where feasible.

D) Planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees. Where the tree survey identifies trees of merit, tree root protection areas and an arboricultural method statement will be required to show how the trees will be protected. Where trees are to be removed, proposals for replanting of new trees on-site must be provided or include contributions to offsite provision.

The application is accompanied by an Arboricultural Implications Assessment (Rev D), Method Statement (Rev D) and Tree Protection Plan (Rev D), prepared by Merewood Arboricultural Consultancy Services. The reports identify that of the 131no. trees and 3no. groups of trees surveyed, 1no. is Category 'A'; 50no. are Category 'B'; 75no. are Category 'C' plus three Category 'C' groups and 5no. are Category 'U' trees.

The scheme would include the removal of 26no. trees and part of 1no. group of trees to facilitate the development. All trees to be removed are Category 'C' trees. Category 'U' trees would be removed in any event, in the interest of good arboricultural management. The Council's Trees and Landscape Officer has raised no objection to the loss of the 26no. trees given their specimen quality and limited visual amenity value, as denoted by their Category 'C' classification'. In reaching this view, significant weight was given to the submitted plans, which shows the indicative positions of new trees that would be planted at the site. It is considered that the proposed 85 replacement trees would adequately compensate and be of sufficient benefit to outweigh the loss of the 26no. Category C trees. Full details of the location, specimen and size of the proposed replacement trees would be secured by way of condition, in the event of an approval.

The Arboricultural Implications Assessment states the footprint of the proposed buildings is generally distal to the root protection areas (RPA) of trees to be retained. However, there are a couple of exceptions where the footing of the new building will encroach marginally onto RPAs. Plot 1 encroaches very slightly onto the RPA of the western red cedar (T88) by an insignificant amount.

Plot 2 encroaches very slightly onto the RPA of the drawn redwood (T81), whilst units 3-5 encroach a little onto the RPA of the beech (T121). It is considered that these relatively minor encroachments (as shown on Tree Protection Plan) would not harm the trees in question.

It is acknowledged that the submitted Arboricultural Implications Assessment, Method Statement and Tree Protection Plan do not show the position of the trees on neighbouring adjacent sites. However, as highlighted in the forgoing paragraph, the health of the retained trees located closest to the footprint of the proposed buildings would not be adversely impacted. As such, Officers are satisfied that the proposed development would not cause harm to trees sited on neighbouring land which are situated farther away than the retained trees at the application site.

The submitted plans show extensive landscaping treatment would be provided both within and around the perimeter of the curtilage of the site. This would enable the proposed development, and its associated driveways and car parking areas, to better integrate with its verdant surroundings. It is noted that the submitted landscaping scheme is for indicative purposes. Therefore, a condition would be secured requiring full landscaping details to be submitted to the Council for consideration, if this application is approved.

It is considered, that the proposed replacement tree planting and landscaping on the site would ensure that the site continues to contribute positively to the verdant character of the area, whilst

preserving the setting of the Listed Building at No. 17 Dene Road. As such, it is considered that the proposal would create a high-quality green setting for the proposed new dwellings, contributing positively to the character of the area and delivering biodiversity benefits. The proposal would therefore accord with Policy DMHB 11 and DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policies G1 and G7 of the London Plan (2021) and the NPPF (2023).

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 site 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 comprises well-maintained grassed areas, cut to a low height and does not contain any ponds or open woodland. There are no protected sites of ecological interest immediately adjacent to the site. It is worth highlighting that the proposed development would not involve the demolition of any existing buildings at the site.

Taking these factors into account, it is considered that the likelihood of protected species being present at the site is low, and as such, an ecology assessment is not required. This position would be in accordance 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."

Notwithstanding the above, an informative would be secured in the event of an approval advising that should protected species be found at the site, the applicant(s) must fulfil their duties under the Wildlife and Countryside Act 1981.

Also, a condition would be secured requiring an ecological enhancement plan to be submitted to the Council for consideration. Subject to this condition, the proposal would have an acceptable impact on biodiversity interest, in terms of protected species. This would be in compliance with Policy DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy G6 of the London Plan (2021) and the NPPF (2023).

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 submitted Design and Access Statement indicates that refuse storage for the proposed detached

houses on Plots 1 and 2 would be provided within their garage, and that these properties would be serviced by the Council's refuse collection crew via the turning head of Foxdell. This proposed collection point would exceed the Council's '10-metre waste collection distance'. However, it is anticipated that the future occupiers of Plots 1 and 2 would move their rubbish closer to the turning head on collection days. To ensure that this is the case, a condition would be secured requiring the submission of a refuse management plan to be submitted to the council for consideration.

The submitted site plan shows that the proposed apartment building on Plots 3-6 would have a dedicated communal bin store located in close proximity to the new vehicular access point from Foxdell and adjacent to the turning point which indicates broad conformity to the standard.

The proposed terraced houses on Plots 7 to 9 would have individual bin stores located within their rear garden areas. Refuse collection for these dwellings would be conducted via Dene Road. Similar to the other proposed dwellings, in order to conform to accepted 'waste collection distances' from the public highway, any waste should be positioned within 15m (10m if a paladin bin) of a refuse vehicle on the public highway. Bin storage is to be positioned to the rear of each unit which is considered acceptable on the premise that an informal on-plot management regime would ensure that refuse is positioned kerbside on Dene Road on collection days.

Subject to the above conditions, the proposed development would be able to provide a convenient location for refuse 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 part H) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states all new residential development should demonstrate water usage rates of no more than 105 litres per person per day.

In the event of an approval, a condition would be secured requiring the proposed flats labelled as Units 3 to 6 would achieve as a minimum, a water efficiency standard of no more than 105 litres per person per day maximum water consumption.

The proposed houses labelled as Units 1, 2, 7, 8 and 9 would be conditioned to achieve the same water efficiency standards as the proposed flats, but including a fixed factor of water for outdoor use of 5 litres per person per day in accordance with the option requirement defined within Approved Document G of the Building Regulations.

Subject to the above secured by condition, the proposal would be compliant with Policy 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 Hillingdon Local Plan: Part 2 - Development Management Policies (2020) 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.

Nevertheless, the application site lies within Flood Zone 1 of the Environment Agency's Flood Risk Map. This means that the site is classified as being at low risk and defined as having a less than 1 in 1,000 probability of fluvial and tidal flooding. As such, there are no restrictions to development, including vulnerable uses such as residential accommodation, in the location, in terms of fluvial and tidal flood risk. In terms of surface water flood risk, the Council's GIS indicates that the site is not designated within a Surface Water Management Zone or a Critical Drainage Area.

The application was accompanied by a Drainage Strategy, prepared by Lanmor Consulting. The Strategy states:

- i. In accordance with the Sustainable Drainage Hierarchy, the surface water run-off from the site would be discharged to the Thames Water Sewer which runs through the site via the use of an attenuation restricted by a pumping station.
- ii. In order to ensure the risk of flooding is not increased as a result of the development, peak discharge rates will be limited as close as possible to Greenfield runoff.
- iii. Due to the scale and characteristics of the proposed development, the new surface water regime will involve the use of three attenuation tanks cascading to one another before finally discharging to the existing Thames Water drainage located to the south of the site.
- iv. All three attenuation tanks have been designed to accommodate all storm events up to and including the 1 in 100 +40% allowance.
- v. The final discharge point will be restricted by a pumping station which will flow at 2.3 l/s, which is the lowest rate that pumping station can effectively work without the risk of blockages and maintenance costs.
- vi. The foul water will also be collected via a new network made up of pipes and manholes before flowing to the existing Thames Water sewer on site.

The submitted Drainage Strategy concluded following a detailed analysis that the proposed development would not increase the risk of surface water flooding at the site. The Drainage Strategy includes details of a scheme of sustainable urban drainage (SuDS), provision of attenuation tanks to capture and restrict discharge rates into existing drainage systems, and a design which takes account of the increase in surface water run-off over the lifetime of the development due to the effects of climate change. The above is reflective of advice on sustainable drainage systems in the Planning Practice Guidance.

It is noted that the Drainage Strategy only includes an indicative drainage layout for the proposed development in Appendix C. To ensure the final drainage layout is feasible, functional and complies with the above technical information, a condition would be secured requiring an updated Surface Water and Management Scheme, that incorporates SuDs, to be submitted to the Council for consideration.

Subject to such conditions, it is considered that the proposed development would not increase the risk of flooding on the site or elsewhere in accordance with Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policies SI 12 and SI 13 of the London Plan (2021) and the NPPF (2023).

7.18 Noise or Air Quality Issues

NOISE

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

The site would be used in an exclusively residential capacity. As such, in terms of the operational phase of the proposed development, no significant issues are considered to be raised by the proposal, in respect to noise and disturbance.

In the event of an approval, a condition would be secured requiring details of the location of the ground and air source heat pumps and for these units not to exceed 35 dB(A) measured 1 metre outside of any window of any dwelling.

Notwithstanding the above, a condition would be secured requiring the submission of a Construction Management Plan, in the event of an approval. This condition is necessary to ensure that noise and pollution are minimised as far as practicable during the construction phase.

AIR QUALITY

According to the Council's GIS, the site is not designated within an Air Quality Management Zone or Air Quality Focus Area. As such, there is no need to secure an Air Quality Management Plan, in the event that planning permission were to be granted.

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).

Specifically, planning obligations can be used where a development has infrastructure needs that are not addressed through CIL to ensure that development proposals provide or fund improvements to mitigate site specific impacts made necessary by the proposal. Applications which fail to include appropriate planning obligations to make the proposal acceptable will be refused. Planning obligations run with the land, are legally binding and enforceable.

The following terms are proposed to be secured through a legal agreement to ensure that acceptable access onto Foxdell would be provided, and to secure an affordable housing contribution, in accordance with Policy DMT 2 and DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy DF1 of the London Plan (2021).

The legal agreement would secure the following:

- Highways works to ensure the access from Foxdell is carried out at the cost of the developer, prior to the commencement of development.
- A financial contribution of £136,750 for off-site affordable housing provision.

Accordingly, the obligations would be necessary to make the development acceptable in planning

terms, directly related to the development and fairly and reasonably related in scale and kind to the development. Accordingly, the proposal would comply with the tests of paragraph 57 of the NPPF (2023) and the statutory tests within the Community Infrastructure Levy Regulations (CIL) 2010 (as amended).

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

FIRE SAFETY

Policy D12 of the London (2021) states that in the interest of fire safety and to ensure that safety of all building users, all development proposals must achieve the highest standards of fire safety.

The submitted swept path analysis demonstrate the provision of Fire Appliance turning space from the access from Foxdell. Planning Officers are therefore satisfied that these dwellings on site can be safely accessed by emergency vehicles. In respect to the three dwellings accessed from Dene Road, the proposed dwellings are located within a sufficient distance (approximately 15- 25 metres) from the road to enable a fire tender response.

LAND CONTAMINATION

Policy DMEI 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states:

A) Proposals for development on potentially contaminated sites will be expected to be accompanied by at least an initial study of the likely contaminants. The Council will support planning permission for any development of land which is affected by contamination where it can be demonstrated that contamination issues have been adequately assessed and the site can be safely remediated so that the development can be made suitable for the proposed use.

B) 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.

C) Where initial studies reveal potentially harmful levels of contamination, either to human health or controlled waters and other environmental features, full intrusive ground investigations and remediation proposals will be expected prior to any approvals.

D) In some instances, where remedial works relate to an agreed set of measures such as the management of ongoing remedial systems, or remediation of adjoining or other affected land, a S106 planning obligation will be sought.

According to the Council's GIS, there is a small area within the rear garden of No. 17 Dene Road that was formerly a pond and now comprises infilled land.

The application was accompanied by a Ground Investigation Report prepared by K F Geotechnical. The report states that the contamination testing revealed undue concentrations of arsenic and lead in

samples. The likely cause has been identified as being due to careless disposal of paint, fuel or other household waste in the rear garden. In light of the contamination test results, the report recommends that further testing followed by a remediation method statement (if required).

Such supplementary testing and remediation measures would be secured by condition, if planning permission were to be granted. On this basis, it is considered that the proposal is unlikely to pose land contamination risk to future occupants in accordance with Policy DME1 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

PERMITTED DEVELOPMENT RIGHTS

In the event of an approval, a condition would be secured removing permitted development rights from the site to ensure that garages, sheds or other outbuildings, nor extensions or roof alterations to the proposed dwellinghouses at the site are erected without the written consent of the Council.

This is considered to be necessary in the interest of safeguarding the character and appearance of the area (which includes the setting of the Grade II* Listed Building) and the amenity of residential occupiers.

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 the Committee Report.

11. Reference Documents

National Planning Policy Framework (December 2023)

The London Plan (March 2021)

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

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

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

Planning Obligations Supplementary Planning Document (July 2014)

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

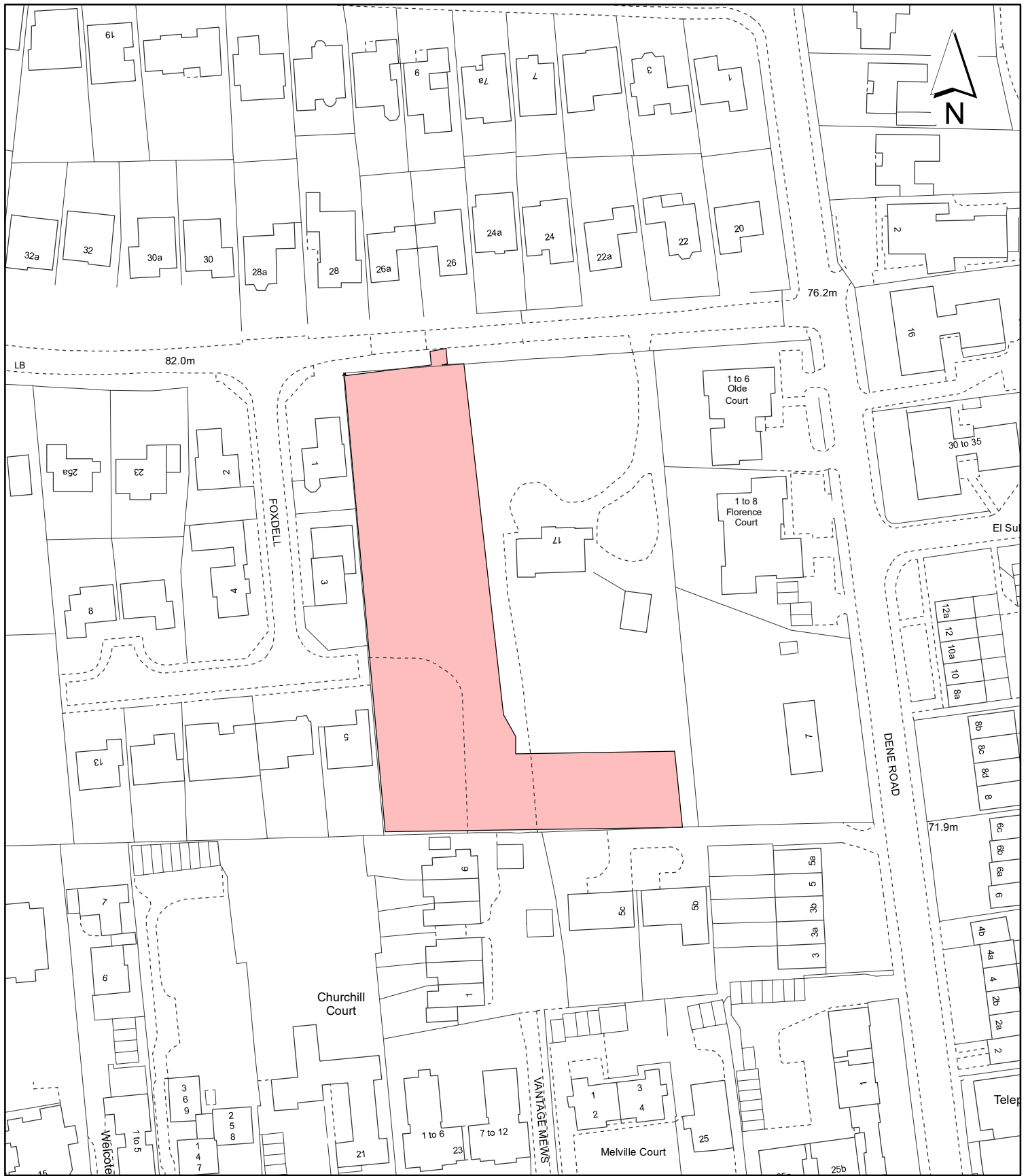
Government Circular: Biodiversity and Geological Conservation- Statutory Obligations and their Planning System (2005)

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Notes:

Site boundary

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Site Address:

**Land to the South of Greenend,
 17 Dene Road**

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

Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:

73243/APP/2022/2535

Scale:

1:1,250

Planning Committee:

Minor

Date:

May 2024



HILLINGDON
 LONDON