

# Report of the Head of Development Management and Building Control Committee Report Part 2 – Application Report

Case Officer: **Daniel Ambrose**

**77811/APP/2024/442**

Date Application Valid:	<b>20.02.2024</b>	Statutory / Agreed Determination Deadline:	<b>31.07.2024</b>
Application Type:	<b>Full</b>	Ward:	<b>Uxbridge</b>

Applicant: **London Borough of Hillingdon**

Site Address: **Garage Site Hilton Close, Uxbridge**

Proposal: **Erection of two 3-bedroom detached dwellings with associated parking and amenity space following demolition of existing garages**

Summary of Recommendation: **GRANT planning permission subject to section 106 legal agreement and conditions**

Reason Reported to Committee: **Required under Part 6 of the Planning Scheme of Delegation (the Council is the Applicant)**



## Summary of Recommendation:

That delegated powers be given to the Director of Planning, Regeneration and Environment to **GRANT** planning permission subject to the following:

- A) That the Council enters into a legal agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) or any other legislation to secure the following:
1. A financial contribution of £7,000 towards the implementation of a local parking management scheme, if requested by residents through the Council's Petition Scheme.
  2. A restriction such that future occupiers of the development are unable to join any parking management scheme in the vicinity of the site.
  3. Project management and monitoring fee: A financial contribution equal to 5% of the total cash contributions.
- B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in the review and preparation of the legal 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 (proposed conditions set out in Appendix 1 to this report).
- D) If the Legal Agreement has not been finalised within 6 months, delegated authority be given to the Director of Planning, Regeneration and Environment to refuse the application for the following reason:

*'The applicant has failed to provide measures to mitigate the impacts of the development on the Highway, as a consequence of demands created by the proposed development. The proposal therefore conflicts with policies DME1 7, and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), the Council's Planning Obligations SPD, the Hillingdon Local Plan: Part 1 - Strategic Policies (2012), the London Plan (2021) and the NPPF.'*

## 1 Executive Summary

- 1.1 This application for full planning permission relates to a garage site situated to the rear (south-east) of Hilton Close, Uxbridge. It is proposed to demolish 20no. existing garages and erect two 3-bedroom detached dwellings, with associated parking and amenity space.

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- 1.2 With regards to the proposed loss of the existing 20no. garages on site, it should be noted that the design/size of the garages does not accord with modern garage standards. As a result, the garages are considered impracticable for the parking of modern vehicles, and are unlikely to be used for such purposes. Having regard to this, the redevelopment of the site is considered a public benefit in principle.
- 1.3 Moreover, the proposal seeks planning consent for 2 new 3-bedroom dwellings on previously developed land. As such, the new dwellings would make effective use of land and contribute towards meeting an identified need for family sized dwellings in the Borough. This weighs in favour of the proposal.
- 1.4 Each proposed dwelling would be provided with 2no. off-street car parking spaces, therefore ensuring adequate parking provision to serve the new development. It is acknowledged that in addition to the loss of the 20no. garages, the proposal would result in the loss of circa 6 car parking spaces which are located within the site area, but not on street. A parking survey has been submitted by the Applicant, which demonstrates that the potential displacement of these 6 spaces on street could be absorbed, however this would result in the on-street parking spaces reaching maximum capacity. A planning obligation has been recommended requiring the applicant to fund the future implementation of a parking management scheme, in the event that residents were to request one through the Council's Petition Scheme. It is considered that this proposed planning obligation satisfactorily mitigates any potential harm arising from parking overspill.
- 1.5 The replacement of the garage blocks with proposed new, well designed residential units would have a positive impact on the character and appearance of the area. The proposed dwellings would provide adequate levels of internal living accommodation for future residents, which would include level access to meet accessibility standards (to be secured by planning condition). The proposed external amenity space provision conforms to the requirements of Policy DMHB 18 of the Hillingdon Local Plan Part 2: Development Management Policies (2020). Overall, it is considered that the development would provide good quality living accommodation for its future residents, and the scheme has been designed such that it would not adversely affect the residential amenity of neighbouring residents.
- 1.6 It is noted that following a formal public consultation during the processing of the planning application, no objections or concerns were received from residents.
- 1.7 Taking all relevant matters into account, it is concluded that the proposal would have an acceptable impact on highway safety, and the development would not cause harm in respect of flood risk, neighbouring residential amenity or other respects. The development would contribute positively to the character and appearance of the area, and would provide high quality family housing, for which there is an identified need. The proposal complies with the Development Plan and is recommended for approval, subject to the completion of a satisfactory S106 agreement to secure the obligations set out in the Heads of Terms (above), and subject to the planning conditions set out in Appendix 1.

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## 2 The Site and Locality

- 2.1 The development site is located at the end of Hilton Close, a cul de sac leading from Cowley Mill Road, Uxbridge. The site comprises 20no. single storey garages, 7no. 'end-on' hardstanding parking spaces and grass verges, with hardstanding being the dominant feature. The site is located within a predominantly residential area, comprising of two storey terraced and semi-detached properties and three storey blocks of flats, finished in brick. Some properties within the local area have on-site parking spaces, others have detached garages or use nearby parking bays. To the south / south-west of the site lies existing industrial and commercial development.
- 2.2 Hilton Close has an unclassified PTAL ranking, indicating there is no access to public transport. This suggests that the occupiers of properties along Hilton Close would be reliant on the private car for trip making.
- 2.3 The site is not within a designated conservation area, or within close proximity of any listed buildings. The site does lie within an Air Quality Management Area and an Archaeological Priority Zone. The site is identified as being one which is at risk of surface water flooding and is potentially contaminated land (historic land-use). There are no other site designations of particular relevance to the proposal. However, it should be noted that the industrial/commercial development to the south/south-west lies within a designated SIL (Strategic Industrial Land) designation.
- 2.4 Figure 1 (below) shows a street-view image, looking towards the application site from Hilton Close. Figure 2 (over the page) shows the location of the application site and relationship with neighbouring buildings.

**Figure 1: Street View Image of the Application Site**



**Figure 2: Location Plan (application site edged red)**



### **3 Proposal**

- 3.1 Planning permission is sought for the demolition of 20no. existing garages and the erection of two 3-bedroom detached dwellings, with associated car parking spaces and private gardens. Extracts from the proposed site layout plan and elevation plans are shown over the page (Figure 3).
- 3.2 It should be noted that amended drawings were received during the application process, to amend the garden boundary of plot 2, to maintain access to an adjacent substation from Hilton Close. Re-consultation on the amended drawings was not considered necessary, having regard to the minor nature of the amendments.

### **4 Relevant Planning History**

- 4.1 A list of the relevant planning history related to the application site can be found in Appendix 2.

### **5 Planning Policy**

- 5.1 A list of planning policies relevant to the consideration of the application can be found in Appendix 3.

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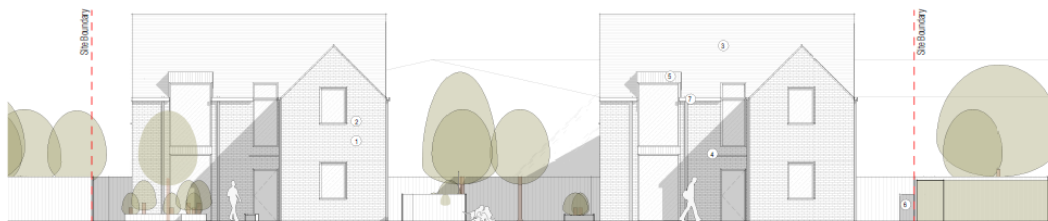
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**Figure 3: Proposed Plans** (please note – larger versions of plans can be found in the Committee Plan Pack)

Extract from Proposed Site Layout Plan



Proposed Elevations (north-east and south-west)



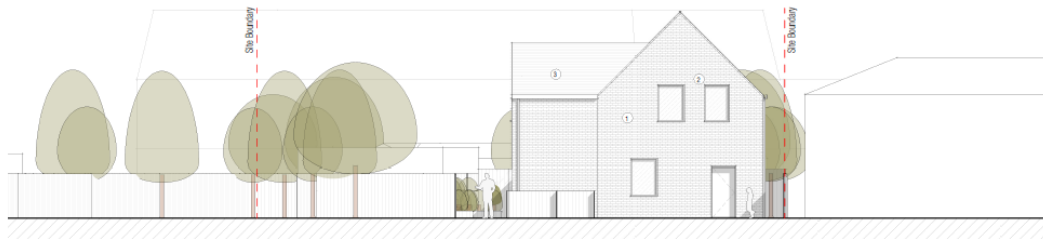
Proposed North East Elevation  
1:100



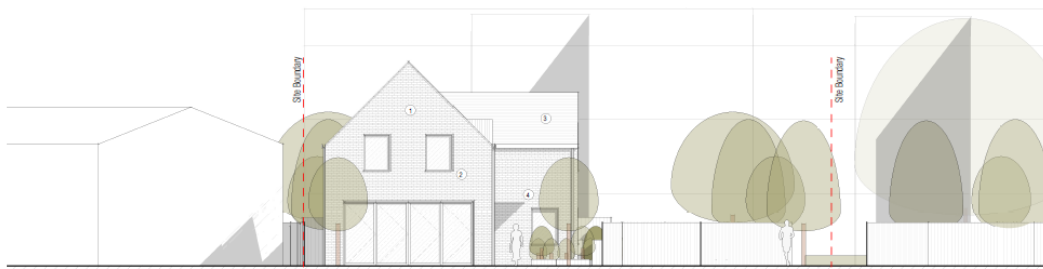
Proposed South West Elevation  
1:100



## Proposed Elevations (north-west and south-east)



Proposed North West Elevation  
1 : 100



Proposed South East Elevation  
1 : 100



## 6 Consultations and Representations

- 6.1 22 neighbouring addresses were notified directly about the proposal on 28<sup>th</sup> February 2024. No comments or objections have been received from members of the public.
- 6.2 Consultee responses received are summarised in Table 1 (below).

**Table 1: Summary of Consultee Responses**

Consultee and Summary of Comments	Planning Officer Response
<p><b>Scottish Southern Electric (SSE)</b></p> <p>No comments received to date. The consultation expires on 17<sup>th</sup> July 2024.</p>	<p>An update will be provided to Members through an Addendum/at Committee.</p>

<p><b>Contaminated Land Officer</b></p> <p>No objection to the proposal. However, contamination records show that the proposed development site is located on a former potential contaminated land use, identified as 'works (various) land use'.</p> <p>Therefore, it is recommended that contaminated land conditions are imposed should the application be approved.</p>	<p>Noted. The recommended conditions have been included in the Planning Officer's recommendation.</p>
<p><b>Highway Authority</b></p> <p>No objection subject to conditions and S106 Legal Agreement.</p> <p>The land currently hosts 20no. lock up garages and 7no. 'end-on' hardstanding parking spaces. Hilton Close is a residential cul-de-sac providing access to 8no. apartment blocks containing 42no. flats. Hilton Close leads off Cowley Mill Road, which forms part of the Borough's classified road network. Parking along Hilton Close is signed as being for 'Residents Only', though the only enforceable parking restriction pertains to a single on-street disabled person parking bay. On the roads further afield, parking is unrestricted.</p> <p>Beyond the 20no. garages is an electricity sub-station with pedestrian access to it from Cowley Mill Road. The proposal would not impinge upon this access.</p> <p>In support of the planning application, a Transport Statement has been provided that includes a Lambeth Methodology Parking Survey. NOTE: the Lambeth Methodology excludes disabled parking spaces. This survey includes Cowley Mil Road and the streets opposite; however, the Highway Authority considers that people living on Hilton Close would be reluctant to park on Cowley Road or the roads leading off it, anxious that their car would be stolen, broken into, or hit by another vehicle. It is anticipated that the residents of Hilton Close would prefer to park as close to their home as possible.</p> <p>The Transport Statement reports that there are 35no. car parking spaces on Hilton Close, however the</p>	<p>Noted. The recommended conditions, planning obligation and parking permit restriction are all included within the Planning Officer's recommendation.</p>



<p>Highway Authority considers that there are only 33no. usable spaces.</p> <p>The applicant has undertaken a parking survey which found 27no. cars parked. Based on there being 33no. car parking spaces available, this showed a parking stress of 81%, where 85% stress shows parking is at full capacity. With the development built out, 6no. of the 7no. hardstanding car parking spaces would be lost, reducing supply to 27no. spaces.</p> <p>Taking into account the number of car parking spaces available and demand, the Highway Authority require a planning obligation be secured that would fund delivery of a Parking Management Scheme should residents ask for one. This would address this issue. With a Parking Management Scheme in place, only those residents with a parking permit would be allowed to park on Hilton Close, the hours of operation are typically Monday to Friday 09:00 to 17:00h. Furthermore, as both of the new dwellings would have 2no. car parking spaces each, the Highway Authority require that the occupiers of these dwellings are prohibited from applying to join any forthcoming parking scheme. Allowing them access to parking permits would provide them with access to more car parking spaces than permitted in the London Plan 2021 Policy T6.1 Residential Parking.</p> <p>Planning conditions are also required to secure:</p> <ol style="list-style-type: none"> <li>1. That each new property is provided with 1no. active electric vehicle charge point; and</li> <li>2. A Construction Logistics Plan shall be submitted for approval.</li> </ol>	
<p><b>Access Officer</b></p> <p>This proposal has been reviewed with reference to London Plan Policy D7. No accessibility concerns are raised, subject to conditions being imposed to secure step free access and compliance with M4(2) accessibility standard (as set out in Approved Document M to the Building Regulations (2010) 2015).</p>	<p>Noted. The recommended conditions have been included in the Planning Officer's recommendation.</p>

## **7 Planning Assessment**

### Principle of Development

#### *Redevelopment of the Site for Housing*

- 7.1 The NPPF (2023) and Policy GG2 of the London Plan (2021) encourage the effective use of land, and the use of previously developed, vacant and underutilised sites to maximise development potential, in particular for new housing. Chapter 5 of the NPPF supports the delivery of homes, confirming that local authorities should, through their Local Plans, demonstrate how housing targets and objectives will be met. Emphasis is given to housing delivery over the next five years, but authorities are also required to consider growth beyond this.
- 7.2 Policy GG4 of the London Plan (2021) seeks to ensure that London's housing needs are met. Policy H1 of the London Plan promotes the optimisation of housing output within different types of location. Consideration will also be given to the accessibility of the site to services and amenities. Policy H2 of the London Plan advises that Borough's should proactively support well designed homes on small sites in decision and plan making.
- 7.3 At the local level, Policy H1 of the Local Plan: Part 1 - Strategic Policies (November 2012) gives general support to housing provision to meet and exceed the Council's minimum strategic dwelling requirement.
- 7.4 The site comprises a set of garages within an established residential area (albeit adjacent to industrial / commercial buildings). Having consulted with the Local Highway Authority, it is understood that 90% of the garages are vacant and have been for a period of time. It is confirmed that the existing garages are not designed to accommodate modern-day vehicles, which is likely to have led to an increase in the vacancy rates. Furthermore, it is considered that the garages are of a utilitarian and tired appearance and thus do not contribute positively to the visual character and appearance of the area. Having regard to the above points and in light of the planning policy support for the optimisation of brownfield sites to contribute towards delivering new homes, subject to the proposed development's compliance with other relevant planning policies and material planning considerations, the principle of redeveloping the site for housing is supported.

#### *Housing Mix and Tenure*

- 7.5 The planning application proposes the erection of 2 x 3-bedroom dwellings. This proposed housing mix is supported, as it would make a positive contribution towards addressing the identified need for family sized units within Hillingdon Borough. Whilst the application form submitted appears to suggest the proposed dwellings may be offered as affordable units, it is understood from the applicant that this is not the case and the dwellings would be market dwellings. This is acceptable, as there is no policy requirement for provision of affordable dwellings for a development of this scale. The planning permission (if granted) would allow for the dwellings to be either sold as market dwellings or occupied as affordable dwellings.

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### *Density of Development*

- 7.6 Numerical densities are more appropriate to larger sites and what is considered 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 area, and would respect residential amenity considerations, rather than the consideration of the numerical density of the proposal. These matters are discussed below.

### Design / Impact on the Character and Appearance of the Area

- 7.7 Policies D1, D3 and D4 of the London Plan (2021) require development proposals to be of high quality and to enhance the local context by delivering buildings and spaces that positively respond to local distinctiveness.
- 7.8 Policy BE1 of the Hillingdon Local Plan Part 1 – Strategic Policies (2012), and policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan Part 2 – Development Management Policies (2020) seek (in summary) to secure a high quality of design that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character. These aims are also supported by Chapter 12 of the NPPF (2023).
- 7.9 The development site is located at the end of Hilton Close, a small cul de sac that lies off Cowley Mill Road. To the south and south-west of the site are industrial / commercial buildings. A substation is situated adjacent to the site to the south-east and as noted previously, the application has been amended to maintain access to this substation from Hilton Close. To the north of the site lie the 3 storey flats on Hilton Close, which are finished in brick. To the east are the gardens and rear elevations of 2 storey semi-detached and terraced dwellings on Cowley Mill Road. These dwellings are finished in brick, with the semi-detached dwellings featuring render at first floor level.
- 7.10 The proposed new dwellings would be constructed away from the existing three-storey flats where the close ends. As such, they would adhere to an extent to the building lines of the last block of flats and would be built close to the rear site boundary, which would assist in maintaining the openness of Hilton Close at this end. Further, the proposed two storey height and relatively modest scale of the dwellings would ensure the proposal would not appear over-dominant in its setting.
- 7.11 It is considered that the proposed dwellings are of a high-quality design and appearance. Subject to securing appropriate materials for the new development (planning condition recommended), the replacement of the utilitarian and somewhat dilapidated garages with the proposed new dwellings, would result in a positive impact on the character and visual amenity of the area. Whilst the proposed dwellings would be of a more contemporary design when compared with neighbouring properties, it is important to note that the surrounding area contains a mixture of housing types and commercial buildings. The two new dwellings would be set on their own at the end of the close and in this context, it would not be

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necessary for their design to replicate adjacent buildings. Moreover, it is considered that the proposed contemporary (whilst in keeping design, in terms of scale and massing) would provide an appropriate transition between the existing vernacular and the commercial area to which this site borders.

- 7.12 In the event that the application is approved, a landscaping scheme would be secured via condition to ensure that appropriate planting is provided to soften the new development.
- 7.13 Overall and for the reasons outlined above, it is considered that the proposal would have a positive impact on the character and visual amenities of the area.

#### Residential Amenity

- 7.14 Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.
- 7.15 Paragraph 135 of the NPPF (2023) states *'Planning policies and decisions should ensure that developments: f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users...'*

#### *Privacy*

- 7.16 The front elevation windows of the proposed dwellings would front Hilton Close (and the rear elevations of No.s 44 to 47 Cowley Mill Road, at a distance of approximately 21m at their closest point). This separation distance would be sufficient to ensure that the proposal does not have an unduly detrimental impact upon the privacy of the occupiers of No.s 44 to 47 Cowley Mill Road.
- 7.17 The side elevations of the proposed dwellings contain first floor and ground floor windows. It is noted from the submitted Design and Access Statement that the north-west facing elevation openings are proposed to be obscure glazed. This is considered necessary, as those openings on Plot 1 would face towards windows in an adjacent block of flats at approximately 14m separation distance. Similarly, the north-west facing windows serving Plot 2 would face towards habitable room windows in Plot 1 at close proximity. The windows to be obscurely glazed either serve non-habitable rooms, or in the case of a ground floor kitchen window in each Plot, are one of multiple openings serving the same room. Accordingly, obscure glazing these openings would be acceptable and can be secured by condition in the event of the grant of planning permission. The proposed south-east facing side elevation windows of Plot 1 would face the aforementioned north-west elevation obscure glazed windows of Plot 2, and the proposed south-east facing side elevation windows of Plot 2 would face towards commercial properties. These would be acceptable relationships. There are no windows proposed to the rear elevations of the new dwellings.

7.18 At present, properties within Hilton close and the surrounding area have first floor rear windows which provide views into their gardens and neighbouring gardens. As such, a degree of mutual overlooking is not uncommon in this dense residential location. The development would cause no loss of privacy or overlooking which is above and beyond the established level of overlooking that exists between properties in the local area.

*Light and Outlook*

7.19 The proposed dwellings would be sited far enough away from neighbouring properties so as not to unduly impact upon light received or outlook. It is also considered that proposed Plots 1 and 2 would relate acceptably to one another in these respects.

*Noise and Disturbance*

7.20 The addition of 2 new homes within an established residential area would not lead to any significant increase in noise or disturbance levels for existing residents that would warrant a refusal of planning permission on these grounds. If the application is approved, a condition has been recommended to ensure that the construction process is managed in a manner which limits the development impacts on neighbours as far as practicable.

7.21 It is noted that the application site is adjacent to a designated SIL (where permitted and established industrial and commercial uses would be expected to generate significant noise). Having regard to this, the applicant was advised to submit a Noise Assessment and this was duly submitted as part of the planning application submission. The assessment report concludes: *'The BS 4142 assessment, taking context considerations into account as guided by the standard, particularly the ability to design and achieve appropriate sound levels inside dwellings can be classified as low.'*

7.22 Having regard to the Agent of Change principle, it is considered that the proposed development has been carefully designed (i.e. by ensuring no rear elevation windows). The relationship of these proposed new properties with the adjacent SIL would be similar to that of the existing established residential properties in this location, and having regard to the conclusions of the submitted Noise Assessment report, the siting of the new residential units in this location is considered acceptable. A condition has been included to ensure that the recommendation of the Noise Assessment report (to secure good internal acoustic conditions within the dwellings) is taken forward in the development.

*Residential Amenity - Conclusion*

7.23 Having regard to the points discussed above, and subject to the aforementioned planning conditions, it is considered that the development would have an acceptable impact on residential amenity. The quality of the proposed residential accommodation is assessed in further detail below.

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## Quality of Proposed Residential Accommodation (Internal and External)

### *Internal Amenity*

- 7.24 Policy D6 of the London Plan (2021) requires that all housing should be of high-quality design and provide adequately sized rooms with comfortable and functional layouts, which are fit for purpose and meet the needs of all Londoners without differentiating between tenures.
- 7.25 Policy DMHB 16 of the Hillingdon Local Plan: Part Two – Development Management Policies (2020) requires that all housing developments should have an adequate provision of internal space in order to provide an appropriate living environment.
- 7.26 The above policies require that a 3-bedroom 6-person dwellinghouse should benefit from a GIA of at least 102sqm. The proposed development comprises the following internal accommodation:  
Plot 1: 135.9 m<sup>2</sup>  
Plot 2: 135.9 m<sup>2</sup>
- 7.27 The dwellings would therefore exceed required internal floor space standards.
- 7.28 Each dwelling features habitable rooms which are served by windows providing adequate daylight, sunlight, and outlook for future occupiers. The buildings have been designed so that (subject to the obscure glazing condition previously discussed) there are no direct views between habitable room windows, in order to ensure that adequate levels of privacy are provided.

### *External Amenity*

- 7.29 Policy DMHB 18 of the Hillingdon Local Plan Part 2: Development Management Policies (2020) requires all new residential developments to provide good quality and usable private outdoor amenity space. For 3-bedroom dwellings, at least 60sqm of private amenity space should be provided.
- 7.30 The proposed amenity space provisions are as follows:  
Plot 1: 253 m<sup>2</sup>  
Plot 2: 177m<sup>2</sup>
- 7.31 As demonstrated above, the proposal would provide internal and external living spaces above the policy required standards, demonstrating that good quality living accommodation would be provided.

### Highways and Parking

- 7.32 Policies DMT 2, DMT 5 and DMT 6 of the Hillingdon Local Plan set out to ensure that developments provide safe and convenient access for pedestrians, vehicles, and cyclists; that developments do not result in a significant impact upon the local highway network due to the displacement of parking or parking overspill; and that

developments provide a range of travel choice in order to promote more sustainable methods of transport.

- 7.33 The application site is located within an area which does not benefit from a PTAL ranking; however, it is located nearest to a 1b rated road. As such, it is considered that there would be a strong reliance on the motor vehicle to travel to and from the site. It is also noted that Hilton Close is not subject to a Parking Management Scheme, meaning that residents are free to park where there are no parking controls.

#### *Loss of Garages*

- 7.34 The land currently hosts 20no. lock up garages. As stated in the Principle of Development section of this report, 90% of the existing garages are vacant and have been for some time. The design/size of the garages does not accord with modern garage standards, and as a result, they are considered unsuitable for the parking of modern vehicles. The loss of the existing garages is therefore considered acceptable in terms of parking and Highway safety considerations.

#### *Loss of Car Parking*

- 7.35 The proposal would result in the loss of circa 6 off street car parking spaces. These spaces are contained within the car park area which leads up to the existing garages. The applicant has submitted a parking stress survey in support of the application, which has been reviewed by the Highway Authority (please refer to Section 6, Table 1 for a summary of comments).
- 7.36 The Highway Authority has concluded that the loss of the 6 parking spaces could be absorbed on-street, however this would lead to reaching the maximum on-street capacity. They therefore request that a financial contribution of £7,000 should be secured to pay for the implementation of a Parking Management Scheme (should this be requested by residents) to mitigate the potential harm arising from the displacement of the 6 spaces. It is noted that no objections have been received to this planning application in response to the public consultation undertaken by the LPA. If parking issues were to arise, residents could raise a Petition (under the Council's Petition Scheme) for the implementation of a Local Parking Management Scheme, which would be funded by the contribution. The recommended planning obligation has been included in the Heads of Terms set out at the beginning of this report. It should be noted that the contribution would be held for a period of time by the Local Planning Authority and returned if not required, in accordance with terms set out in the Section 106 agreement.

#### *Proposed Parking*

- 7.37 The drawings submitted provide comfort that two vehicles could be parked on site at each property. Parking provision for two vehicles would be the maximum expected for a residential dwelling and would be an appropriate provision in light of the unclassified PTAL ranking of the site. The Highway Officer has recommended that a restriction is applied, such that future occupiers of the development would be

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prohibited from joining any parking management scheme in the vicinity of the site. This could be secured in the S106 legal agreement and has been included in the Heads of Terms set out at the beginning of this report.

#### *Access*

- 7.38 2 new vehicle accesses are proposed to serve the new dwellings. These are considered of suitable design and it is noted that no comments or objections have been received from the Highway Officer in respect of the proposed new accesses.

#### *Cycle Parking*

- 7.39 Appendix C, Table 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires the provision of cycle parking facilities for new residential units. A cycle store would be provided for each of the proposed dwellings ensuring that adequate cycle parking is provided for new residents. Full details of the cycle stores would be secured through the proposed landscaping condition in the event of an approval.

#### *Refuse and Recycling Collection*

- 7.40 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. Bin storage and collection locations have been identified on the drawings for each dwelling in suitable locations. Full details of the waste storage facilities would be secured through the proposed landscaping condition in the event of an approval.

#### *Electric Vehicle Charging Provision (EVCP)*

- 7.41 Part G) of Policy T6 and part C) of Policy T6.1 of the London Plan (2021) state that all residential car parking spaces must provide infrastructure for electric or Ultra-Low Emission vehicles. In relation to this, the Highway Officer has recommended a planning condition to secure 1 active electric vehicle charging point for each of the proposed new dwellings. This has been included within the recommended landscaping condition (refer to Appendix 1).

#### *Construction Logistics/Management*

- 7.42 As per the recommendation of the Highway Officer, a construction logistics/management plan condition has been included in the Planning Officer's recommendation (refer to Appendix 1 for conditions). This condition would ensure that the development does not have a significant adverse impact on traffic and pedestrian safety during construction, given the constraints of the site.



### *Highways and Parking – Conclusion*

- 7.43 Subject to the imposition of the conditions and planning obligations discussed in the paragraphs above, it is concluded that the proposal would have an acceptable impact on parking and Highway safety, in accordance with the relevant planning policies referenced.

### Accessibility

- 7.44 London Plan (2021) Policy D7 states:

*‘To provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children, residential development must ensure that:*

*1) at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(3) 'wheelchair user dwellings'*

*2) all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'*

- 7.45 The Council's Access Officer has been consulted and is satisfied with the proposals, subject to the imposition of conditions to secure the submission of details demonstrating step free access for both units and conformity to M4(2) standards. These conditions have been included in the officer recommendation (refer to Appendix 1) and it is considered that the proposal satisfies planning requirements in respect of accessibility.

### Trees and Landscaping

- 7.46 Policy D5 of the London Plan (2021) states that development proposals should integrate green infrastructure to contribute to urban greening, including the public realm.
- 7.47 Policy DMHB 14 of the Hillingdon Local Plan: Part Two – Development Management Policies (2020) requires that all development retains or enhances existing landscaping, trees, and biodiversity.
- 7.48 It is considered that the proposal would not impact adversely upon significant trees and the proposal provides an opportunity to increase the level of planting and landscaping at the site. A landscaping condition has been included to secure the detailed landscaping proposals. A condition has also been included to ensure adequate tree protection measures to protect adjacent trees/trees to be retained during construction.

### Ecology and Biodiversity

- 7.49 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

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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.

- 7.50 The site predominantly comprises buildings and hard surfaces and there are no protected sites of ecological interest adjacent to or near to the site. It is therefore considered that the likelihood of protected species being present at the site is low and the submission of an ecological survey is not necessary.
- 7.51 With regards to Biodiversity Net Gain (BNG), an exemption for non-major developments was in place until 2<sup>nd</sup> April 2024. Therefore, as this planning application was submitted prior to 2<sup>nd</sup> April 2024, it is exempt from the statutory BNG condition. Notwithstanding the above, it is considered that the proposal will in any event enhance the biodiversity potential of the site, through the addition of landscaping and garden areas. As noted previously, soft landscaping will be secured through the imposition of a landscaping condition.

#### Air Quality

- 7.52 Policies SI 1 of the London Plan (2021), EM8 of the Hillingdon Local Plan: Part 1 (2012) and DMEI 14 of the Hillingdon Local Plan: Part 2 (2020) are all directly relevant to the proposal. These policies can be read in full in the Committee Report Part 3 - Policy Appendix, and in summary, seek to safeguard and improve air quality in order to protect existing and new sensitive receptors. These aims are also supported by the NPPF (2023) at chapter 15.
- 7.53 The development site is located within an Air Quality Management Area. Whilst the proposal would introduce new residential units and associated vehicular trips, this is not considered significant in air quality terms, having regard to the previous use of the garages, which would have generated vehicular trips (and associated impact on air quality). As noted previously, a condition will secure an active EVCP for each dwelling, which will facilitate the use of electric vehicles.

#### Security

- 7.54 The proposed development is not considered to compromise the security of the application site or adjoining sites. The new dwellings would enable greater surveillance of Hilton Close, in comparison with the existing situation.

#### Sustainability

- 7.55 Policy DMEI 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires all developments to make the fullest contribution to minimising carbon dioxide emissions in accordance with the London Plan targets.
- 7.56 The proposed development is of a minor scale, therefore whilst the principle of SI 2 (carbon reduction) is applicable, the London Plan Policy applies more specifically to

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major scale applications. The applicant is therefore not required to submit an energy statement with the application or demonstrate a policy level of on-site savings. Notwithstanding this point, the modern construction of the development would be considered as providing sufficient energy savings itself and therefore the development would comply with the principles of the carbon saving development plan policies.

- 7.57 A condition would be secured requiring the proposed development to achieve as a minimum, a water efficiency standard 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 option requirement defined within Approved Document G of the Building Regulations).
- 7.58 The proposal would therefore be considered compliant with Policy SI 2 of the London Plan (2021) and Policy DMEI 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

#### Flooding and Drainage

- 7.59 Policy SI12 and SI13 of the London Plan (2021) require, in summary, that flood risk is minimised and mitigated, and that surface water runoff is managed close to source.
- 7.60 The site lies within Flood Zone 1 (low risk of fluvial flooding); however, it is identified as being at high risk from surface water flooding. The applicant submitted a Flood Risk Assessment with the planning application which concludes: *'To deal with flood risk from surface water and groundwater, Finished Floor Levels should be raised as much as possible, in the range of 450-600mm. Further site investigation, including CCTV surveys and soil testing is recommended before a SuDS design is progressed.'* Having regard to the findings of the Flood Risk Assessment, a planning condition has been included to ensure construction accords with the recommended mitigation measures. In addition, conditions have been included to require approval of the finished floor levels and to require submission and approval of sustainable drainage details.
- 7.61 Subject to the aforementioned conditions, the proposals are considered to be in compliance with Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policies SI 12 and SI 13 of the London Plan (2021).

#### Airport Safeguarding

- 7.62 The development would have no impact on airport safeguarding.

#### Land Contamination

- 7.63 Policy DMEI 12 of the Local Plan Part 2 (2020) states that for sites which are identified as being at potential risk from land contamination, a contaminated land

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report detailing the history of contamination on site, relevant survey work and findings should be submitted in support of the application.

- 7.64 The site is identified as being located within an area potentially at risk from land contamination according to the Council's mapping system. Having consulted the Council's contaminated land specialist, no objection is raised subject to the inclusion of contaminated land conditions. These are captured in the Planning Officer's recommendation in condition 12 (Appendix 1 to this report). Subject to this condition, the development is acceptable in respect of land contamination.

#### Electricity Infrastructure

- 7.65 It is noted that the development is to be constructed close to the boundary of an electricity substation located adjacent to the site. A consultation letter was issued to the electricity provider (SSE) dated 26-06-24 after undertaking a Land Registry search to identify the owner of the asset. No comments have been received to date, however an update will be provided to Members via an Addendum Report/at the Committee meeting. Notwithstanding the above, as had been previously explained, the scheme has been amended to retain clear access to the substation from Hilton Close and no concerns are identified in respect of the relationship with the existing substation.

#### Fire Safety

- 7.66 Policy D12 of the London Plan states that all developments must achieve the highest standards of fire safety. Having regard to the scale and nature of the development, all relevant matters related to fire safety will be addressed through the Building Regulations.

#### Heritage

- 7.67 As noted, the site is not within a designated conservation area or close to listed buildings, therefore no issues are raised in this respect. Whilst the site does lie within an Archaeological Priority Zone, having regard to the scale of development and the brownfield nature of the site (i.e. any archaeological remains are likely to have been disturbed previously), no archaeological conditions are recommended.

#### Planning Obligations

- 7.68 The Community Infrastructure Levy Regulations 2010 (Regulations issued pursuant to the 2008 Act) and the NPPF have put three tests on the use of planning obligations into law. It is unlawful (since 6th April 2010) to request planning obligations that do not meet the following tests:
- i. necessary to make the development acceptable in planning terms;
  - ii. directly related to the development; and
  - iii. fairly and reasonable related in scale and kind to the development.

- 7.69 The planning obligations set out in the Heads of Terms at the start of this report are considered necessary to make the development acceptable in planning terms and

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meet the above tests. No other planning obligations are considered to be required, having regard to the scale and nature of the proposed development.

## **8 Other Matters**

### Human Rights

- 8.1 The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

### Equality

- 8.2 Due consideration has been given to Section 149 of the Equality Act with regard to the Public Sector Equality Duty in the assessment of this planning application. No adverse equality impacts are considered to arise from the proposal.

### Local Finance Considerations and CIL

- 8.3 It is acknowledged that the Council is the applicant.
- 8.4 The proposal involves the creation of residential units and is CIL liable. The Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £60 per sq metre.

## **9 Conclusion / Planning Balance**

- 9.1 Planning permission is sought for the erection of 2 x 3 bedroom dwellings following the removal of 20 existing garages.
- 9.2 The proposal would result in the redevelopment of an underutilised brownfield site, providing high quality family housing (for which there is an identified need), and contributing positively to the character and visual appearance of the area. Subject to the conditions and planning obligations recommended in this report, the proposal would have an acceptable impact on highway safety, would not be at unacceptable risk from flooding and would not cause harm to neighbouring residential amenity. The proposal is acceptable in all other respects. It is considered that the proposal complies with the Development Plan and no material considerations indicate that the policies of the Development Plan should not prevail. It is recommended that planning permission is granted, subject to the completion of a satisfactory S106 agreement to secure the obligations set out in the Heads of Terms (above) and subject to the planning conditions set out in Appendix 1 (below).

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## **10 Background Papers**

Relevant published policies and documents taken into account in respect of this application are set out in the report. Documents associated with the application (except exempt or confidential information) are available on the [Council's website here](#), by entering the planning application number at the top of this report and using the search facility. Planning applications are also available to inspect electronically at the Civic Centre, High Street, Uxbridge, UB8 1UW upon appointment, by contacting Planning Services at [planning@hillington.gov.uk](mailto:planning@hillington.gov.uk).

# **APPENDICES**

## **Planning Application**

**77811/APP/2024/442**

## Appendix 1: Recommended Conditions and Informatives

### Conditions

#### 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 submitted plans numbers:

001 REV A  
100 REV A  
200 REV A  
201 REV A  
202 REV A  
203 REV A  
210 REV B  
211 REV B  
220 REV B  
230 REV B

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 shall take place until a Demolition and Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall detail:

- a) The phasing of development works;
- b) The hours during which development works will occur;
- c) How vehicles will access the site whilst protecting neighbouring sites;
- d) Measures to prevent mud and dirt tracking onto footways and adjoining roads;
- e) 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);
- f) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process;
  - g) 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 ensure the development causes no harm to the local highways network or pedestrian and road user safety and to safeguard the amenity of surrounding areas in accordance with Policies DMT 2 and DMT 6 of the Hillingdon Local Plan Part 2 (2020), as well as policies D3 and T6 of the London Plan (2021).

#### 4. HO5 No Additional Windows or Doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be inserted/constructed in the rear elevations or rear roof slopes, or north west facing elevations or north west facing roof slopes of the dwellings hereby permitted.

#### REASON

To prevent overlooking to adjoining properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020) and to ensure appropriate acoustic levels are achieved within the approved dwellings, in accordance with policy D13 of the London Plan (2021).

#### 5. D2 Obscured Glazing

The windows and doors in the north west facing elevations of the dwellings hereby permitted shall be glazed with obscure glass to at least scale 4 on the Pilkington scale. In addition, the windows shall be non-opening, unless the parts of the window which are openable are at least 1.8m above the floor level of the room serving the relevant window. The windows and doors shall thereafter be retained as such for so long as the development remains in existence.

#### REASON

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

#### 6. NONSC Step Free Access

Prior to any development on the site above damp proof course level, details of step free access via all points of entry and exit for each of the dwellings 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).

#### **7. NONSC Accessibility Compliance M4(2)**

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

#### REASON

To not only allow the Building Control body to require the development to comply with the optional Building Regulations standards, but to also ensure the appropriate quantity and standard of accessible and adaptable housing is constructed and maintained in accordance with Policy D7 of the London Plan (2021).

#### **8. 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 and shall take account of the recommendations of the Flood Risk Assessment (Infrastruct CS Ltd. Nov 2023) submitted with the planning application. Thereafter, the development shall not be carried out other than in accordance with the approved details.

#### REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020) and to ensure the dwellings hereby permitted are not subject to an unacceptable risk of flooding, in compliance with Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policies SI 12 and SI 13 of the London Plan (2021).

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

No development above ground level shall take place until details of all materials and external surfaces (associated with the proposed development) have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

## REASON

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

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

No development above ground level shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

#### 1. Details of Soft Landscaping

1.a Planting plans (at not less than a scale of 1:100);

1.b Written specification of planting and cultivation works to be undertaken;

1.c Schedule of plants giving species (including pollution absorbing plants), plant sizes, and proposed numbers/densities where appropriate.

#### 2. Details of Hard Landscaping

2.a Refuse Storage (including dimensions and material finishes);

2.b Secure and enclosed Cycle Storage units capable of storing 2 cycles for each dwelling (including dimensions and material finishes);

2.c Means of enclosure/boundary treatments;

2.d Hard Surfacing Materials;

2.e External Lighting;

2.f Car parking spaces - 2 for each dwelling, including 1 active electrical vehicle charging point for each dwelling.

#### 3. Details of Landscape Maintenance

3.a Landscape Maintenance Schedule for a minimum period of 5 years;

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

#### 4. 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, DME1 1 and DMT 2 of the Hillingdon Local Plan Part 2 (2020).

### **11. RES23 Visibility Splays - Pedestrian**

The vehicular accesses serving the dwellings hereby permitted shall be provided with 2.4m x

2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.

#### REASON

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

#### 12. NONSC Contamination

(i) The development hereby permitted (excluding demolition, site clearance and initial ground investigation works) shall not commence until a scheme to deal with unacceptable contamination, (including asbestos materials detected within the soil), has been submitted to and approved by the Local Planning Authority (LPA). 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) Policies - DMEI 11: Protection of Ground Water Resources and DMEI 12: Development of Land Affected by Contamination.

**13. NONSC Non Standard Condition**

Prior to commencement of the hereby approved development, (excluding demolition and site clearance) a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how the approved development will incorporate sustainable urban drainage (SuDs) in accordance with the hierarchy set out in the London Plan and will:

- i. provide information on all SuDs features including the method employed to delay and control the surface water discharged from the site;
- ii. provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime, including appropriate details of inspection regimes; and
- iii. demonstrate appropriate measures to achieve as a minimum, a water efficiency standard 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 option requirement defined within Approved Document G of the Building Regulations).

**REASON**

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding and is to be handled as close to its source as possible, and to conserve water supplies in compliance with: Hillingdon Local Plan: Part 1 - Strategic Policies (2012) Policy EM6 Flood Risk Management, Hillingdon Local Plan: Part 2 - Development Management Policies (2020) Policy DMEI 10 Water Management, Efficiency and Quality, as well as relevant SuDs guidance contained within the London Plan (2021) and NPPF (2023).

**14. RES14 Permitted Development Restrictions**

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).

#### 15. COM8 Tree Protection

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

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

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

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

- 2.a There shall be no changes in ground levels;
- 2.b No materials or plant shall be stored;
- 2.c No buildings or temporary buildings shall be erected or stationed;
- 2.d No materials or waste shall be burnt; and
- 2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

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

#### REASON

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

#### 16. COM5 General Compliance with Supporting Documentation

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:

- Noise mitigation measures as detailed in the Environmental Noise Assessment report by AIRO (January 2024); and
- Flood risk mitigation measures as detailed in the Flood Risk Assessment report by Infrastruct CS Ltd. (November 2023).

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

#### REASON

To ensure that the development complies with the objectives of Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policies D13, SI 12 and SI 13 of the London Plan (2021).

### Informatives

#### 1. 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).

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

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

The above forms can be found on the planning portal at:  
[www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

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

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

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

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

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

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

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

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

### **4. I23 Works Affecting the Public Highway - Vehicle Crossover**

The development requires the installation of a vehicular crossover, which will be constructed by the Council. This work is also subject to the issuing of a separate licence to obstruct or open up the public highway. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

### **5. I52 Asbestos Informative**

Appropriate testing, demolition and/or removal of any asbestos containing material (ACM) should be carried out strictly in accordance with guidance from the Health and Safety Executive.

### **I53 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 (2021) and national guidance.

DMEI 14	Air Quality
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D1	(2021) London's form, character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP H1	(2021) Increasing housing supply
LPP H2	(2021) Small sites
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
NPPF14 -23	NPPF14 23 - Meeting the challenge of climate change, flooding and coastal change
NPPF15 -23	NPPF15 23 - Conserving and enhancing the natural environment
NPPF2 -23	NPPF2 2023 - Achieving sustainable development

NPPF4 -23      NPPF4 23 - Decision making  
NPPF5 -23      NPPF5 23 - Delivering a sufficient supply of homes  
NPPF8 -23      NPPF8 23 - Promoting healthy and safe communities  
NPPF9 -23      NPPF9 23 - Promoting sustainable transport

## **Appendix 2: Relevant Planning History**

77811/PRC/2023/13      Garage Site Hilton Close Uxbridge  
Redevelopment of site

## Appendix 3: List of Relevant Planning Policies

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

### Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.H1 (2012) Housing Growth

### Part 2 Policies:

- DMH 1 Safeguarding Existing Housing
- DMH 2 Housing Mix
- DMEI 14 Air Quality
- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 14 Trees and Landscaping
- DMHB 15 Planning for Safer Places
- DMHB 16 Housing Standards
- DMHB 17 Residential Density
- DMHB 18 Private Outdoor Amenity Space
- DMT 1 Managing Transport Impacts
- DMT 2 Highways Impacts
- DMT 5 Pedestrians and Cyclists
- DMT 6 Vehicle Parking
- LPP D1 (2021) London's form, character and capacity for growth
- LPP D3 (2021) Optimising site capacity through the design-led approach
- LPP D4 (2021) Delivering good design

LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP H1	(2021) Increasing housing supply
LPP H2	(2021) Small sites
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
NPPF14 -23	NPPF14 23 - Meeting the challenge of climate change, flooding and coastal change
NPPF15 -23	NPPF15 23 - Conserving and enhancing the natural environment
NPPF2 -23	NPPF2 2023 - Achieving sustainable development
NPPF4 -23	NPPF4 23 - Decision making
NPPF5 -23	NPPF5 23 - Delivering a sufficient supply of homes
NPPF8 -23	NPPF8 23 - Promoting healthy and safe communities
NPPF9 -23	NPPF9 23 - Promoting sustainable transport