

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.	ADVERTISMENT 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:	1 ALPHA ROAD HILLINGDON	
Development:	Demolition of existing bungalow and erection of 1x 3 bedroom two-storey dwellinghouses and 2x 1 bedroom two-storey dwellinghouses, with associated landscaping and parking provision.	
LBH Ref Nos:	41903/APP/2024/2570	
Drawing Nos:	Location Plan 0432-PLA-01-A 0432-PLA-02-A 0432-PLA-50-B 0432-PLA-51-B 0432-PLA-52-B 0432-PLA-53-B 0432-PLA-54-B 0432-PLA-55-B 0432-PLA-56-B 0432-PLA-57-B 0432-PLA-58-B 0432-PLA-59-A 0432-PLA-60-A 0432-PLA-61-A 0432-PLA-62-A 0432-PLA-63-A 0432-PLA-70-A Design and Access Statement, September 2024, Michael Oakes Architects Transport Statement, September 2024, Michael Oakes Architects	
Date Plans received:	25-09-24	Date(s) of Amendments(s):
Date Application valid	25-09-24	

1. SUMMARY

The application proposes the demolition of existing bungalow and erection of 1x 3 bedroom two-storey dwellinghouses and 2x 1 bedroom two-storey dwellinghouses, with associated landscaping and parking provision.

The development is considered to be harmful to the character and appearance of the area and the

visual amenities of the street scene. Further, the proposal would not be accessible and inclusive and fails to provide adequate living conditions for future occupants.

It has not been demonstrated that the development is air quality neutral and that the harm and demands created by the proposed development in respect of air quality can be mitigated. Nor has it been demonstrated that the proposal would deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. As such, the proposed development fails to provide an appropriate biodiversity net gain.

For the above reasons, the application is recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Character and appearance

The development, by reason of its height, siting, massing and design, would be incongruous, visually prominent and harmful to the character and appearance of the area and the visual amenities of the street scene. As such the proposed development is contrary to Policy BE1 of the Hillingdon Local Plan Part 1 - Strategic Policies (2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan Part 2 - Development Management Policies (2020), Policy D3 of the London Plan (2021) and Paragraph 135 of the National Planning Policy Framework (2023).

2. NON2 Accessibility

The proposed layout fails to demonstrate that it would be designed and constructed as an accessible and adaptable dwelling in accordance with M4(2) technical specifications as set out in Approved Document M to the Building Regulations (2015 edition). As such the proposed development is contrary to Policy D7 of the London Plan (2021).

3. NON2 Living conditions

The proposed layout in terms of the lack of policy compliant floor to ceiling heights, inadequate outlook and amenity and insufficient information relating to daylight and sunlight levels within the proposed units, would result in inadequate living conditions for the future occupiers of this development. As such the proposed development is contrary to Policies DMHB 11 and DMHB 16 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D6 of the London Plan (2021) and Paragraph 135 of the National Planning Policy Framework (2023).

4. NON2 Air quality

The applicant has failed to demonstrate that the development is air quality neutral and that the harm and demands created by the proposed development in respect of air quality can be mitigated. As such the proposed development is contrary to Policy EM8 of the Hillingdon Local Plan: Part 1 (2012), Policy DME1 14 of the Hillingdon Local Plan: Part 2 (2020) and Policy SI1 of the London Plan (2021).

5. NON2 Biodiversity Net Gain

In the absence of satisfactory biodiversity net gain information, it has not been demonstrated that the proposal would deliver at least a 10% increase in biodiversity value relative to the

predevelopment biodiversity value of the onsite habitat. As the proposed development fails to provide an appropriate biodiversity net gain, it is contrary to Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021), Policy G6 of the London Plan (2021), Policy EM7 of the Hillingdon Local Plan Part 1 - Strategic Policies (2012) and Policy DMEI 7 of the Hillingdon Local Plan Part 2 - Development Management Policies (2020).

INFORMATIVES

1. I52 Compulsory Informative (1)

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

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

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

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

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

4. 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

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the Northern side of Alpha Road and comprises a bungalow with accommodation in the roof space. The site is bordered to the South East by 3 Alpha Road and to the North West by 32 Pole Hill Road (comprising two flats, one at ground level, the other at first floor). Along the rear boundary lies amenity space and a parking area for a block of flats (Pole Hill Court, 32A Pole Hill Road). The rear gardens of 28 and 30 Pole Hill Road and 15 and 17 Butler Street are located opposite the application site. The application site has a PTAL of 2. The site is also identified as potentially contaminated land and also lies within the Hillingdon Air Quality Management Area (AQMA) and Uxbridge Road Air Quality Focus Area.

3.2 Proposed Scheme

Planning permission is sought for the demolition of existing bungalow and erection of 1x 3 bedroom two-storey dwellinghouses and 2x 1 bedroom two-storey dwellinghouses, with associated landscaping and parking provision.

3.3 Relevant Planning History

74019/APP/2022/2038 1 ALPHA ROAD & 32 POLE HILL ROAD HILLINGDON

Demolition of bungalow and flats and erection of 3 x 2-bed flats and 4 x studio flats with associated landscaping and parking

Decision: 24-08-2022 Refusal

74019/APP/2019/2225 1 ALPHA ROAD & 32 POLE HILL ROAD HILLINGDON

Demolition of existing dwelling at 1 Alpha Road and erection of a two storey detached building to provide 4 x 2-bed self contained flats with associated parking and amenity space and alterations to Flat 1, 32 Pole Hill Road involving

Decision: 05-09-2019 Refusal

41903/APP/2017/2637 1 ALPHA ROAD HILLINGDON

Demolition of existing bungalow and outbuildings and erection of a two storey building to provide 4 x two-bed flats with associated parking and amenity space and installation of vehicular crossover to front

Decision: 10-10-2017 Refusal

41903/APP/2016/3865 1 ALPHA ROAD HILLINGDON

Two storey building to provide 4 x 2-bed self contained flats with associated parking and amenity space involving extensions to existing crossovers to front and demolition of existing bungalow

Decision: 03-01-2017 Refusal

41903/G/94/1743 OMEGA LODGE, 1 ALPHA ROAD HILLINGDON

Retention of pitched roof over garage; amendment to planning permission ref. 41903C/90/315 dated 02/04/90; Erection of an attached garage and single-storey side extension with pitched roof over

Decision: 31-01-1995 Approval

41903/C/90/0315	1 ALPHA ROAD HILLINGDON	
Erection of an attached garage and single-storey side extension with pitched roof over		
Decision: 02-04-1990	Approval	
41903/B/89/0223	OMEGA LODGE, 1 ALPHA ROAD HILLINGDON	
Erection of single storey side extension to bungalow.		
Decision: 13-06-1989	Refusal	
41903/A/88/1370	OMEGA LODGE, 1 ALPHA ROAD HILLINGDON	
Erection of a single storey side extension with pitched roof to bungalow		
Decision: 19-10-1988	Refusal	Appeal: 10-07-89 Dismissed

Comment on Planning History

The relevant planning history is listed above.

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

PUBLIC CONSULTATION:

12 neighbours were consulted by letter dated 07-10-24. 3 letters of objection were received. The matters raised are summarised below:

- Loss of light
- Traffic
- Noise pollution, dust
- Disruption through installation of drainage and power supply
- Works to trees

OFFICER COMMENTS:

The representations made by residents are noted. An assessment on neighbour amenity impacts are provided in the 'Impact on Neighbours' section of this report. Comments provided by the Highway Authority can be viewed below.

Regarding dust and construction noise, in the event of planning permission being granted, an informative would be attached to define construction hours to minimise any disruption.

The installation of drainage and power supply is an associated part of the development process. It would not be reasonable to refuse a planning application on the grounds of disruption, which would

be temporary.

The works to trees referred to in the neighbour representation appears to refer to the maintenance of an existing tree which is a civil matter.

LBH CONSULTEES:

- Access:

This proposal for one, 3 bed, and two, 1 bed, two storey dwellinghouses raises the following accessibility concerns. The 2021 London Plan and its contained policy D7 requires all new housing, as a minimum standard, to be designed and constructed as accessible and adaptable in accordance with M4(2) as set out in Approved Document M to the Building Regulations (2015 edition). 1. Step free access via the principal private entrance, and all other points of entry and exit, should be clearly shown on plan. 2. The entrance level W/C in the three bedroom dwelling is too small, does not achieve the required clear access zones or otherwise meet the provisions set out in section 2.27(c) of Approved Document M, Volume 1 (2015 edition). These plans fail to demonstrate compliance with figure 2.6 as set out in Approved Document M to the Building Regulations. Particular attention should be paid to the layout of the toilet pan, hand basin, and level access shower required to satisfy the 2021 London Plan policy D7. 3. Particular attention should be paid to the clear access zones and the spatial requirements within the bedrooms, bathrooms and kitchen areas. Floor plans at a scale of 1:100 should be submitted to show the clear access zones in context to typical furniture items within the said rooms. 4. The plans need to be amended to align with all other M4(2) technical specifications (as relevant), set out in Approved Document M to the Building Regulations (2015 edition). CONCLUSION: unacceptable. Revised plans which demonstrate that the prescribed standards referred to above can be successfully incorporated should be reviewed as a prerequisite to any approval.

- Contaminated Land:

Having considered the applicant submitted application in relation to our land contamination record, please be advised that, we have no objection to the proposed development.

However, our land contamination record shows the proposed development site to be on a former contaminated land site identified as Nursery/Orchard.

Therefore, the following land contamination condition is recommended should the planning application be approved.

Land Contamination Condition

(i) The development hereby permitted (excluding demolition, site clearance and initial ground investigation works) shall not commence until a scheme to deal with unacceptable contamination, (including asbestos materials detected within the soil), has been submitted to and approved by the Local Planning Authority (LPA). All works which form part of any required remediation scheme shall be completed before any part of the development is occupied or brought into use unless the Local Planning Authority dispenses with any such requirement specifically and in writing. The scheme shall include the following measures unless the LPA dispenses with any such requirement specifically and in writing:

a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential

sources of contamination and impacts on land and water and all other identified receptors relevant to the site.

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

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement, along with the details of a watching brief to address undiscovered contamination. No deviation shall be made from this scheme without the express agreement of the LPA prior to its implementation.

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

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

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

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Hillingdon Local Plan: Part 2 (January 2020) Policies - DMEI 11: Protection of Ground Water Resources and DMEI 12: Development of Land Affected by Contamination.

Highways:

Site Characteristics

The site envelope is situated within a residential catchment due north of the Uxbridge Road in Hillingdon. It is proposed to replace the existing 3-bedroom detached bungalow with three terraced residential units (1x3 & 2x1 bedrooms) with two on-plot parking spaces for the larger house with one space for each of the 1-bedroom dwellings totalling 4 'semi under-croft' spaces.

Alpha Road measures just over 4m in width and there are two existing carriageway crossings (cc's) that serve the existing property allowing 'parallel to the highway' forecourt parking for 3 vehicles arriving and departing in a forward gear. To facilitate the proposed on-plot parking, the 'western' corner cc is to remain with a marginal relocation proposed for the 'eastern' corner cc.

The surrounding roadways are generally devoid of parking controls and neighbouring properties exhibit limited on-plot parking provisions. The address exhibits a Public Transport Accessibility Level (PTAL) of 2 which is considered as 'poor' and as such heightens dependency on the use of private motor transport to and from the address.

Historically, an application for 4x2 bedroom flats replacing the established bungalow with 6 on-plot parking spaces was refused in 2017 but not on transport/highway related grounds (41903/APP/2017/2637).

Parking Provision

Hillingdon Local Plan: Part 2 Policy - DMT 6 requires that new development will only be permitted where it accords with the council's adopted parking standards unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network.

London Plan (2021): Policy T6.1 (Residential Parking) requires that new residential development should not exceed the maximum parking standards as set out in table 10.3.

The maximum parking requirement for the three residential units would be in the order of up to 3 spaces in order to comply with the overriding regional standard. A total of four spaces are to be provided, hence there is a very marginal over-provision. Although this quantum exceeds the standard, it is considered acceptable in this specific case as it reduces the potential for untoward on-street parking displacement onto the local unrestricted roadways resulting from the higher dependency on private motor transport due to the relatively poor PTAL rating.

In terms of cycle parking, there should be a provision of 2 secure and accessible spaces for the 3-bedroom unit with 1 space for each of smaller houses. Secure accommodation of cycle parking has been positioned to the rear of each new dwelling which is considered an acceptable arrangement.

Electric Vehicle Charging Points (EVCP's)

In line with the London Plan (2021), within the final parking quantum there is a requirement for a minimum of 20% 'active' EVCP provision with all remaining spaces being designated as 'passive' provisions. In this case, the proposal should incorporate 3 'active' spaces with 1 'passive' provision. This aspect has been acknowledged by the applicant.

Carriageway Crossing (cc) Provision

It is acknowledged that Alpha Road is narrow and if any on-street parking is present opposite the existing cc's, manoeuvrability space into and out of the proposed on-plot spaces will be reduced potentially necessitating several instead of a single 'in or out' steering motion. It is further noted that this specific issue was not raised at the time of the determination of the aforementioned 2017 application and that both cc's are currently exposed to this established scenario. A form of mitigation in terms of maximising cc widths should therefore now be applied to aid access/egress to the site as outlined below.

Existing cc (western corner)

The existing provision is considered appropriate to serve the two on-plot parking spaces allocated to the 3-bedroom house but should be widened accordingly in-line with the council's 'Domestic

Vehicle Footway Crossover' (DVFC) Policy (2022 to a maximum width of 5m at the back of footway and 6.2m at the edge of kerb. Final designs would be arranged post-permission, and it should be noted that the crossing would need to be constructed to an appropriate council standard executed under S184 of the Highways Act 1980 (or suitable alternative arrangement) at the applicant's/developer's expense.

Realigned cc (eastern corner)

The proposed realignment to serve parking for the 1-bedroom units is considered acceptable in principle and the same scale and process outlined in the preceding paragraph should be replicated.

On safety grounds, it is recommended that any proposed front boundary wall treatment is maintained at a height not exceeding 600mm as this will assist in maintaining satisfactory sight-lines at both access points for both vehicles and pedestrians using the site and roadway. It would appear that the applicant has acknowledged this aspect on-plan which is welcomed.

Vehicular Trip Generation

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.

The proposal would potentially raise the level of vehicular activity to and from the site as compared to the single dwelling. However peak period traffic movement into and out of the site is not expected to exceed 1-2 additional vehicle movements during the most sensitive and therefore crucial peak morning and late afternoon/evening hours. Hence this uplift is considered marginal in generation terms and therefore can be absorbed within the local road network without notable detriment to traffic congestion and road safety.

Refuse Bin Store Provision

Refuse collection would continue to be undertaken from Alpha Road.

In order to conform to accepted 'waste collection distances' from the public highway, a bin storage area should be placed within 10m of a refuse vehicle. As bin stores are to be positioned on the frontage of each unit, this parameter is met. There are no further observations.

Construction Management Plan (CMP)

The above will be a requirement given the constraints and sensitivities of the local road network to avoid/minimise potential detriment to the private/public realm. It will need to be secured under planning condition.

Conclusion

The application has been reviewed by the Highway Authority who are satisfied that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns, in accordance with Local Plan: Part 2 Development Management Plan (2020) Policies DMT 1, DMT 2 & DMT 6 and Policy T4, T5 and T6 of the London Plan (2021).

6. Local Plan Designation and London Plan

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

Part 1 Policies:

PT1.EM7	(2012) Biodiversity and Geological Conservation
PT1.BE1	(2012) Built Environment
PT1.H1	(2012) Housing Growth

Part 2 Policies:

DMEI 10	Water Management, Efficiency and Quality
DMEI 7	Biodiversity Protection and Enhancement
DMEI 14	Air Quality
LPP G6	(2021) Biodiversity and access to nature
LPP SI1	(2021) Improving air quality
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D1	(2021) London's form, character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP G1	(2021) Green infrastructure
LPP G5	(2021) Urban greening
LPP H1	(2021) Increasing housing supply
LPP H2	(2021) Small sites
LPP SI13	(2021) Sustainable drainage

LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP H10	(2021) Housing size mix

In addition: Development Plan

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

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

The Local Plan: Part 1 - Strategic Policies (2012)
The Local Plan: Part 2 - Development Management Policies (2020)
The Local Plan: Part 2 - Site Allocations and Designations (2020)
The London Plan (2021)
The West London Waste Plan (2015)

Material Considerations

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

The proposed development has been assessed against the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020), including Supplementary Planning Guidance, and all relevant material considerations, including The London Plan (2021) and national guidance.

7. MAIN PLANNING ISSUES

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

NEIGHBOURING RESIDENTIAL AMENITY

Policy D3 of the London Plan (2021) states Part D7) that development proposals should deliver appropriate outlook, privacy and amenity.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to ensure that development proposals do not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

The rear elevation of No. 32 Pole Hill Road is noted to comprise of a ground floor window serving a dining room and an adjacent pair of doors serving a living room. The first floor windows in the rear elevation are noted to serve a bathroom and kitchen. There would be a 17metres separation from the rear elevation at No.32 Pole Hill Road to the side elevation of the development. The submitted section drawing demonstrates a 25degree splay taken from a ground floor window on the rear

elevation would be clear of the development, which would allow adequate daylight/sunlight. Whilst there would be some loss of outlook, it would not be significant to warrant refusal.

There are no windows in the side elevation of the development facing towards the adjacent neighbours at No.32 Pole Hill Road and No.3 Alpha Road. Similarly, the angled rear windows face away from the rear gardens of No.32 and No.32A (1-5) Pole Hill Road. Whilst this preserves the amenity of the existing neighbours, however this comes at the expense of the amenity of future occupiers of the proposed mid-terraced unit which would be directly overlooked by the angled rear windows in the three bedroom unit.

The angled windows and high level windows in the front elevation appear to have been designed into the scheme to avoid any direct overlooking of the rear gardens of the opposing neighbours. The first floor windows in the rear elevation serving the 1bed units would face towards the car park area of No.32A. It is however noted that there is established mature hedging along the rear boundary of the site which provides additional screening.

The rear elevation of the development is set back relative to rear building line of Nos.3-7 Alpha Road and it would not breach the 45degree line of sight. As such, the proposal would not result in any negative effects in terms of loss of outlook or loss of light. Whilst the building height is increased, it is considered that due to the juxtaposition of the development in relation to the neighbouring terraces, there would not be a significant detriment in terms of shadowing of the neighbouring rear garden areas.

In the interests of preserving neighbour privacy, a condition would have been attached in the event of an approval to restrict any new window openings in the development.

Overall, there are no impacts on neighbouring residential amenity.

7.2 Impact on Street Scene

CHARACTER AND APPEARANCE:

Paragraph 135 of the National Planning Policy Framework (2023) states - Planning policies and decisions should ensure that developments:

- 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.

Policy D3 of the London Plan (2021) states that Development proposals should: D1) 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.

Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character.

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

states that 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;
- iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and
- v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

The current building on the site is a single storey dwelling. The surrounding area is characterised by two-storey buildings with a mixture of terraced and semi-detached dwellings along with blocks of flats.

The proposed building would be marginally set back relative to the front building line of the existing property at ground floor level to accommodate the 4no parking spaces that would serve the development. The parking spaces are partly covered as the front elevation at first floor level projects 65cm over the front drives. As a result the front building line of the development would be brought closer to the road and would sit 1.8metres forward of the neighbouring terraces Nos. 3-7 Alpha Road.

A 1.6m side gap is provided between the side elevation and the shared boundary with No.32 Pole Hill Road. A side gap of 1.6m at the front tapering to 1.2m to the rear is provided between the side elevation and the shared boundary with No.3 Alpha Road.

The development comprises a hipped roof on the west elevation and a gabled roof on the east elevation. It would appear that the hipped roof has been designed-in to ensure that No.32 Pole Hill is not negatively impacted in terms of outlook and daylight/sunlight (as demonstrated by the 25degree splay drawn on the section drawing). The roof profile however provides a lopsided appearance. This is exacerbated by the variation in first floor fenestration which provides a element of differentiation between the 3bed unit from the 1bed units. The 1bed units would be served by projecting first floor bay that have their front facing windows positioned halfway into the roof slope. All three units are provided with angles windows that face towards the road.

The proposed roof material is noted to be blue slate which is not noted to be a prevail. The front roof slope and the hipped side roof slope would be furnished with solar panels. The overall design of the scheme (including the fenestration and materials) is not considered to add any visual interest to the street.

The height of the building would be 1.3metres taller than the neighbour terraces at Nos. 3-7 Alpha Road. The development would not harmonise with the scale, design and proportions of the neighbouring built form on Alpha Road and would appear incongruous and visually prominent in the street scene. As a result of the overall design, height, siting, bulk, mass and visual prominence, the development would harm the character and appearance of the area. This forms reason for refusal 1. It is clear from the proposed drawings that the building has been designed to address the overlooking and overshadowing constraints. While on small sites which are commonly constrained,

an element of this is to be expected, the fact that the design is heavily adapted to address the constraints resulting in an awkward, unbalanced and incongruous form, it is clear that the proposal presents an overdevelopment of the site.

Based on the stark policy departure set out above, the proposal fails to comply with Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy D3 of the London Plan (2021) and Paragraph 135 of the National Planning Policy Framework (2023).

7.3 Traffic Impact/Pedestrian Safety

HIGHWAY SAFETY AND PARKING:

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

Policy T4 Part E of the London Plan (2021) states - The cumulative impacts of development on public transport and the road network capacity including walking and cycling, as well as associated effects on public health, should be taken into account and mitigated.

Policy T5 Part A of the London Plan (2021) states - Development Plans and development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. This will be achieved through: 1) supporting the delivery of a London-wide network of cycle routes, with new routes and improved infrastructure 2) securing the provision of appropriate levels of cycle parking which should be fit for purpose, secure and well-located. Developments should provide cycle parking at least in accordance with the minimum standards set out in Table 10.2.

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

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

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

Four car parking spaces are proposed; two for the 3bed unit and one each for the 1bed units. Electric vehicle charging points would be provided. Cycle storage is provided in the rear gardens.

As detailed in section 5 of this report, the Highway Authority do not raise an objection to the development subject to conditions that would have been attached in the event of an approval.

7.4 Carparking & Layout

See 'Traffic Impact/Pedestrian Safety' section.

7.5 Urban Design, Access and Security Considerations

ACCESS

Policy D5 of the London Plan (2021) sets out that proposals should achieve the highest standards of accessible and inclusive design.

Policy D7 of the London Plan (2021) states - To provide suitable housing and genuine choice for London's diverse population, including disabled people and families with young children, all residential development should include at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(3) 'wheelchair user dwellings' and all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

In regard to the above, the proposed drawings fail to accord with the minimum required accessible living standards. Step free access is not illustrated, the entrance level W/C in the three bed unit is too small and fails to achieve the required clear access zones set out in section 2.27(c) of Approved Document M, Volume 1 (2015 edition). The plans fail to demonstrate compliance with figure 2.6 as set out in Approved Document M to the Building Regulations, in particular the layout of the toilet pan, hand basin, and level access shower fail to satisfy the 2021 London Plan policy D7. Furthermore the plans lack the detail required to demonstrate compliance with the M4(2) technical specifications (as relevant), set out in Approved Document M to the Building Regulations (2015 edition).

The Council's access officer has raised an objection to the development as it has not been demonstrated that it would be accessible and inclusive. This is considered to warrant a separate reason for refusal. This forms reason for refusal 2.

CONTAMINATED LAND:

Policy DMEI 12 of the Local Plan: Part Two (2020) requires proposals for development on potentially contaminated sites to be accompanied by at least an initial study of the likely contaminants. Conditions will be imposed where planning permission is given for development on land affected by contamination to ensure all the necessary remedial works are implemented, prior to commencement of development.

The site is located within a designated potentially contaminated site. As detailed in section 5 of this report, the Council's land contamination officer has no objection subject to a condition to secure a contamination remediation scheme. The condition would have been attached in the event of an approval.

LANDSCAPING:

Policy G5 of the London Plan (2021) states that major developments should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage.

Policy DMHB 14 of the Hillingdon Local Plan: Part 2 (2020) states:

A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.

B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.

If the application were recommended for approval, details would have been secured of a full landscaping scheme.

LIVING CONDITIONS:

Paragraph 135f) of the National Planning Policy Framework (2023) states - Planning decisions should ensure the developments 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.

Policy D3 of the London Plan (2021) states that developments deliver appropriate outlook, privacy and amenity and achieve indoor and outdoor environments that are comfortable and inviting for people to use.

Policy D6 of the London Plan (2021) sets out the requirements for the gross internal floor area of new dwellings at a defined level of occupancy. Table 3.1 of the London Plan (2021) set out the same gross internal area space standards set out in the Technical housing standards - nationally described space standard (2015).

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that 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: iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities.

Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all housing development should have an adequate provision of internal space in order to provide an appropriate living environment.

Table 3.1 of Policy D6 of the London Plan (2021) states the following:

- A two storey three bedroom 5 person dwelling should provide a GIA of at least 93sq.metres.
- A two storey one bedroom 2 person dwelling should provide a GIA of at least 58sq.metres.

The proposed 3-bedroom / 5 person dwelling would have a GIA of 101.3 sq.m and the 2no 1bedroom/ 2 person dwellings would each have a GIA of 60.7sq.m. All three dwellings meets the policy requirement. All of the bedroom sizes are also acceptable.

Policy D6 of the London Plan (2021) Part F 8) requires the minimum floor to ceiling height must be 2.5m for at least 75 per cent of the Gross Internal Area of each dwelling.

The proposed elevations indicate that the floor to ceiling heights of the new dwelling would be 2.3m on the ground floor and on the first floor. The development would therefore fail to provide policy compliant floor to ceiling heights. This would result in inadequate living conditions for the future occupiers of this development.

It is also noted that windows in the front elevation serving the bedrooms of the 1bed units are positioned above the eaves of the proposed building. These bedrooms are served by windows sited at an angle and are fitted with blinkers on the outside to obscure outwards views. The effect would be that these bedroom windows would not benefit from adequate outlook. Further, the application is not supported by a daylight and sunlight assessment that demonstrates that occupiers would be provided with adequate provision.

Similarly, bedrooms 2 and 3 of the proposed 3bed unit are also served by angled windows which are fitted with blinkers to obscure outward views. These bedroom windows would however also not benefit from adequate outlook and would directly overlook the patio and garden area of the proposed mid-terraced unit, which would be detrimental to the amenity and living conditions of future occupiers.

As such the proposed development is contrary to Policy DMHB 11 and DMHB 16 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policy D6 of the London Plan (2021). This forms reason for refusal 3.

PRIVATE AMENITY SPACE:

Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) requires all new residential development to provide good quality and useable private amenity space.

In accordance with Table 5.3 one bedroom houses and three bedrooms houses are required to have at least 40 and 60 square metres of private outdoor amenity space respectively.

The private rear garden spaces measure 64.4sq.metres for the 3bed unit and 40.7sq.metres and 41sq.metres for the 1bed units. The amount of private amenity space provided for the three dwellings would be policy compliant.

7.6 Other Issues

AIR QUALITY:

Policy SI1 of the London Plan (2021) states-

- 1) Development proposals should not:
 - a) lead to further deterioration of existing poor air quality
 - b) create any new areas that exceed air quality limits, or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits
 - c) create unacceptable risk of high levels of exposure to poor air quality. To tackle poor air quality, protect health and meet legal obligations the following criteria should be addressed:
- 2) In order to meet the requirements in Part 1, as a minimum: a) development proposals must be at least Air Quality Neutral.

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

- A) Development proposals should demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants.
- B) Development proposals should, as a minimum:
 - i) be at least "air quality neutral";
 - ii) include sufficient mitigation to ensure there is no unacceptable risk from air pollution to sensitive receptors, both existing and new; and
 - iii) actively contribute towards the improvement of air quality, especially within the Air Quality Management Area.

The site lies within the Hillingdon Air Quality Management Area (AQMA) and Uxbridge Road Air Quality Focus Area. As per the London Plan, developments need to be air quality neutral as minimum. An Air quality neutral assessment with appropriate mitigation needs to be provided. The reduction of emissions to be achieved by each measure to be proposed needs to be quantified or a

flat rate discount agreed with the LPA. If the proposal is Air quality neutral, and as the site lies in the catchment area of an Air Quality Focus Area, the remaining S106 contribution would be calculated based on total emissions.

An air quality neutral assessment has not been provided in support of the application. It therefore has not been demonstrated that the development would comply with the above mentioned policies. This forms reason for refusal 4.

BIODIVERSITY NET GAIN:

In England, Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). It became mandatory for major developments on 12 February 2024 and small sites on 2 April 2024. Developers must deliver a BNG of at least 10%. This means a development will result in more or better-quality natural habitat than there was before development. The land owner is legally responsible for creating or enhancing the habitat and managing that habitat for at least 30 years to achieve the target condition.

Paragraph 8.6.6 of Policy G6 of The London Plan (2021) states that biodiversity net gain is an approach to development that leaves biodiversity in a better state than before. Losses should be avoided, and biodiversity offsetting is the option of last resort.

Policy EM7 of Hillingdon Council's Local Plan Part One Strategic Policies (2012) states that Hillingdon's biodiversity and geological conservation will be preserved and enhanced, with particular attention given to improving biodiversity from all development.

Paragraph 6.28 of Policy DMEI 7 (Biodiversity Protection and Enhancement) of Hillingdon Council's Local Plan Part Two Development Management Policies (2020) states it is important that planning decisions are appropriately informed by the right level of survey and information on ecology features. The Council will apply Natural England's standing advice at the validation stage. Applications will only be validated if they have the appropriate information. Where initial assessments recommend further surveys, these will be expected to be provided as part of a planning submission. All ecological reports or information submitted should adhere to nationally accepted best practice survey standards and be consistent with the British Standard BS 42020: 2013 Biodiversity - Code of Practice for Planning and Development or an updated variation. Where appropriate, the Council will require the use of the approved DEFRA biodiversity impact calculator (as updated) to inform decisions on no net loss and net gain.

The application form has indicated that the applicant considers the development to be subject to the de minimis exemption (development below the threshold) and the following reason for this has been provided: 'The existing footprint of the existing house and non-suds compliant hardstanding is 140m² plus 86.1m² = 226.2m². The proposed groundfloor footprint is 118.3m² plus 40m² suds-compliant replacement hardstanding = 158.3m²; as a result, there will clearly be an increase in the Urban Greening Factor, and the proposal appears exempt from the requirement to submit more detailed information at this time'.

The applicant has not submitted appropriate details to demonstrate their development would achieve at least a 10% BNG. This forms reason for refusal 4.

COMMUNITY INFRASTRUCTURE LEVY:

Policy DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020)

states: A) To ensure development is sustainable, planning permission will only be granted for development that clearly demonstrates there will be sufficient infrastructure of all types to support it. Infrastructure requirements will be predominantly addressed through the Council's Community Infrastructure Levy (CIL).

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 square metre. CIL rates are index linked. The proposal involves the erection of a new block of flats and would therefore be liable to pay CIL.

A relevant informative would be attached in the event of an approval pointing to these obligations. In this regard, the development accords with the aims of Policy DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), the NPPF (2023) and the Community Infrastructure Levy Regulations (2010).

PRINCIPLE OF DEVELOPMENT:

Paragraph 119 of the NPPF (2023) states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

Paragraph 120 of the NPPF (2023) states that substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs in addition to promoting and supporting the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.

Policy GG2 of the London Plan (2021) states to create successful sustainable mixed-use places that make the best use of land, those involved in planning and development must: enable the development of brownfield land, prioritise sites which are well-connected by existing or planned public transport and proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well connected to jobs, services, infrastructure and amenities.

Policy H10 of the London Plan (2021) states that new development should consist of a range of unit sizes.

Policy DMH 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that the net loss of existing self-contained housing will be resisted unless the housing is replaced with at least equivalent residential floorspace.

Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that the Council will require the provision of a mix of housing units of different sizes in schemes of residential development to reflect the Council's latest information on housing need. The Council's current information on housing need indicates a substantial borough-wide requirement for larger affordable and private market units, particularly 3 bedroom properties, as identified in the Strategic Housing Market Assessment (2016).

The development would provide a 3bedroom unit, of which there is a need in the Borough. The proposal would result in the net increase of two residential units. There is an identified need for a

mix of dwellings within the borough, which weighs in favour of the scheme. The uplift in residential units is given limited weight as the Council is currently able to demonstrate a five-year supply of deliverable housing sites. As such, the "tilted balance" as set out in paragraph 11(d) of the NPPF (2021) is not engaged.

The site is located in the developed area of the borough where development is acceptable in principle, subject to compliance with other development plan policies. The principle of development for the creation of additional residential units in this location is considered to be acceptable in land use terms. However, this would be subject to an appropriate density, design, amenity and parking provision, and the proposal being in accordance with all of the relevant planning policies and guidance set out in the Development Plan.

8. Reference Documents

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

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

London Plan (2021)

National Planning Policy Framework (2023)

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021)

Contact Officer:	Christos Chrysanthou	Telephone No:	01895 250230
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