

DELEGATED DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL

Select an Option

1.	No valid planning application objection in the form of a petition of 20 or more signatures, has been received	☐
2.	Application complies with all relevant planning policies and is acceptable on planning grounds	☐
3.	There is no Committee resolution for the enforcement action	☐
4.	There is no effect on listed buildings or their settings	☐
5.	The site is not in the Green Belt (but see 11 below)	☐

REFUSAL RECOMMENDED: GENERAL

6.	Application is contrary to relevant planning policies/standards	☐
7.	No petition of 20 or more signatures has been received	☐
8.	Application has not been supported independently by a person/s	☐
9.	The site is not in Green Belt (but see 11 below)	☐

RESIDENTIAL DEVELOPMENT

10.	Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha	☐
11.	Householder application in the Green Belt	☐

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

12.	Change of use of retail units on site less than 1 ha or with less than 1000 sq. m other than a change involving a loss of A1 uses	☐
13.	Refusal of change of use from retail class A1 to any other use	☐
14.	Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use.	☐

CERTIFICATE OF LAWFULNESS

15.	Certificate of Lawfulness (for proposed use or Development)	☐
16.	Certificate of Lawfulness (for existing use or Development)	☐
17.	Certificate of Appropriate Alternative Development	☐

CERTIFICATE OF LAWFULNESS

18.	ADVERTISEMENT CONSENT (excluding Hoardings)	☐
19.	PRIOR APPROVAL APPLICATION	☐
20.	OUT-OF-BOROUGH OBSERVATIONS	☐
21.	CIRCULAR 18/84 APPLICATION	☐
22.	CORPSEWOOD COVENANT APPLICATION	☐
23.	APPROVAL OF DETAILS	☐
24.	ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where the Heads of Terms have already received Committee approval	☐
25.	WORKS TO TREES	☐
26.	OTHER (please specify)	☐

The delegation powers schedule has been changed. Interim Director of Planning, Regeneration & Public Realm can determine this application

Case Officer:

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informative's are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DETAILS SHOULD BE USED IN THE PS2 RETURNS ODPM

Item No.	Report of the Head of Development Management and Building Control	
Address:	5A HARROW VIEW HILLINGDON	
Development:	Erection of new two storey 3-bed dwelling with basement, new garage, bin storage and associated amenity space, following demolition of existing dwelling.	
LBH Ref Nos:	20342/APP/2024/166	
Drawing Nos:	P5283J2833/SEJ - Stage 1 & 2 Basement Impact Assessment (Screening & Scoping) for 5a Harrow View, Uxbridge, UB10 0QG 5092-8 Rev C 5092-12 Rev C Location Plan Design and access statement 5092-7 Rev C 5092-9 Rev C	
Date Plans received:	23-01-24	Date(s) of Amendments(s):
Date Application valid	23-01-24	

1. SUMMARY

Planning permission is sought for the erection of a two storey 3 bed dwelling with basement, bin storage and associated amenity space, following demolition of existing dwelling.

Due to its size, site coverage and contemporary design the proposed dwelling (and associated development) would form a cramped and uncharacteristic development, that would be harmful to the visual amenities of the area.

Taking into consideration its adverse visual impact the proposed development is recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Non Standard reason for refusal

Due to its contemporary design, height, layout and site coverage, the proposed dwelling and associated development would form a cramped, uncharacteristic and visually incongruous development which would fail to harmonise with the local character and appearance of the

surrounding area. The proposal is therefore detrimental to the visual amenity and character of the surrounding area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies, Policies DMH 6, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D1, D3 and D6 of the London Plan (2021), as well as paragraph 135 of the NPPF (2023).

INFORMATIVES

1. I52 Compulsory Informative (1)

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

2. I74 Community Infrastructure Levy (CIL) (Refusing Consent)

This is a reminder that Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), should an application for appeal be allowed, the proposed development would be deemed as 'chargeable development' and therefore liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This would be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012.

For more information on CIL matters please visit the planning portal page at:
www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

I53 Compulsory Informative (2)

The decision to REFUSE 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.

DMH 2	Housing Mix
DMH 6	Garden and Backland Development
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHD 3	Basement Development
DMHB 16	Housing Standards

DMHB 18	Private Outdoor Amenity Space
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP D10	(2021) Basement development
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 T6.1	(2021) Residential parking
LPP T4	(2021) Assessing and mitigating transport impacts
NPPF11 -23	NPPF11 23 - Making effective use of land
NPPF12 -23	NPPF12 23 - Achieving well-designed and beautiful places

3. CONSIDERATIONS

3.1 Site and Locality

The proposed development site is located on the north side of Harrow View. At present the site comprises a detached single storey dwelling , its garage and garden. The site is located to the rear of 5 and 7 Harrow View and is accessible along a narrow access road running between the mentioned properties.

The surrounding area is predominantly residential and is characterised by two storey, detached properties some of which have accommodation in their roofs. Properties are set back from the main road, allowing for off street parking and/or front gardens with landscaping.

The site has public transport accessibility level (PTAL) of 1A.

The Green Belt is located to the east of the site.

3.2 Proposed Scheme

Planning permission is sought for the erection of a two storey, 3 bed dwelling with basement, bin storage and associated amenity space, following demolition of existing dwelling.

3.3 Relevant Planning History

20342/APP/2023/2898 5A HARROW VIEW HILLINGDON

Part retrospective planning application for the erection of new two storey 4 bed dwelling with basement; new garage; cycle and bin storage and associated amenity space following demolition of existing dwelling.

Decision: 29-11-2023 Approval

20342/APP/2022/3634 5A HARROW VIEW HILLINGDON

Erection of a single storey side and rear extension with amendments to fenestration. Conversion of roof space to habitable use including 2 x side dormers, roof lights, roof extension to the rear and raising the height of the existing roof

Decision: 22-02-2023 Approval

20342/APP/2022/2823 5A HARROW VIEW HILLINGDON

Erection of single storey extension to side (Application for a Certificate of Lawful Development for a Proposed Development)

Decision: 08-11-2022 Approval

20342/APP/2022/2836 5A HARROW VIEW HILLINGDON

Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.00 metres, for which the maximum height would be 4.00 metres, and for which the height of the eaves would be 2.60 metres

Decision: 31-10-2022 Approval

Comment on Planning History

The planning history is set out in section 3.3 of this report.

It should be noted that planning permission was recently approved for the erection of new two storey 4 bed dwelling with basement; new garage; cycle and bin storage and associated amenity space following demolition of existing dwelling (20342/APP/2023/2898).

This application differs from the proposed development in that:

- A larger detached garage is proposed
- The proposed dwelling has been redesigned
- The sites layout has been altered
- The proposed dwelling is a 3 bed property and the previously approved had 4 bedrooms
- Energy efficient and sustainable design methodologies and technologies have been added to the scheme

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date: Not applicable

4.2 Site Notice Expiry Date: Not applicable

5. Comments on Public Consult

EXTERNAL CONSULTEE COMMENTS

12 neighbours were directly notified of the proposed development on 30/01/24. During the 21 day consultation periods 3 objections were received. The objections have been summarised below:

- 1) Trees and Hedges have been removed from the site reducing its ecological value
- 2) Taking into consideration its size and layout the development maybe used as group home or HMO in the future
- 3) Construction works could have an adverse impact on the local highways network and existing construction works at the site are harming neighbouring amenities.
- 4) The proposal would harm neighbours amenities
- 5) The development would have an adverse impact on the character and appearance of the area.
- 6) The development would have an adverse drainage impact

INTERNAL CONSULTEE COMMENTS

Access Officer:

This proposal for the erection of a new three-bedroom dwelling with accommodation in the basement does not raise an accessibility concern, subject to the following Conditions attached to any planning approval: Prior to any works on site above damp proof course level, details of step free access via all points of entry and exit shall be submitted to, and approved in writing, by the Local Planning Authority. Such provision shall remain in place for the life of the building. REASON: To ensure housing of an inclusive design is achieved and maintained in accordance with Policies D5 and D7 of the London Plan (2021). The 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.

Highways Officer:

Site Description

The application site is located off a narrow driveway between 5 and 7 Harrow View, off the turning area at the eastern end of Harrow View, a residential cul-de sac with a 30mph speed limit which is subject to waiting restrictions for goods vehicles and coaches Midnight-8am and 6.30pm - Midnight.

The application site is located in an area with a PTAL ranking of 1b indicating that the proposal would be located in an area with poor access to public transport which fails to concur with National Planning Policy Framework (NPPF) 9: Promoting Sustainable Transport and The Mayor's Transport Strategy which aims to encourage people to walk, cycle and travel by public transport.

Access and Parking

The application proposes to erect 1no. three-bedroom dwelling with basement and detached garage. Access to the application site will be gained over the narrow driveway to the site from Harrow View which does not meet current standards, however, as the driveway is existing the

proposal will be acceptable on this occasion.

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The published London Plan (2021) Table 10.3 - Maximum Residential Parking Standards allows all dwellings in Outer London PTAL 1-2 to have a maximum 1.5no. spaces. Drawing 5092-8 Rev C titled Proposed Ground Floor Plan shows a garage providing parking for 1no. vehicle and 4no. cycles with 1no. additional car parking space being provided on the forecourt which would be acceptable.

Electric Vehicle Charging Points (EVCP's)

The published London Plan (2021) requires that all residential car parking spaces must provide infrastructure for electric or Ultra-Low Emission vehicles. At least 20 per cent of spaces should have 7Kw active charging facilities, with 7Kw passive provision for all remaining spaces. A suitable condition should be applied to any approval to secure the provision and retention of 1no. 7Kw active EVCP and 1no. 7Kw passive EVCP.

Cycle Parking

The London Plan Table 10.2 - Minimum Cycle Parking Standards requires that a minimum of 2 cycle parking spaces should be provided. Drawing 5092-8 Rev C titled Proposed Ground Floor Plan shows that 4no. cycle parking spaces would be provided which would be acceptable.

Recommendation

The Highway Authority are satisfied that the proposal would not discernibly exacerbate congestion or parking stress and would not raise any measurable highway safety concerns and would therefore offer no objection to the application subject to the following condition:

Condition

Prior to the commencement of construction works, details of 2no. 7Kw active EVCP shall be submitted to and approved in writing by the Highway Authority. The works shall be installed in accordance with the approved details prior to first occupation of the development and thereafter retained in accordance with the approved details.

REASON: To be in accordance with the published London Plan 2021 Policy T6.1 Residential Parking.

Officer Response:

All representations received during the process of the application have been taken into consideration in the application's determination.

Construction works are temporary and therefore so are the associated impacts. The Environmental Protection Act (1990) and Pollution Act (1974) are in place to ensure that construction works are carried out in an appropriate and environmentally friendly manner. Notwithstanding the above, a condition requiring a construction logistics plan and construction management plan to be agreed with the Council has been recommended, in order to minimise the impacts of construction on neighbouring residents and the environment as far as practicable.

All trees and greenery within the site are not protected and could be removed without planning permission. As such some ecological damage (caused by a loss of trees and greenery at the site) is somewhat unavoidable. Notwithstanding this point, conditions would be placed on the application (if approved) to secure replacement planting as part of a landscaping scheme. A tree protection plan condition would also be added to ensure that remaining trees on the site are protected during construction.

The development is for a replacement dwelling, garage and associated amenities and not a HMO or group home. It has therefore been assessed as such.

The development site is located within Flood Zone 1 and thus there is no reason for a flood risk assessment or management plan to be submitted. Nevertheless a condition has been added to ensure drainage at the site is appropriately managed.

Issues regarding the impact on the character and appearance of the area, neighbouring amenities, highways network and accessibility have been addressed further on in the report. Suggested conditions regarding accessibility, parking and construction management would be added to the decision notice, had the application been approved.

6. Local Plan Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMH 2	Housing Mix
DMH 6	Garden and Backland Development
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHD 3	Basement Development
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMT 2	Highways Impacts
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LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP T6.1	(2021) Residential parking
LPP T4	(2021) Assessing and mitigating transport impacts
NPPF11 -23	NPPF11 23 - Making effective use of land

In addition: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

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

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

The Local Plan: Part 2 - Site Allocations and Designations (2020)

West London Waste Plan (2015)

The London Plan (2021)

The National Planning Policy Framework (NPPF) (2023) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

7. MAIN PLANNING ISSUES

7.1 Impact on the amenities of the occupiers of neighbouring residential properties

Local Plan Policy DMHB 11 sets out design guidance for all new development in the borough. Part B of the policy states 'development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space'.

Guidance for Policy DMHB 11 states 'The Council will aim to ensure that there is sufficient privacy for residents and it will resist proposals where there is an unreasonable level of overlooking between habitable rooms of adjacent residential properties, schools or onto private open spaces. A minimum of 21 metres separation distance between windows of habitable rooms will be required to maintain levels of privacy and to prevent the possibility of overlooking. In some locations where there is a significant difference in ground levels between dwellings, a greater separation distance may be necessary'.

Guidance for Policy DMHB 11 also states 'For the purposes of this policy, outlook is defined as the visual amenity enjoyed by occupants when looking out of their windows or from their garden. The Council will expect new development proposals to carefully consider layout and massing in order to ensure development does not result in an increased sense of enclosure and loss of outlook. Single aspect dwellings should be avoided'.

Paragraph 135 (f) of the NPPF (2023) states that new development should seek to '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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience'.

The proposed replacement dwelling would be sited to the rear (north) of 5 and 7 Harrow View and to the east of properties on Polehill Road. The new dwelling would be 6.5m high (approximately 2.2m higher than the existing dwelling and the same height as the previously approved scheme at

the site).

The side elevation of the property (facing Harrow View) would be approximately 22.5m away from No.7 and 24m away from No.5, due to its design (narrow elevation fronting the mentioned neighbours) and separation distance from the rear windows of those properties, the new dwelling would cause no harmful loss of outlook or privacy to those neighbours. Nor would it cause any significant loss of light. Noise could be generated from use of the roof terrace, however due to the limited occupancy of the dwelling (3 bed dwelling) and its separation distance from neighbours it is unlikely to significantly harm their amenities. Privacy screening could be added to the south elevation of terrace to remove any perception of being overlooked. The proposed dwelling would be of similar size to the recently approved scheme at the site and it is therefore considered that resulting residential activity at the site would be similar.

The dwelling would be 50m or more from dwellings on Pole Hill Road (west of the site). Due to its design and separation distance from those dwellings, the development would cause no harm to the amenities of those properties occupiers.

Had the application been recommended for approval a condition would have been added to ensure that the windows marked as obscure glazed remain obscure glazed. A condition would also have been added to restrict the insertion of additional windows facing properties on Harrow View.

Solar panels would face upward, away from neighbours on the flat roof of the garage and dwelling, minimising any adverse reflective impacts.

The proposed garage of limited size. Due to its design and position within the site, it would cause no loss of light, outlook or privacy to neighbouring properties.

Taking into consideration the above the proposed development is considered to have an acceptable impact on the amenities of neighbouring dwellings.

7.2 Impact on Street Scene

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

Local Plan Policy DMHB 11 states: 'A) All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including: i) harmonising with the local context by taking into account the surrounding: scale of development, considering the height, mass and bulk of adjacent structures; · building plot sizes and widths, plot coverage and established street patterns; · building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure; architectural composition and quality of detailing; local topography, views both from and to the site; and impact on neighbouring open spaces and their environment. ii) ensuring the use of high quality building materials and finishes; iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities'.

Policy DMHB 12 advises that development should be well integrated with the surrounding area. It should ensure public realm design takes account of the established townscape character and quality of the surrounding area.

Policy DMHB 14 advises that all development will be expected to retain or enhance existing

landscaping, trees, biodiversity or other features of merit.

Policy D3 of the London Plan (2021) states:

D - Development proposals should:

Form and layout

- 1) enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions
- 2) encourage and facilitate active travel with convenient and inclusive pedestrian and cycling routes, crossing points, cycle parking, and legible entrances to buildings, that are aligned with peoples' movement patterns and desire lines in the area
- 3) be street-based with clearly defined public and private environments
- 4) facilitate efficient servicing and maintenance of buildings and the public realm, as well as deliveries, that minimise negative impacts on the environment, public realm and vulnerable road users

Experience

- 5) achieve safe, secure and inclusive environments
- 6) provide active frontages and positive reciprocal relationships between what happens inside the buildings and outside in the public realm to generate liveliness and interest
- 7) deliver appropriate outlook, privacy and amenity
- 8) provide conveniently located green and open spaces for social interaction, play, relaxation and physical activity
- 9) help prevent or mitigate the impacts of noise and poor air quality
- 10) achieve indoor and outdoor environments that are comfortable and inviting for people to use

Quality and character

- 11) respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character
- 12) be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well
- 13) aim for high sustainability standards (with reference to the policies within London Plan Chapters 8 and 9) and take into account the principles of the circular economy
- 14) provide spaces and buildings that maximise opportunities for urban greening to create attractive resilient places that can also help the management of surface water.

Paragraph 135 of the NPPF(2023) states:

'Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'

The proposed development site is located on the north side of Harrow View. At present the site comprises a detached single storey dwelling, its garage and garden. The site is located to the rear of 5 and 7 Harrow View and is accessible along a narrow access road running between the mentioned properties. The surrounding area is predominantly residential and is characterised by two storey, detached properties some of which have accommodation in their roofs. Properties are set back from the main road, allowing for off street parking and/or front gardens with landscaping.

The proposed dwelling would be approximately 6.5m high, 11.5m wide and 16.8m deep. The dwelling would include a substantial basement like the previously approved scheme at the site.

Notwithstanding the above, due to its contemporary design (materials, cuboid form, large glazed openings and substantial roof terrace) the proposed dwelling would be completely at odds with the traditional pitched roof, brick finished, two storey dwellings that characterise the area. The dwelling would therefore form an incongruous and uncharacteristic addition to the area that fails to integrate with the design of surrounding buildings.

In terms of layout, properties within the area appear as islands within their plots, with moderately sized rectangular rear gardens. The proposed dwelling would be located within the northern corner of the site, tight to its boundaries, where it would appear as a cramped overdevelopment of the site. The cramped nature of the site would be further exacerbated by the presence of the oversized garage and large entrance patio. The proposed garden would be of an irregular shape and significantly smaller than others in the area (as well as the previously approved scheme). Parcels of land would be scattered around the site in random areas due to the stepped design of the dwelling and its site coverage. It is therefore considered that due to the location of the dwelling and the extensive site coverage of the development as a whole, the proposal would fail to respect the general urban grain and pattern of development of the area, harming its character.

Due to its height, excessive depth and bulky design created by its flat roof, the new dwelling would be visible from Harrow View, as well as surrounding properties, it would therefore cause harm to the appearance of the area, despite its backland location.

It is noted that an extant permission exists at the site for a replacement dwelling of similar height, with more internal floor space (20342/APP/2023/2898). The approved development does not weigh in favour of this proposal as the design of that property was more akin to a chalet bungalow and incorporated with the historic character of the site and existing character of the area. Furthermore the approved dwelling was centrally positioned within the site and would therefore better integrate with the layout of neighbouring sites. The approved development also had less site coverage and was therefore less cramped. The extant scheme is therefore not considered to support or provide any justification for this development.

Taking into consideration the above, it is considered that the proposal would fail to comply with Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies and Policies DMH 6, DMHB 11, DMHB 12 and DMHB 14 of the Local Plan: Part Two - Development Management Policies (2020),

as well Policy D3 of the London Plan (2021) and relevant design guidance contained within the NPPF (2023).

7.3 Traffic Impact/Pedestrian Safety

Policy DMT 2 states 'Development proposals must ensure that: i) safe and efficient vehicular access to the highway network is provided to the Council's standards; ii) they do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents; iii) safe, secure and convenient access and facilities for cyclists and pedestrian are satisfactorily accommodated in the design of highway and traffic management schemes; iv) impacts on local amenity and congestion are minimised by routing through traffic by the most direct means to the strategic road network, avoiding local distributor and access roads; and v) there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing and committed roads, including along roads or through junctions which are at capacity.'

Policy DMT 6 states 'Development proposals must comply with the parking standards outlined in Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity. The Council may agree to vary these requirements when: i) the variance would not lead to a deleterious impact on street parking provision, congestion or local amenity.'

Similarly the London Plan (2021) seeks to provide adequate parking for new residential development and to avoid harm to highways networks.

The Borough's Highways Officer was consulted on the proposed development and had no objections to the proposal subject to a condition requiring adequate ev charging points. Had the application been recommended for approval the recommended condition would have been added.

Taking into consideration the sites low PTAL rating 1a, the 2 parking spaces proposed (garage and forecourt) are considered to be acceptable. The site's existing access would be utilised which is considered to be acceptable. Cycle parking and bin storage are appropriately located and to ensure that they are fit for purpose and have no adverse visual impact, conditions would be added (had the application been approved) requiring further details. A condition requiring a construction management plan would also have been added.

Taking into consideration the above it is considered that the proposed development would have an acceptable impact on the highways network.

7.4 Carparking & Layout

See above.

7.5 Urban Design, Access and Security Considerations

INTERNAL ACCOMMODATION

Policy D6 of the London Plan (2021) requires that 130sqm of internal floor space be provided for 3 bed, 6 person properties set over 3 floors. The proposed dwelling would provide approximately 370sqm of internal floor space for its new residents, and would therefore comply with the mentioned policy and space standards. 75% of the new dwelling would have a 2.5m floor to ceiling height. Each habitable room would have access to light and outlook. Off street parking and garden spaces would be provided for new residents. Overall it is considered that the new dwellings would provide a high standard of amenity and living accommodation for their future occupants.

EXTERNAL ACCOMMODATION

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. The proposed dwelling would have approximately 116sqm of amenity space (made up of its garden and roof terrace). Overall it is therefore considered that the proposed development would have adequate external private amenity space.

ACCESSIBILITY

The conditions mentioned by the Access Officer would have been added to the decision notice (had the application been recommended for approval) to ensure that the proposal accords with Policy D7 of the London Plan (2021). The development raises no accessibility concerns.

7.6 Other Issues

PRINCIPLE OF THE DEVELOPMENT

The London Plan (2021) provides guidance on how applications for development on garden land should be treated within the London Region. The thrust of the guidance is that back gardens can contribute to the objectives of a significant number of London Plan policies and these matters should be taken into account when considering the principle of such developments. Policy D4 of the London Plan supports development plan-led presumptions against development on back gardens where locally justified by a sound local evidence base.

The Mayor's Housing Supplementary Planning Guidance, also provides further guidance on the interpretation of existing policies within the London Plan as regards garden development. Paragraph 1.2.44 advises that when considering proposals which involve the loss of gardens, regard should be taken of the degree to which gardens contribute to defining local context and character (Policy D4 and D6), especially in outer London where gardens are often a key component of an area's character. The contribution gardens make towards biodiversity also needs to be considered as does their role in mitigating flood risk.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic policies states that a high quality design should be achieved in all new buildings, alterations and extensions, and states that schemes should not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas.

Policy DMH6: Garden and Backland Development advises there is a presumption against the loss of gardens due to the need to maintain local character, amenity space and biodiversity. In exceptional cases a limited scale of backland development may be acceptable, subject to the following criteria:

- i) Neighbouring residential amenity and privacy of existing homes and gardens must be maintained
- ii) Vehicular access or car parking should not have an adverse impact on neighbours in terms of noise or light
- iii) Development on backland sites must be more intimate in mass and scale; and
- iv) Features such as trees, shrubs and wildlife habitat must be retained or re-provided

The replacement property is located within an established residential area. It is in a backland location and therefore Policy DMH 6, is considered to be applicable.

Planning permission for a larger dwelling (in terms of footprint and floor space) has recently been approved at the site (20342/APP/2023/2898), as such the principle of a replacing the existing dwelling at the site is acceptable. Nevertheless an assessment of the developments compliance with Policy DMH 6 has been carried out below.

The replacement dwelling would be of more limited scale than frontage properties. It would utilise the same access road as the existing dwelling. The proposal would cause no harm to neighbouring amenities or the highways network. Trees have been removed from the site (as other developments have been approved at the site), nevertheless, if approved a condition would be placed on the application to ensure that greenery is reintroduced at the site contributing to the site's ecological value.

Notwithstanding the above, the development would cause significant harm to the area's character and appearance and would therefore fail to maintain local character. The development would therefore fail to comply with Policy DMH 6.

BASEMENT IMPACT

Policy DMHD 3 states 'A) When determining proposals for basement and other underground development, the Council require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability. The Council will only permit basement and other underground development that does not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability. Developers will be required to demonstrate by methodologies appropriate to the site that their proposals: i) avoid adversely affecting drainage and run-off or causing other damage to the water environment; ii) avoid cumulative impacts upon structural stability or the water environment in the local area; B) Schemes should ensure that they: i) do not harm the amenity of neighbours; ii) do not lead to the loss of trees of townscape or amenity value; iii) do provide satisfactory landscaping, including adequate soil depth; iv) do not harm the appearance or setting of the property or the established character of the surrounding area, for example through the introduction of front lightwells; and v) do protect important archaeological remains. C) The Council will not permit basement schemes which include habitable rooms and other sensitive uses in areas prone to flooding. D) The Council will not permit basement schemes in Listed Buildings and will not permit them in Conservation Area locations where their introduction would harm the special architectural or historic character of the area.'

A basement impact assessment has been submitted in support of the application (Report Ref: P5283J2833/SEJ). The report concluded that:

'The overall assessment of the site is that the creation of a basement for the existing development will not adversely impact the site or its immediate environs, providing measures are taken to protect surrounding land and properties during construction. The proposed basement excavation will not be within 5m of a public pavement. It is also not within 5m of neighbouring properties.

Unavoidable lateral ground movements associated with the basement excavations must be controlled during temporary and permanent works so as not to impact adversely on the stability of the surrounding ground and any associated services. During the construction phase careful and regular monitoring will need to be undertaken to ensure that the property above is not adversely affected. This may mean that the property needs to be suitably propped and supported. From the studies that have been undertaken so far, and subject to the findings of an intrusive investigation, it is concluded that the construction of the building will not present a problem for groundwater. The proposed development is not expected to cause significant problems to the subterranean drainage. However, this should be confirmed by a ground investigation and a subsequently updated Basement Impact Assessment.

An intrusive ground investigation is recommended to confirm the ground conditions and groundwater levels (if any) beneath the site, as well as to inform foundation design.

A preliminary investigation could comprise a cable percussive borehole drilled to at least 5m below the proposed depth of the basement. A standpipe should also be installed to facilitate groundwater monitoring.

A SUDS/ Drainage Strategy will also likely be required for planning. Therefore, infiltration testing should be undertaken as part of the ground investigation. In the first instance, this could comprise falling head testing undertaken in the borehole to indicate suitability of full-scale BRE365 testing. If feasible, testing in accordance with BRE365 may then be required to aid design of soakaways/permeable paving etc.'

The basement impact assessment is considered to be sufficient in evidencing that the development would cause no structural harm to nearby properties or land stability of nearby properties. Nevertheless had the application been recommended for approval a condition would have been added to ensure that further studies were taken to ensure the development has no ground water contamination impacts. A drainage condition would also be added. Overall the basement is considered to be acceptable subject to conditions.

DRAINAGE

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. Had the application been recommended for approval, a condition would have been added requiring a drainage management plan for the site. The plan would ensure that appropriate and sufficient drainage is provided for the new dwelling and site.

HOUSING MIX

The replacement family home is welcome in terms of Local Plan policy. There would be no net loss or gain in housing supply.

ENERGY

The proposed dwelling would be more energy efficient than the existing dwelling and previously approved dwelling. Ev charging for vehicles will be secured via condition and solar panels are proposed on the new dwelling and garage. The development is considered to be acceptable in terms of energy efficiency.

CIL

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and 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. The proposal is CIL liable.

8. Reference Documents

Hillingdon Local Plan Part 1 - Strategic Policies (2012)
Hillingdon Local Plan Part 2 (2020)
The London Plan (2021)
National Planning Policy Framework (2023)

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