

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

Case Officer: **Rhian Thomas**

**77795/APP/2025/2979**

Date Application Valid:	<b>25-11-25</b>	Statutory / Agreed Determination Deadline:	<b>30-04-26</b>
Application Type:	<b>Full</b>	Ward:	<b>Uxbridge</b>

Applicant: **Mr Kamalpreet Singh**

Site Address: **29 Clammas Way, Uxbridge, Hillingdon, UB8 3AN**

Proposal: **Erection of 2x two storey, 3 bed dwelling with associated parking, amenity space, cycle and refuse stores, following the demolition of existing bungalow**

Summary of Recommendation: **GRANT planning permission subject to conditions**

Reason Reported to Committee: **Required under Part 3 of the Planning Scheme of Delegation (Petition received)**



## **Summary of Recommendation:**

GRANT planning permission subject to the conditions set out in Appendix 1.

### **1 Executive Summary**

- 1.1 Planning permission is sought for the Erection of 2x two storey, 3 bed dwelling with associated parking, amenity space, cycle and refuse stores, following the demolition of existing bungalow.
- 1.2 During the process of the application a petition was received in objection to the proposed development requiring the determination at planning committee. The main issues which shall be addressed within this Committee Report relate to the impact of the development on the character and appearance of the area, impact to neighbouring amenities, drainage, sewage and flood risk concerns, parking and highway safety, potential use as a HMO and refuse/waste storage concerns.
- 1.3 The Committee Report seeks to provide a comprehensive assessment of the full planning application and supporting documentation. All material planning considerations have been considered.
- 1.4 Due regard has been given to local residents' objections, including the petition against the application, however, it is recommended that planning permission is granted subject to conditions (Appendix 1) by virtue that the development would not have a significant impact on the amenities of neighbouring properties, nor would it harm the character and appearance of the area, and it would not have a harmful impact on the highway network.
- 1.5 The Council is currently unable to demonstrate a five-year supply of deliverable housing sites, with the most recent position statement (01/04/26) confirming a 2.5-year supply. As such, the relevant housing policies are considered out-of-date and the 'tilted balance' set out in paragraph 11(d) of the NPPF is engaged. In this case, the proposal is considered to comply with the Development Plan and, when assessed against the NPPF as a whole, any identified adverse impacts would not significantly and demonstrably outweigh the benefits. Positive weight is therefore afforded to the proposal, including its modest contribution towards the Borough's housing supply.

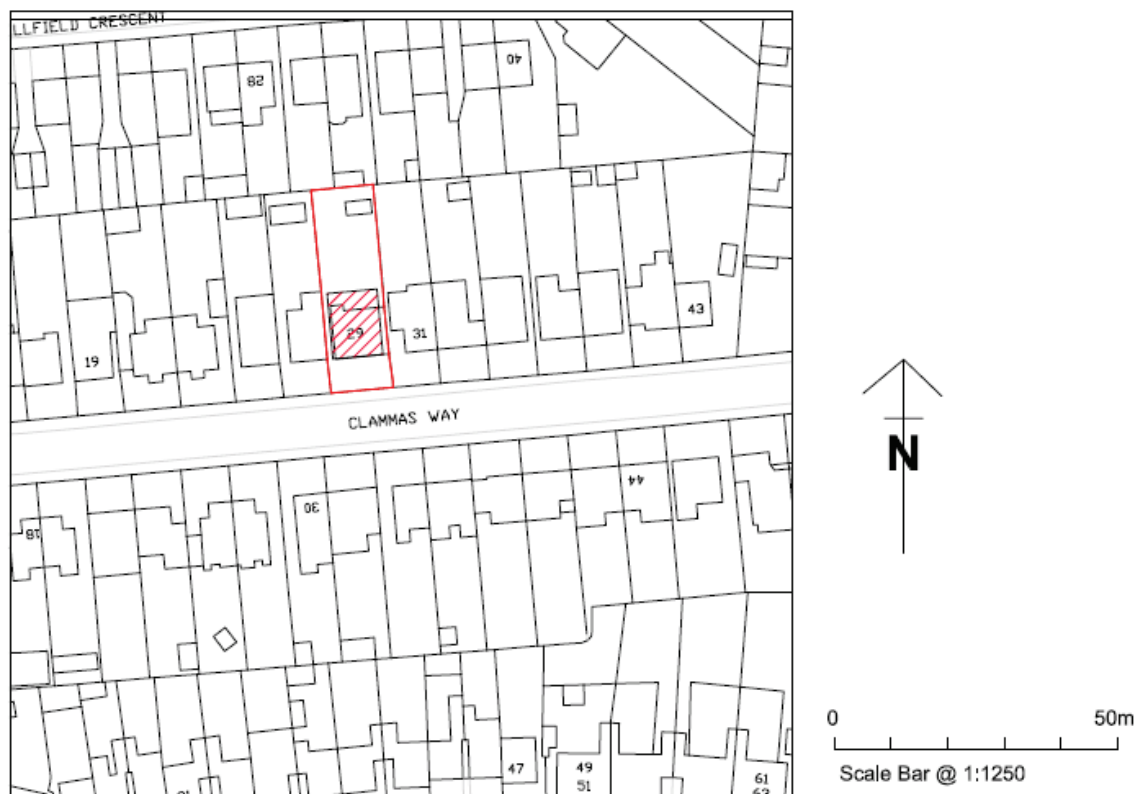
### **2 The Site and Locality**

- 2.1 The application site comprises a detached bungalow style property located on the northern side of Clammas Way, Cowley. The property is set back from the main

road by a small area of soft landscaping, and an area of hardstanding used for off street parking. The property has double fronting bay window features and is finished in brick.

- 2.2 The site has a PTAL ranking of 1b and is located upon potentially contaminated land.
- 2.3 The surrounding area is predominantly residential in character comprising a mix of property styles ranging from bungalows to two storey semi-detached dwellings.

**Figure 1: Location Plan (application site edged red)**



Location Plan 1:1250

**Figure 2: Street View Image of the Application Property**

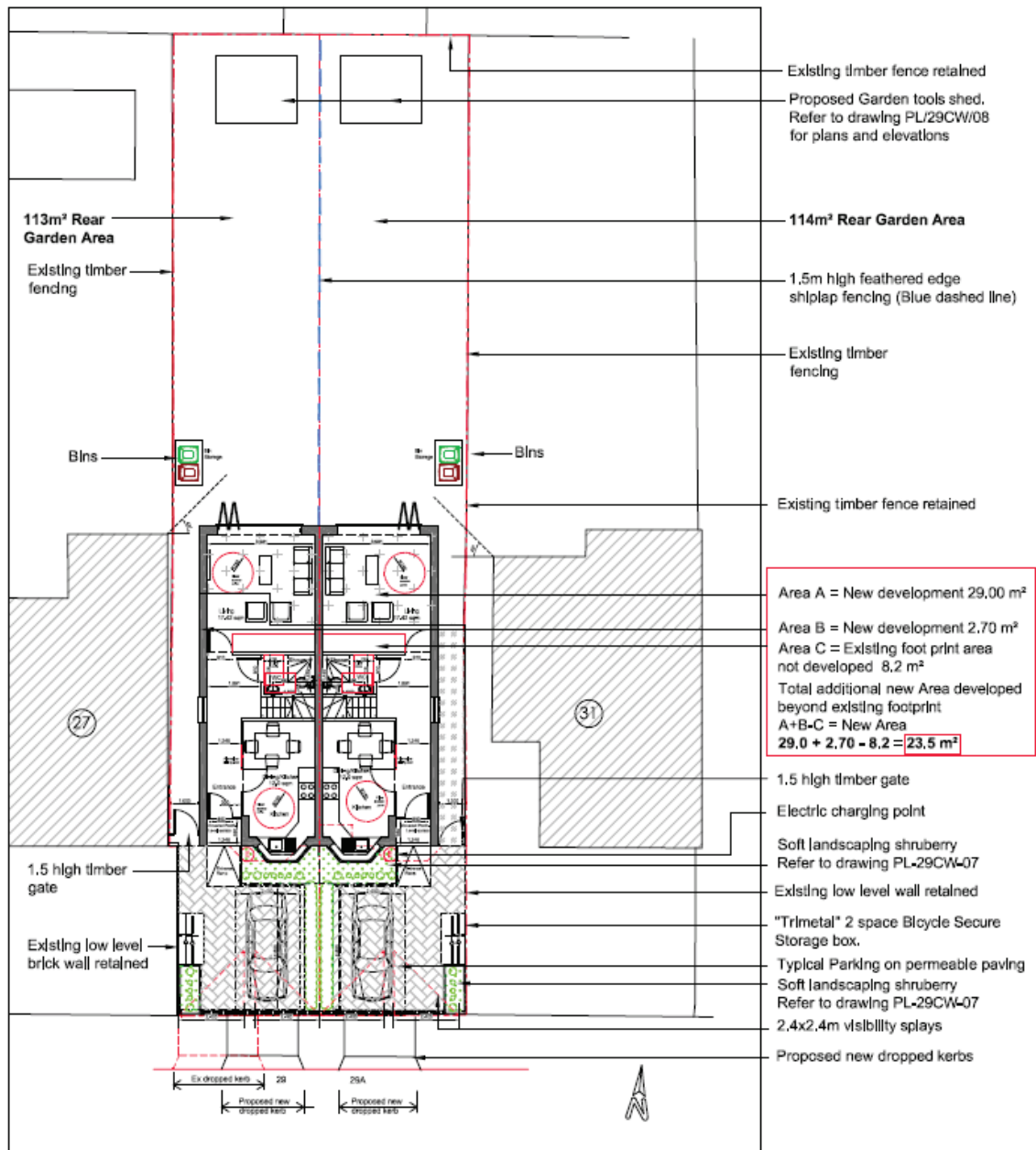


### **3 Proposal**

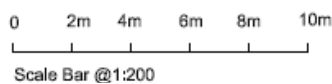
- 3.1 Planning permission is sought for the erection of 2x two storey, 3 bed dwelling with associated parking, amenity space, cycle and refuse stores, following the demolition of existing bungalow.
- 3.2 During the process of the application revised drawings were received amending the proposed parking layout, the internal layout and to include a front bay window to each property.

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

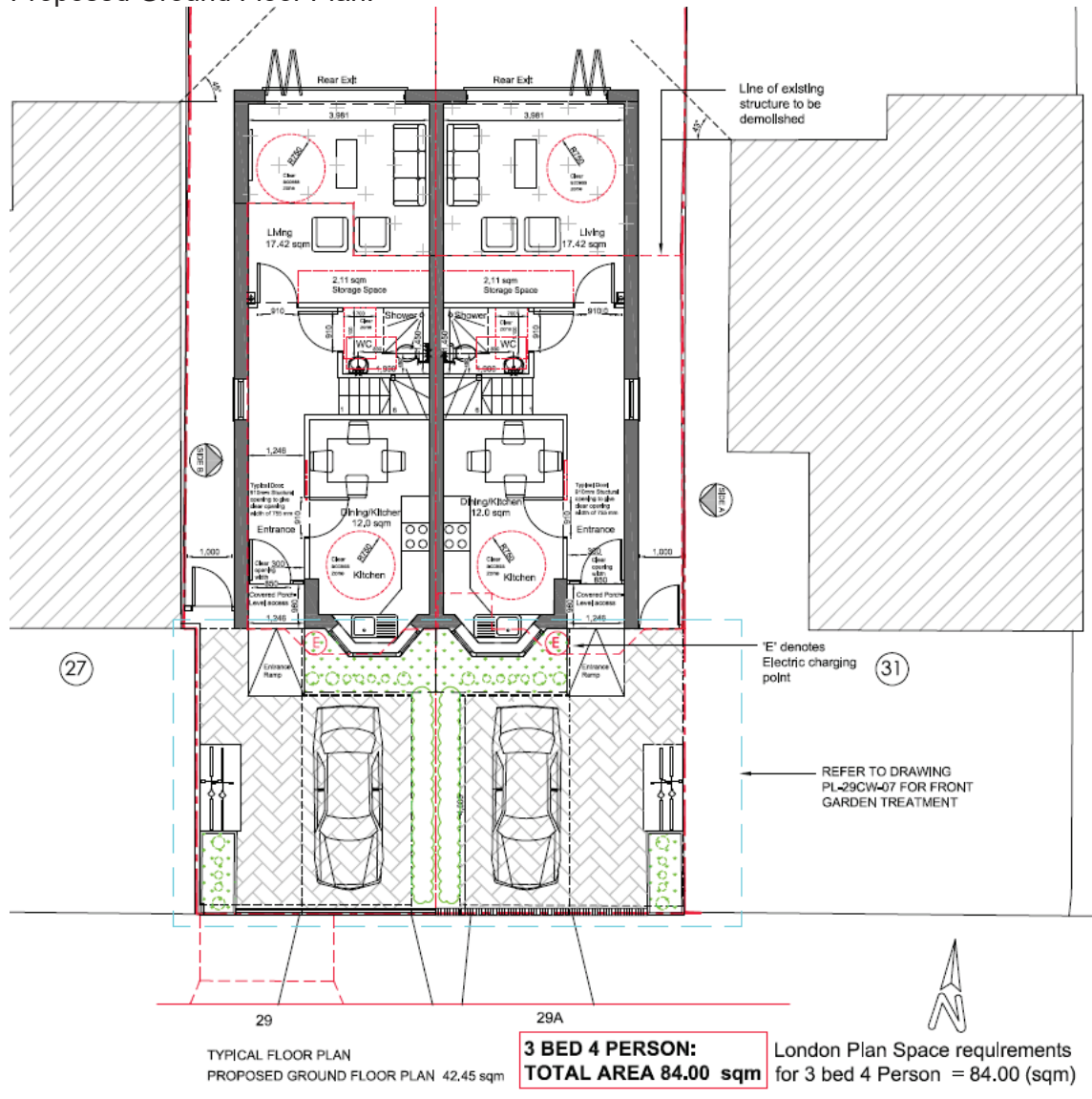
Block Plan:



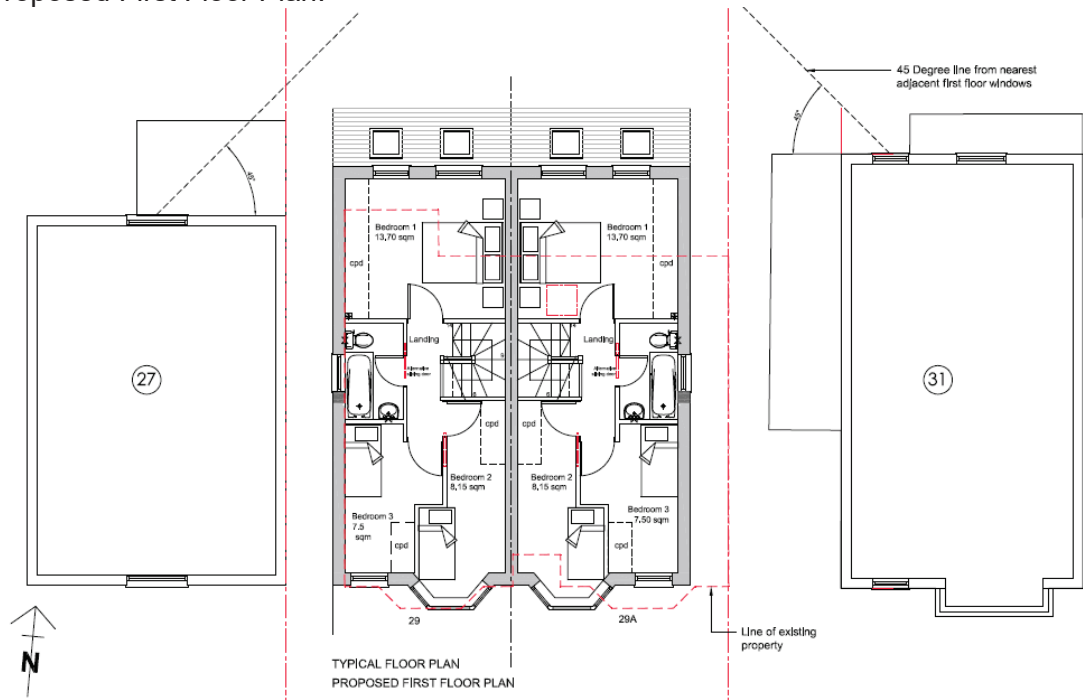
Block Plan 1:200



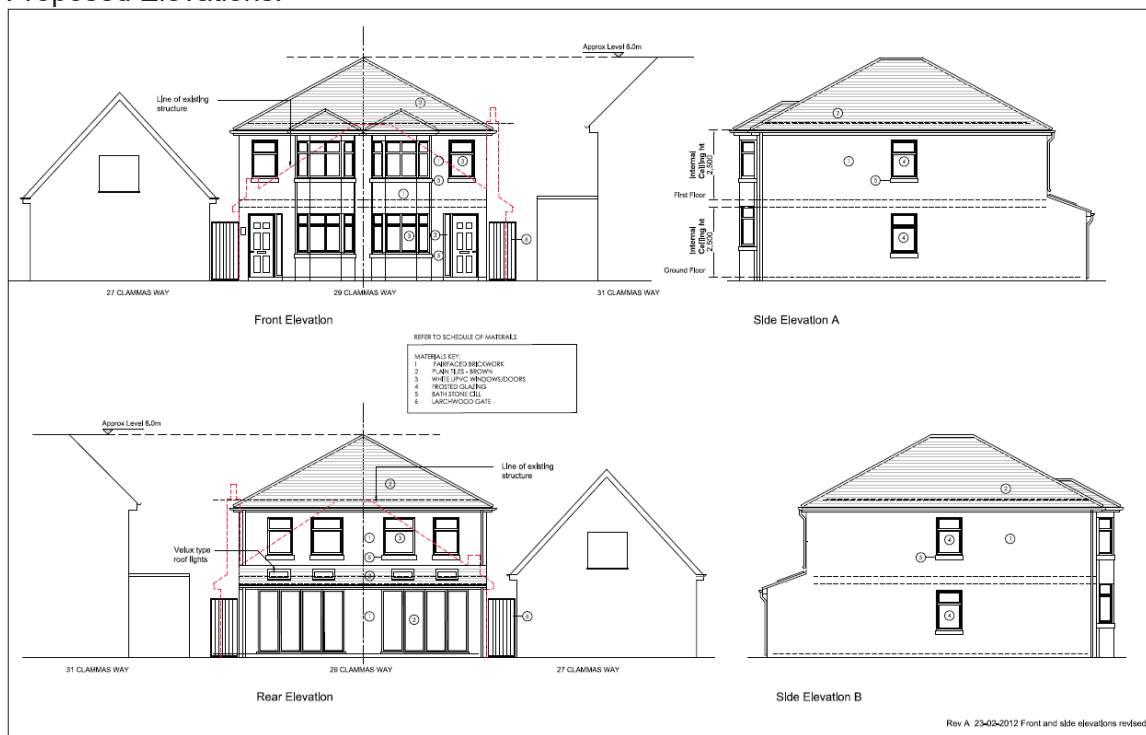
Proposed Ground Floor Plan:



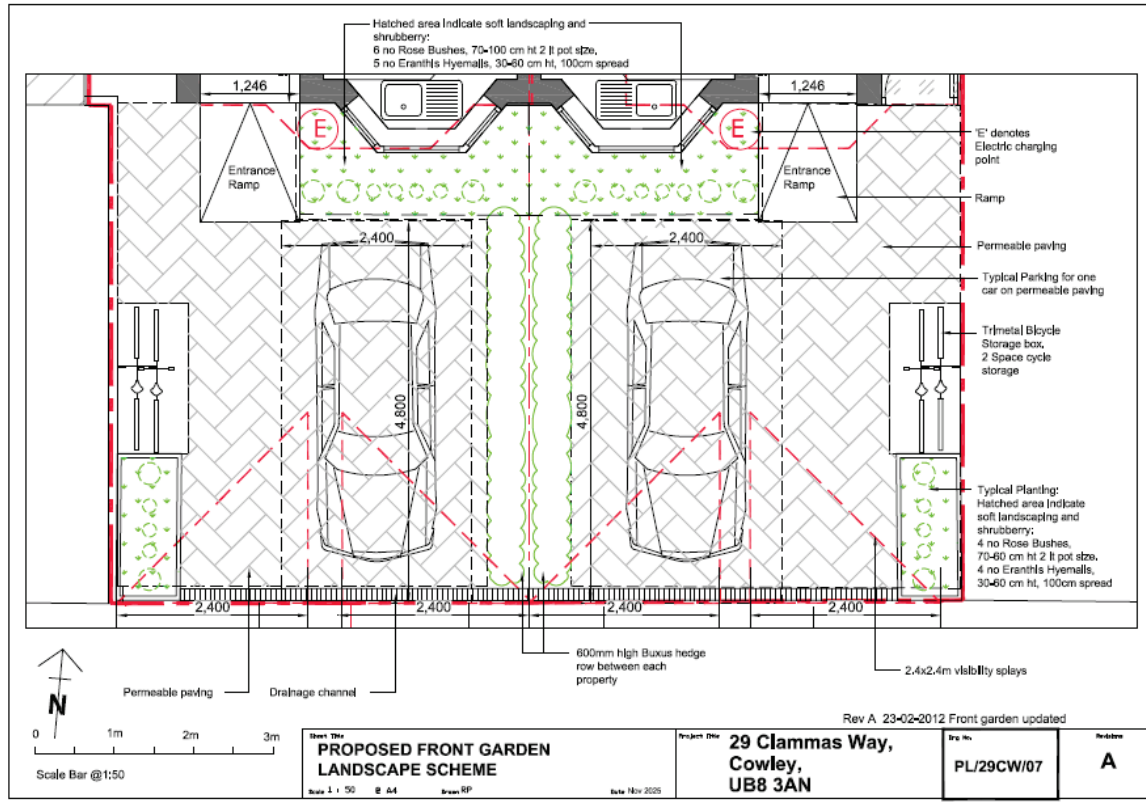
Proposed First Floor Plan:



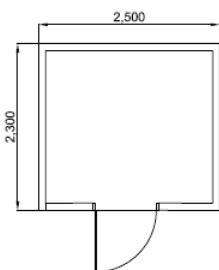
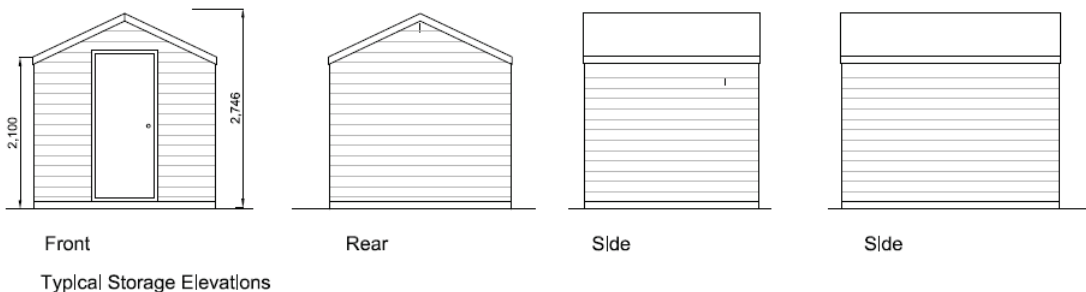
Proposed Elevations:



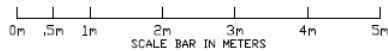
### Proposed Front Garden Landscaping:



### Proposed shed storage details



1:50



## 4 Relevant Planning History

- 4.1 A list of the relevant planning history related to the property can be found in Appendix 2.
- 4.2 A previous application at the site for the 'Proposed demolition of existing detached bungalow and erection of a detached 6-bedroom dwelling with associated parking spaces and external works under reference 77795/APP/2023/176 was withdrawn prior to determination.

## 5 Planning Policy

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

## 6 Consultations and Representations

- 6.1 20 neighbouring properties were consulted on the application by letter dated 05/12/2025.
- 6.2 Representations received in response to public consultation are summarised in Table 1 (below). Consultee responses received are summarised in Table 2 (below). Full copies of the responses have also separately been made available to Members.

**Table 1: Summary of Representations Received**

Representations	Summary of Issues Raised	Planning Officer Response
A petition in objection has been received with 51 valid signatures.	1. The proposed demolition of the existing bungalow and replacement with two two-storey modern dwellings would fail to preserve or enhance the architectural integrity of the area and its special character. The demolition of the bungalow would represent an unnecessary loss of a	Discussed at Sections 7.7 – 7.15  It should also be noted that the application site itself is not located within an Area of Special Local Character, nor a Conservation Area.

	heritage-positive building.	
	2. The proposal would constitute overdevelopment and is out of keeping with the scale, spacing and character of surrounding properties. The proposed dwellings would appear visually dominant and intrusive.	Discussed at sections 7.7 – 7.15
	3. Drainage, sewerage and flood risk concerns due to loss of front garden, increased hardstanding and pressure on surface and foul water systems	Flooding and Drainage impacts have been discussed at sections 7.66 – 7.68
	4. Concern regarding potential use as a Houses in Multiple Occupation (HMO).	The London Borough of Hillingdon has implemented a borough-wide Article 4 Direction that removes permitted development rights allowing a change of use from a Class C3 dwellinghouse to a Class C4 House in Multiple Occupation (HMO). As a result, any future proposal to use the dwellings as HMOs would require a full planning application, allowing the Council full control over whether such a use would be acceptable. The proposed development relates to the erection of 2 × 3 bed Class C3 dwellinghouses. The Local Planning Authority can only assess the application as submitted, and there is no evidence

		before the Council to indicate that the units would be used as HMOs. Any future change of use would be subject to a separate planning application and assessment.
	5. Concerns regarding refuse storage, collection and non-compliance with waste rules.	Adequate refuse and recycling storage is provided within the rear gardens of each dwelling. Future occupiers would bring their bins to the pavement on collection days, as the previous bungalow did and as is standard practice boroughwide. The concerns raised relate to future occupier behaviour rather than the planning merits of the scheme. A landscaping condition has been added which includes the submission of appropriately secure and covered refuse storage.
	6. Concerns regarding noise, dust and disruption from demolition and construction.	Matters relating to construction noise, dust, vibration and construction traffic are governed by separate environmental and public health legislation and cannot be controlled through the planning decision itself. However, a Demolition and Construction Management Plan has been secured by condition, which will manage and mitigate construction impacts as far as reasonably practicable.
	7. Concerns regarding parking stress and highway safety concerns.	Discussed at sections 7.46 – 7.53

	8. Concerns regarding harm to neighbouring amenity in terms of loss of light, loss of privacy and increased activity and noise.	Discussed at sections 7.18 – 7.30
4 individual letters of objection have been received.	I. The proposed development represents over intensification of the site conflicting with the established character of the area.	Discussed at section 7.7 – 7.15
	II. Failure to address previous reasons for refusal.	It should be noted that there are no previous refusals at the site. The previous application under reference 77795/APP/2023/176 was withdrawn prior to determination
	III. The proposed development is not in keeping with the character of the existing house of the street scene.	Discussed at sections 7.7 – 7.15
	IV. Harm to neighbouring amenities in terms of loss of privacy, overlooking and increased disturbance.	Discussed at sections 7.18 – 7.30

**Table 2: Summary of Consultee Responses**

<b>Consultee and Summary of Comments</b>	<b>Planning Officer Response</b>
<p><b>Access Officer (summary)</b></p> <p>Revised plans have been submitted to address some concerns relating to the design of the internal spaces. The application is now acceptable from an accessibility perspective, subject to conditions pertaining to the submission of further step free access details and conformity to M4(2) standards.</p>	<p>This is noted and the relevant conditions added.</p>

<p><b>Waste Service (summary)</b></p> <p>No comments/ objections</p>	<p>This is noted.</p>
<p><b>Contaminated Land Officer (summary)</b></p> <p>Having consider the submitted application in relation to our land contamination record, please be advise that, we have no objection to the proposed development.</p> <p>However, our land contamination record shows the proposed development site to be on a former potentially contaminated land use identified as Nursery/Orchard.</p> <p>Therefore, we would like to recommend the following land contamination condition should the planning application be approved.</p>	<p>This is noted and the relevant condition added.</p>
<p><b>Highway Authority (summary)</b></p> <p>Clammas Way is encompassed by a controlled parking zone operating from 9am to 5pm - Monday to Friday and the public transport accessibility level (PTAL) is rated at a level of 1b which is considered as 'very poor'</p> <p>The maximum parking standard within the London Plan requires in the region of 1 space per dwelling to be provided/retained. The site plan illustrates 1 space to be provided for each dwelling therefore conforming with this maximum standard. Furthermore 2 cycle parking spaces are illustrated at the front of each dwelling which is in compliance with the London Plan standard.</p> <p>The two new crossovers would broadly conform to the council's adopted 'Domestic Vehicle Footway Crossover' (DVFC) 2022 Policy guidance.</p> <p>The proposal would not raise the level of trips to and from the site significantly given that each property would be served by one space.</p> <p>In regard to refuse arrangements bin stores should be provided and within a reasonable carrying distance to ensure that they can be left kerbside on the day of collection. In addition a Construction Management Plan is to be secured by condition and shall include</p>	<p>This is noted.</p>

<p>details as to how the development will be constructed whilst limiting the impact to surrounding residents and the local highway network.</p> <p>In conclusion no objection is raised.</p>	
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## 7 Planning Assessment

### Principle of Development

- 7.1 The application seeks planning permission for the demolition of the existing detached bungalow and the erection of two, two-storey 3-bedroom dwellings. The site lies within an established residential area where the principle of residential use is long established. As such, the key consideration is whether the intensification of the site and the replacement of one dwelling with two units is acceptable in land-use terms.
- 7.2 Paragraph 72 of the National Planning Policy Framework (NPPF, December 2024) places great weight on the contribution of small and medium sites in meeting housing needs and encourages local planning authorities to support the effective use of land within existing settlements, including the redevelopment of under-utilised residential plots.
- 7.3 The existing plot accommodates a single modest 2-bedroom bungalow on a relatively wide frontage. The re-development of the site would provide 2 family sized dwellings (3 bedrooms) for which there is an identified need within the Borough.
- 7.4 At a regional level, the London Plan (2021) promotes the optimisation of housing capacity and supports the development of small sites. At a local level, Hillingdon Local Plan Policies DMH 6 and DMHB 11 support the redevelopment and intensification of existing residential plots where the proposal respects the character of the area and provides an appropriate residential environment. The development is considered to integrate with the surrounding character of the area and this has been discussed further within the Character and Appearance section of this report.
- 7.5 Given the established residential use of the site and the provision of 2 family sized dwellings, the principle of development is considered acceptable. The acceptability of the scheme is therefore subject to an assessment of its detailed design, impact on character, neighbouring amenity, highways, parking and other material considerations. This report demonstrates that the development would satisfactorily integrate with the established pattern of development and character of the local area, would not result in harm to neighbouring properties in terms of overshadowing or loss of outlook and provides adequate parking provision to

prevent unacceptable levels of parking overspill onto the local highway network. As such the principle of development is supported.

- 7.6 Moreover, it is acknowledged that the Council cannot currently demonstrate a five-year supply of deliverable housing sites (the most recent position statement published on 01/04/26 confirmed a 2.5 year supply). In accordance with Footnote 8 of the NPPF, the policies which are most important for determining the application are therefore considered out-of-date. Consequently, Paragraph 11(d) of the Framework is engaged, and the 'tilted balance' applies. This requires that planning permission be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The application is considered to comply with the Development Plan in this case. In addition, when considered against the policies of the Framework (read as a whole), any adverse impacts of granting consent (as identified within this report) would not significantly and demonstrably outweigh the benefits. In reaching this decision, positive weight is afforded to the modest contribution that the proposal makes towards the Borough's housing supply.

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

- 7.7 The application site is located on the northern side of Clammas Way and comprises a modest detached bungalow set back from the highway behind an area of hardstanding and a small, landscaped frontage. The proposal seeks the demolition of the existing dwelling and the construction of a pair of two-storey semi-detached properties.
- 7.8 Clammas Way is residential in character, although the surrounding built form is varied. The immediate street scene contains a mixture of single-storey bungalows, 1½-storey chalet-style dwellings and two-storey semi-detached properties, with no prevailing architectural style or consistent roof form. As a result, the area exhibits a broad character in terms of scale, form and materials. See Figure 4

Figure 4 – Street View Images of Clammas Way





- 7.9 Policy DMHB 11 of the Local Plan Part 2 (2020) requires proposals to be compatible with the local context and to harmonise with the established character of the area. Policy DMH 6 supports redevelopment of residential plots where the siting and form of new dwellings respect the surrounding pattern of development. London Plan Policies D3 and D4 similarly seek high-quality design that responds positively to local character, whilst the NPPF (Chapter 12) emphasises that developments should add to the overall quality of an area.
- 7.10 The proposed dwellings would occupy a similar position to the existing bungalow, albeit with a 1m set-in from the eastern boundary to maintain separation and avoid an overly cramped appearance. The dwellings would have a combined width of 8.9m, a ground floor depth of 11.8m, a first-floor depth of 10.4m and a maximum ridge height of 8m, with a pitched roof design consistent with the wider streetscape. The height would match the ridge height of No. 31, ensuring an appropriate transition between the neighbouring 1½-storey property to the west and the existing two-storey semi-detached dwellings to the east.
- 7.11 During the assessment process minor amendments were secured, including the addition of front bay windows to better integrate with the existing street scene, where several properties incorporate similar bay window detailing. These amendments ensure improved continuity with the established architectural rhythm of the street.

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- 7.12 The proposal would respect front and rear building lines of neighbouring properties and, given the retained side separation distances, would not appear unduly cramped within the plot. Whilst the introduction of two-storey built form represents an increase in height compared to the existing bungalow, the varied roofscape and mixed dwelling types within Clammas Way mean that the additional height would not appear incongruous or visually dominant.
- 7.13 With regard to external appearance, the submitted materials schedule confirms the use of brickwork to all elevations (Wickford Antique brick), Rosemary Brindle roof tiles, white UPVC windows and Bath stone cills. The surrounding area incorporates a varied palette of materials including brick, pebble-dash and smooth render; the proposed materials are therefore considered appropriate and reflective of the locality. A compliance condition has been added to ensure these materials are used within the build.
- 7.14 An assessment of the proposed front landscaping has been made in sections 7.58 – 7.62
- 7.15 Overall, the scale, roof form, detailing and materiality of the proposed dwellings are considered to integrate satisfactorily into the existing street scene. The development would not detract from the character or visual amenity of the area and would comply with Policies DMHB 11, DMH 6, London Plan Policies D3 and D4, the NPPF (2024).

#### Heritage

- 7.16 The site is not located within a designated area and as such this section is not applicable to the assessment of this application.

#### Impact on the Green Belt

- 7.17 The site is not located within the Green Belt and as such this section is not applicable to the assessment of this application.

#### Residential Amenity

- 7.18 Number 27 Clammas Way is located west of the application site and is separated from the host. This neighbour is a 1 ½ storey chalet bungalow style property. The proposed ground floor of the proposed development would marginally exceed the rear building line of this neighbour's ground floor extension by approx. 0.3m. At first floor level the new development would extend beyond the rear building line by approx. 1.2m, however this neighbour has one upper floor central rear facing window and the proposed development would not extend into the 45 degree line of sight from this nearest window. Therefore, it is considered that there would not be a significant level of overshadowing, loss of light or overbearing impact to this neighbour to warrant refusal (see Figure 5).

- 7.19 There is one ground-floor and one first-floor side-facing window proposed facing No. 27. Both of these openings serve non-habitable rooms and can therefore be required, by condition, to be fitted with obscure glazing and restricted opening. Subject to this measure, it is considered that no material overlooking or loss of privacy would arise for this neighbour.

Figure 5 – Rear view of No.27 Clammas Way from application site



- 7.20 No. 31 Clammas Way lies to the east of the application site. The proposed new dwelling would be positioned approximately 1 m from the shared boundary, increasing the separation compared with the existing arrangement.
- 7.21 This neighbour has a single-storey wrap-around side and rear extension. The proposed ground-floor development would extend approx. 1 m beyond this rear projection but would remain outside the 45-degree line from the nearest habitable-room window. At first-floor level, the new dwelling would also extend beyond No. 31's first-floor rear building line by approx. 0.3m; however, given the separation distance between the properties, the proposal would again remain outside the relevant 45-degree sightline. Consequently, the development is not considered to give rise to an unacceptable loss of light, overshadowing, or overbearing impact.

- 7.22 No. 31 contains two ground-floor and one upper-floor side-facing windows overlooking the application site. Based on their size and position, these appear to serve non-habitable rooms and therefore do not require the same level of protection. Furthermore, as the proposal sits further from the boundary than the existing building, the relationship would not be materially worse.
- 7.23 The proposed development includes one ground-floor and one first-floor side window facing No. 31. These also serve non-habitable rooms and can be conditioned to be obscurely glazed and non-opening to prevent any loss of privacy.

Figure 6 Views of No.31 from application site





- 7.24 Nos. 30 and 32 Dellfield Crescent back onto the application site along the northern boundary. Although the proposal would replace a single-storey bungalow with two two-storey dwellings, the rear-to-rear separation distance would remain over 30 m. This exceeds typical back-to-back separation standards and is sufficient to prevent harmful overlooking or loss of privacy.
- 7.25 The surrounding area is characterised by conventional suburban relationships where mutual overlooking of rear gardens is common. For example, No. 31 Clammas Way exhibits a similar relationship with properties along Dellfield Crescent. The introduction of one additional residential unit on this plot would not materially intensify overlooking beyond what is already typical for the locality, nor would it result in a level of impact considered unacceptable.
- 7.26 Several neighbours have raised concerns that replacing the existing bungalow with two semi-detached dwellings would lead to harmful increases in comings and goings, noise, disturbance, waste generation and general residential activity. While these concerns are noted, it is important to assess the impacts in the context of the site's established residential character and the scale of the change proposed.
- 7.27 The development would result in a net increase of one additional dwelling on the site. A modest uplift of this scale is not considered to give rise to levels of activity that would be materially different from those typically experienced within a

residential setting. Residential comings and goings, refuse storage, deliveries and day to day noise form part of the normal pattern of activity expected in residential streets such as Clammas Way.

- 7.28 The London Borough of Hillingdon and the London Plan both recognise that small scale residential intensification on appropriately sized plots is acceptable where it does not result in demonstrable harm to neighbouring amenity. An increase of one dwelling does not represent an intensity of use that would be expected to cause unacceptable noise or disturbance particularly when consideration is given to the more advanced building control standards which would include a higher standard of insulation in comparison to the existing property. The pattern of occupancy would remain domestic in nature, and any associated noise would fall within the normal spectrum generated by residential properties.
- 7.29 Refuse storage for the two dwellings can be appropriately accommodated within the site, and waste generation from two family-sized homes is not considered excessive or harmful in comparison with the existing situation.
- 7.30 Overall, the proposed development is considered to have an acceptable impact on the amenities of neighbouring properties in compliance with Policy DMHB 11 and the NPPF 2024.

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

##### Internal

- 7.31 Policy D6 of the London Plan (2021) requires that 84sqm of internal floor space is provided for 3-bedroom 4-person dwellings set over two floors. The proposed dwellings would each provide approx. 85.4sqm of GIA for future residents and would therefore comply with this mentioned policy space standards.
- 7.32 The applicant has provided a drawing demonstrating that both floors of the dwellings would measure a floor to ceiling height of 2.5m complying with part 8 of Policy D6.
- 7.33 The dwellings would be dual aspect and would provide all habitable rooms with an adequate source of light and outlook. As such, the proposed dwelling would provide a high standard of internal amenity space for future occupiers complying with Policy D6 of the London Plan (2021) and Policy DMHB 16 of the Hillingdon Local Plan (2020).

##### External

- 7.44 Policy DMHB 18 of the Local Plan (2020) states that new residential developments should provide an adequate level of private amenity space for occupiers that is good quality and usable. 3-bedroom properties are required to provide 60sqm of amenity space.

- 7.45 The proposed dwellings would each be provided with a private rear garden measuring approx. 90sqm exceeding this standard. As such, the proposal would have adequate external private amenity space in compliance with Policy DMHB 18 of the Hillingdon Local Plan Part 2 (2020).

#### Highways and Parking

- 7.46 The application site has a PTAL ranking of 1b. The London Plan (2021) Table 10.3 - Maximum Residential Parking Standards allows dwellings in Outer London PTAL ranking of 1b to have a maximum 1.5no. spaces each. During the process of the application revised drawings were received amending the parking layout and reducing the number of spaces to 1 per dwelling which would comply with this standard.
- 7.47 Two new vehicle crossovers would be required to serve the said spaces. The Highway Authority have confirmed that the proposed vehicle crossovers would broadly conform with the Councils Domestic Vehicle Footway Crossover 2022 Policy Guidance and would satisfy 'sightline' visibility requirements. However, final designs including the reinstatement works associated with removal of the existing crossover would be arranged post permission. The crossings would need to be constructed to an appropriate council standard and executes under S184 of the Highway Act 1980 at the applicant's/developer's expense. A suitable informative note has been added.
- 7.48 Local Plan: Part 2 Policies DMT 1 and DMT 2 require the council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.
- 7.49 While the proposal would raise the level of vehicular activity to and from the site compared to the existing movements generated by the occupiers of the bungalow, it is considered that peak period traffic movement in and out of the site is not expected to exceed 1-2 additional vehicle movements during the most sensitive parts of the day i.e. peak morning and late afternoon/evening. As such, the uplift is considered marginal in generation terms and can be absorbed within the local road network without detriment to traffic congestion and road safety.
- 7.50 Given the constraints and sensitivities of the local road network, it is considered that a demolition and construction management plan be secured via condition. The condition is required to optimise construction related routing and frequency by avoiding/minimising potential detriment to the surrounding public realm.
- 7.51 In line with the London Plan (2021), there is a requirement for a minimum of 20% of car parking spaces to have an 'active Electric Vehicle Charging Point (EVCP) provision with all remaining spaces being designated as 'passive'. In this case both of the spaces have been provided with an EVCP complying with this standard.

In terms of cycle storage, the London Plan Policy T5 requires each dwelling to be provided by 2 spaces. The proposed plans indicate 2 space bicycle storage boxes within the front forecourts of the dwellings complying with this standard. They are located within an accessible position, and a condition will be secured to provide the details of the cycle storage to ensure they are secure and covered.

- 7.52 The Council's Waste Collection Standards require that the distance between the refuse vehicle and the collection point does not exceed 10 metres. The proposed drawings indicate refuse storage would be located within the rear garden of each dwelling and would technically exceed the maximum distance. However, in practice, occupiers of the dwellings would position their waste on the kerbside of Clammas Way on collection days, consistent with the existing arrangements. This arrangement would be common within the residential setting and is considered acceptable.
- 7.53 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 (2020) Policies DMT 1, DMT 2 & DMT 6 and Policies T4, T5 and T6 of the London Plan (2021).

#### Noise

- 7.54 The impact of the proposed development in terms of increased noise and disturbance has been assessed within the neighbouring amenity sections of this Committee Report. Overall, 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 raised by the proposal, in respect to noise. Although the number of households on the site would increase from one to two, the level of activity associated with two family dwellings remains typical of a residential setting and would not be materially different from that ordinarily experienced within this residential street.

#### Air Quality

- 7.55 The site is located within an Air Quality Management Area. Given the proposed development is for the demolition of one dwelling and the erection of two, it is not considered that the proposal would cause unacceptable levels of dust and disturbance during the construction phase.
- 7.56 The control of dust and construction hours is governed under separate legislation, and the relevant informative note has been added to the decision to remind the applicant of this. In addition to this, a Demolition and Construction Management Plan has been secured via condition which will include measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.

#### Accessibility

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7.57 The Councils access officer has been consulted on the application and has no concerns regarding accessibility, subject to conditions regarding step free access and compliance with the technical specifications for an M4(2) dwelling which will be added to the decision should the application be approved.

#### Trees and Landscaping

7.58 Policy DMHB 14 advises that all development will be expected to retain or enhance existing landscaping, trees, biodiversity or other features of merit.

7.59 The proposal would result in the loss of a small area of soft landscaping to the front of the site, primarily an existing grassed area, to accommodate two off-street parking spaces (see Figure 7). During the application, revised drawings were submitted which increased the level of soft landscaping across the frontage, including planting around the front bay windows, a low-level hedgerow between the two dwellings, and an additional planted area adjacent to the parking spaces. This enhanced landscaping is considered to make a positive contribution to the appearance of the development and would be in keeping with the surrounding street scene, where frontages typically comprise a balance of hardstanding and soft planting.

Figure 7 – Existing Site Frontage



7.60 The development also includes the subdivision of the existing rear garden to provide private amenity areas for each of the two proposed dwellings. A site visit confirmed that the current rear garden is largely overgrown and comprises extensive soft landscaping, including hedging, grassed areas and shrubbery. (See Figure 8) The site is not located within a Conservation Area and none of the trees or vegetation are protected by a Tree Preservation Order; therefore, the existing features do not benefit from statutory protection.

Figure 8 – Existing Rear Garden



7.61 Notwithstanding this, the submitted scheme is required to ensure that the development maintains an appropriate level of soft landscaping and contributes positively to the character of the area. To secure this, a detailed landscaping plan, covering planting specifications, boundary treatments, and ongoing landscape maintenance arrangements, has been secured by condition. This will ensure that the quality and appearance of the rear amenity areas are appropriately managed and that the development preserves the visual amenities of the locality in the long term.

7.62 The proposed plans include a modest shed structure within the rear garden of each dwelling. These sheds are of a typical domestic scale and form, positioned discreetly to the rear where they do not appear visually prominent from the public realm. The structures provide practical, secure storage space for garden tools,

cycles, and household items, thereby supporting the functional needs of future residents without compromising the usability of the private amenity areas. Sufficient garden space would remain for each property following their addition.

### Biodiversity Net Gain

- 7.63 Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity. In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.
- 7.64 Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.
- 7.65 The legislation includes a *de minimis* exemption for developments resulting in the loss of less than 25sqm of onsite habitat. The submitted plans confirm that the proposal would increase the developed footprint by approximately 23.5sqm, which falls below this 25sqm threshold. As such, the development qualifies for the *de minimis* exemption, meaning the statutory BNG requirement does not apply and a biodiversity gain plan is not required in this instance.

### Flooding and Drainage

- 7.66 The proposed development site is not located in Flood Zones 2 or 3. Nor is it located within a critical drainage area, or an area known for surface water flooding. Therefore, the proposed development is not considered to increase flood risk at the site or within the area.
- 7.67 Concerns have been raised by neighbouring occupiers regarding the potential for the development to place additional pressure on the local drainage and sewerage network. The application site is located within Flood Zone 1, where the risk of fluvial flooding is low, and residential development is considered appropriate. The proposal involves the replacement of an existing bungalow with two semi-detached dwellings and results in only a modest increase in hardstanding across the site. This level of intensification is not considered to materially alter the existing surface-water runoff characteristics of the plot.
- 7.68 However, as the application proposed new residential development it is considered necessary to secure a condition ensuring a sustainable water management plan to ensure that sufficient drainage is provided for the new dwellings.

### Waste Management

- 7.69 Waste management and refuse storage arrangements have been discussed within the neighbouring amenity sections 7.18 -7.30 and highway impact sections 7.46 – 7.53. There is no further assessment to be made.

### Land Contamination

- 7.70 The application site lies partly on former potentially contaminated land identified as Nursery/Orchard. The Councils Contaminated Land Officer has been consulted on the application and has no objection to the proposed development, however, a condition to secure a contaminated land report has been secured to ensure risks from land contamination to the future users of the land and neighbouring land are minimised.

## **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 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 a new dwellings and is therefore CIL liable if planning permission is granted.
- 8.4 Please note, this commentary has been provided for the purpose of assisting in the determination of the planning application only. If approved, the final CIL liability would be set out in the CIL Liability Notice following determination of the application in line with the CIL Regulations. This would be issued following a full

review of all the material available to the Council's Planning Obligations Team at that time.

## **9 Conclusion / Planning Balance**

- 9.1** The proposed development would have a satisfactory impact on the character and appearance of the area and would not significantly harm the amenities of any neighbouring property. It is not considered to harm the highway network; additionally adequate living accommodation would be provided for future occupiers.
- 9.2** The proposal is considered to comply with the Development Plan, and no material considerations indicate that a contrary decision should be taken. Moreover significant weight is afforded to the provision of additional housing in light of the fact the Council is unable to demonstrate a 5-year housing land supply. Consequently, the application is recommended for approval subject to the conditions set out in Appendix 1.

## **10 Background Papers**

- 10.1** 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@hillingdon.gov.uk](mailto:planning@hillingdon.gov.uk).

# **APPENDICES**

## **Planning Application**

**77795/APP/2025/2979**

## Appendix 1: Recommended Conditions and Informatives

### Conditions

#### 1. COM3 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. COM4 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

PL/29CW/01

PL/29CW/04 Rev A

PL/29CW/05 Rev A

PL/29CW/06 Rev B

PL/29CW/07 Rev A

PL/29CW/08

PL/29CW/09

Proposals for Schedule of Materials

and shall thereafter be retained/maintained for as long as the development remains in existence.

#### REASON

To ensure the development complies with the provisions Hillingdon Local Plan Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2021).

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

No development 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, plant sizes, and proposed numbers/densities where appropriate

##### 2. Details of Hard Landscaping

2.a Refuse Storage

- 2.b Cycle Storage (2 spaces per unit, secure and covered)
- 2.c Means of enclosure/boundary treatments
- 2.d Hard Surfacing Materials
- 2.e External Lighting
- 2.f Other structures (such as play equipment and furniture)

### 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 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).

### 4. OM19 Demolition and Construction Management Plan

Prior to development commencing, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its approval. 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) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (v) 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).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) The storage of demolition/construction materials on site.

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

### REASON

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

## **5. NONSC SuDS**

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 Policy 5.13 of 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 and:
  - 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, appropriate performance specification. The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:
  - iii. provide details of water collection facilities to capture excess rainwater; and how water usage will be reduced in the development.
- Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

## **REASON**

To ensure 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 Conserve water supplies in compliance with: Hillingdon Local Plan: Part 1- Strategic Policies Policy EM6 Flood Risk Management in (2012), Hillingdon Local Plan Part 2 Development Management Policies Policy DMEI 10 Water Management, Efficiency and Quality (2020), as well as relevant SuDs guidance contained within the London Plan (2021) and NPPF (2024).

## **6. 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 - DME1 11: Protection of Ground Water Resources and DME1 12: Development of Land Affected by Contamination.

#### **7. NONSC Step Free Access**

Prior to any works on site above damp proof course level, details of step free access via all points of entry and exit shall be submitted to, and approved in writing, by the Local Planning Authority. The measures implemented as approved shall be retained thereafter.

#### REASON

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

## **8. NONSC M4(2) Compliance**

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.

## **9. HO6 Obscure Glazing**

The ground and first floor side windows facing numbers 27 and 31 Clammas Way shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and be non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

### **REASON**

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

## **10. 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).

## **11. RES14 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 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. I23 Works affecting the Public Highway - Vehicle Crossover

The development hereby approved includes the carrying out of alterations to a vehicular access. Prior to undertaking work on the adopted highway you will require a Section 184 licence from the Highway Authority. The works shall be to the specification and constructed to the satisfaction of the Highway Authority. Fees are payable for the approval of the highway details, and inspection of the works. Further information and an application form are available on the London Borough of Hillingdon website <https://www.hillingdon.gov.uk/dropped-kerb-form>

### 2.

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be the London Borough of Hillingdon.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
  - (i) the original planning permission to which the section 73 planning permission relates\* was granted before 12 February 2024; or
  - (ii) the application for the original planning permission\* to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:  
4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

iv) the application for planning permission was made before 2 April 2024;

v) planning permission is granted which has effect before 2 April 2024; or

vi) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates\* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

iii) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

iv) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.6 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.7 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.8 Self and Custom Build Development, meaning development which:

iv) consists of no more than 9 dwellings;

v) is carried out on a site which has an area no larger than 0.5 hectares; and

vi) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015)

4.5 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

\* "original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on

arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted. Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

### **3. 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.

### **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. I59 Councils Local Plan : Part 1 - Strategic Policies**

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2016). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

### **6. 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.

## **7. 12 Encroachment**

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application may have to be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the applicant's control for which the appropriate Notice under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 has not been served.

## **8. 125A The Party Wall etc. Act 1996**

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner purposes to:

- carry out work to an existing party wall;
- build on the boundary with a neighbouring property;
- in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in 'The Party Walls etc. Act - 1996 - Explanatory Booklet' published by the Department for Communities and Local Government.

## **9. 115 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.

#### **10. 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 or 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.

#### **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 and national guidance.

DMEI 10	Water Management, Efficiency and Quality
DMEI 9	Management of Flood Risk
DMH 6	Garden and Backland Development
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP G6	(2021) Biodiversity and access to nature
LPP GG2	(2021) Making the best use of land
LPP GG4	(2021) Delivering the homes Londoners needs
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T5	(2021) Cycling
LPP T6.1	(2021) Residential parking

## Appendix 2: Relevant Planning History

77795/APP/2023/176      29 Clammas Way Cowley

Proposed demolition of existing detached bungalow and erection of a detached 6-bedroom dwelling with associated parking spaces and external works.

**Decision:** 23-06-2023      Withdrawn

### **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 6 Garden and Backland Development

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 16 Housing Standards

DMHB 18 Private Outdoor Amenity Space

DMT 1 Managing Transport Impacts

DMT 2 Highways Impacts

DMT 6 Vehicle Parking

DMEI 10 Water Management, Efficiency and Quality

DMEI 9 Management of Flood Risk

LPP GG2 (2021) Making the best use of land

LPP GG4 (2021) Delivering the homes Londoners needs

LPP D3 (2021) Optimising site capacity through the design-led approach

LPP D4 (2021) Delivering good design

LPP D5 (2021) Inclusive design

LPP D6 (2021) Housing quality and standards

LPP D7	(2021) Accessible housing
LPP G6	(2021) Biodiversity and access to nature
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T5	(2021) Cycling
LPP T6.1	(2021) Residential parking