

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: THE TICHENHAM INN, 11 SWAKELEYS ROAD ICKENHAM

Development: Change of use of rear first floor from Sui Generis and construction of second floor extension to provide residential dwellings, alongside associated works. Retention of ground floor use with minor internal alterations.

LBH Ref Nos: **6626/APP/2024/3040**

Drawing Nos: 725-000-A
Mixed Plans

Date Plans received: 15-11-24 **Date(s) of Amendments(s):**

Date Application valid 15-11-24

1. SUMMARY

The application seeks planning permission to change the use of the rear first floor from Sui Generis and to construct a second-floor extension to provide six new residential dwellings alongside associated works. Retention of ground floor use with minor internal alterations.

The development would deliver substandard living conditions for future occupants due to the poor layout, poor daylight and sunlight access, low-quality outlook, inadequate or non-existent provision of private outdoor living areas, poor layout of functional cycling parking, and refuse utilities. It is also considered harmful to neighbouring residential amenity by impacting the sunlight and daylight access of a neighbouring dwelling.

The built-form would have poor design and be incongruous with the broader area.

Further, in relation to the Agent of Change principle, it has not been demonstrated that the development would not adversely impact the long-term operation and viability of the public house through both losses of floor space and the addition of new noise-sensitive residential dwellings above the public house.

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

2. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Neighbouring residential amenity

The development, by reason of its height, bulk, and proximity, would unduly harm the residential amenity of the neighbouring occupiers at 13-15 Swakeleys Road due to loss of daylight/sunlight.

The development, therefore, conflicts with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policy DMHB 11 of the Hillingdon Local Plan - Part Two (2020) and Policy D3 of the London Plan (2021).

2. NON2 Character and appearance

The development, by reason of its height, depth, size, bulk, design, massing, and balconies, would unduly harm the character and appearance of the area and the visual amenities of the street scene. The development, therefore, conflicts with 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(b) and (c) of the National Planning Policy Framework (2023).

3. NON2 Living conditions

The development, by reason of its failure to provide an appropriate provision of a good quality outlook, private outdoor amenity areas, and daylight and sunlight to habitable rooms, would be unduly harmful to the living conditions of future occupants. The development, therefore, conflicts with Policies DMHB 11, DMHB 16, and DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policies D3 and D6 of the London Plan (2021).

4. NON2 Cycle Parking

The cycle parking, by reason of the first-floor location, would be poorly accessible, potentially restricting or preventing the use of the parking by some future occupants and being detrimental to the overall uptake of cycling by future occupiers, contrary to Policy DMT 5 of the Hillingdon Local Plan: Part 2 (2020) and Policy T6 of the London Plan (2021).

5. NON2 Refuse

The proposed refuse layout, by reason of its inaccessible location and long carry distances, raises safety and accessibility concerns for future residents and is contrary to Policies SI7 and D6 of the London Plan (2021) and Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020).

6. NON2 Water Efficiency

In the absence of water usage and design information, it has not been demonstrated that the proposal would achieve sufficient water efficiency contrary to Policy DMEI 10 of the Hillingdon Local Plan Part 2 - Development Management Policies (2020).

7. NON2 Agent of Change for the Public House

The proposal has not demonstrated the existing public house use would not be adversely affected by the development in accordance with the Agent of Change principle by reason that the remediation of the significant loss of existing public house floorspace has not been detailed and insufficient noise information has been provided to confirm the proposed residential flats would not restrict the ongoing noise generation and use of the public house. The development is, therefore, contrary to Policies HC7 and D13 of the London Plan (2021).

8. NON2 Noise

In the absence of satisfactory acoustic information, it has not been demonstrated that the proposed residential flats would not be exposed to excessive internal noise levels from the ground floor

public house use that could result in ongoing harm to onsite residential amenity, contrary to Policies D13 and D14 of the London Plan (2021).

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 site is located on the south side of Swakeleys Road. It comprises a two-storey property with a

public house at ground floor level and a residential flat and offices ancillary to the public house on the first floor.

As designated under the Hillingdon Local Plan, the site forms part of the Ickenham Core Shopping Area, Ickenham Local Centre, Ickenham Village Conservation Area, and Ickenham Village Archaeological Priority Area.

The site has a moderate Public Transport Accessibility Level (PTAL) of 3. The site also forms part of the Hillingdon Air Quality Management Area and is subject to potentially contaminated land.

A mixture of shops and professional services (Use Class E) are located to the north and south of the application site. Notably, 2 Swakeleys Road is Locally Listed and is approximately 35 metres to the north-east.

3.2 Proposed Scheme

Planning permission is sought for the change of use of the rear first floor from Sui Generis and the erection of a second-floor extension to provide six residential dwellings alongside associated works. Retention of ground floor use with minor internal alterations.

3.3 Relevant Planning History

6626/PRC/2021/128	THE TICHENHAM INN 11 SWAKELEYS ROAD ICKENHAM
	Raising roof ridge to front, replacing roof to rear and converting rear first floor to provide 5 self contained units
Decision: 28-09-2021	Objection

Comment on Planning History

Pre-application reference 6626/PRC/2021/128 provided an objection to a similar proposal for the following reasons:

- The public benefit of the proposal would not outweigh the less than substantial harm to the Ickenham Village Conservation Area.
- The scheme provided insufficient private amenity space, creating a substandard form of accommodation.

The report also identified that any future application would be required to sufficiently demonstrate that the public house could continue to function with reduced floorspace, and further assessment would be required in relation to the effects of the proposal.

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date: **11th January 2025**

4.2 Site Notice Expiry Date: Not applicable

5. Comments on Public Consult

PUBLIC CONSULTATION

12 submissions have been received objecting to the proposal, including a submission from the Ickenham Residents Association. The matters raised have been fully considered as part of the assessment of the application; however, can be summarised as follows:

- The design and scale of the development and increased roof height would have an adverse visual impact on the Conservation Area.
- The construction would unduly impact pedestrian access in the public domain outside the site and potentially cause safety concerns:

Planning Officer Comment:

To close the footpath, a temporary road closure application would need to be submitted to the Council for approval, which would address safety concerns.

- The construction and ongoing use would create increased traffic on the adjacent private right of way as well as encourage greater use of the access for storage of materials and waste, which will cause increased obstruction and disruption of the right of way, harming the ability of neighbouring properties to use the right of way.

Planning Officer Comment:

The proposal has been reviewed by Highways, who have not raised any specific access-related concerns; however, they have recommended, in the event of approval, a condition requiring the provision of a Construction Management Plan be included, which would manage construction-related impacts on the access. The suitability of the utilities storage and management areas of the development are assessed below.

- The proposal would result in a substandard living environment due to insufficient natural light, its location above a working pub resulting in potential noise impacts on the future occupants, and poor access arrangement.

Planning Officer Comment:

The quality of the proposed living conditions has been assessed below.

- There is insufficient detail on the proposed internal layout of the public house and it is unclear if it would be able to function following the proposed re-development.

Planning Officer Comment:

The impact of the development on the existing public house, including concerning the Agent of Change principle, has been assessed below.

- The provision of residential flats could restrict the ability of the existing public house to operate due to noise and disturbance harming the residential amenity of the flats.

Planning Officer Comment:

The impact of the development on the existing public house, including in relation to the Agent of Change principle, has been assessed below.

- No provision of parking will cause additional stress on parking in the area.

Planning Officer Comment:

The Council's Highways Team has reviewed the proposal, which considers the location suitable for sustaining a car-free development of this scale.

- The intensity of the use would impact the character of the site and the area, and there is insufficient public infrastructure in the area to support the additional dwellings.

Planning Officer Comment:

The principle of constructing additional dwellings on the site has been assessed below.

- The proposal will cause overlooking over adjacent neighbouring properties and undue harm to the privacy of these properties.

Planning Officer Comment:

The impact of the development on neighbouring properties has been assessed below.

CONSULTEE RESPONSES

- LBH Highway Authority (Summarised): The application has been reviewed by the Highway Authority, which is 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 Policies T4, T5 and T6 of the London Plan (2021).

- LBH Conservation Officer (Summarised): No objection. The proposals would not cause harm to the significance of the conservation area.

- LBH Noise Officer: No objection on noise grounds subject to the inclusion of suitable conditions, which should be met based on the design information provided and considering measurement and prediction uncertainty. Regarding the impact of the existing environment on the proposed development: 'For the lifetime of the development hereby permitted, the noise level shall not exceed 35 dB LAeq 16 hrs between 0700 and 2300 and 30 dB LAeq 8 hrs, between 2300 and 0700, measured inside any room of any permitted dwelling whilst achieving acceptable internal living conditions with respect to ventilation and temperature.' Reason: To ensure that occupants of the permitted development would not be exposed to noise that would be likely to cause an adverse effect on their health and quality of life. This has regard to the guidance set out in 'Guidance on Sound Insulation and Noise Reduction for Buildings' British Standard Institution BS8233: 2014.'

Planning Officer Comment:

Further feedback was requested from the Noise Officer concerning the lack of internal noise measurements of the public house activity from the existing upper floor of the building.

- LBH Noise Officer (Further Comment): I re-reviewed the noise report and could see no reason to disagree with the assessment concerning the performance of the floor/ceiling, and the proposed condition would ensure the living conditions within the dwellings are consistent with guidance.

I accept there is some uncertainty and that we could ask for measurements on the first floor during pub operations to provide further assurance, 'tighten' the condition, for example, to make it a rating level rather than simple LAeq, shorten the time interval or use a different metric, or a combination.

I'm inclined to agree that, in this case, requesting an internal first-floor measurement during pub operation would be a reasonable request to make for further information. Depending on what that shows, we could refine the condition if this was considered necessary.

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
PT1.HE1	(2012) Heritage

Part 2 Policies:

DMHB 4	Conservation Areas
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMCI 1	Retention of Existing Community Sport and Education Facilities
DMEI 10	Water Management, Efficiency and Quality
DMH 2	Housing Mix
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing

LPP D12	(2021) Fire safety
LPP D13	(2021) Agent of change
LPP D14	(2021) Noise
LPP GG2	(2021) Making the best use of land
LPP HC1	(2021) Heritage conservation and growth
LPP HC7	(2021) Protecting public houses
LPP H10	(2021) Housing size mix
LPP T2	(2021) Healthy Streets
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP SD6	(2021) Town centres and high streets
LPP SI1	(2021) Improving air quality
LPP SI7	(2021) Reducing waste and supporting the circular economy

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 West London Waste Plan (2015)
The London Plan (2021)

Material Considerations:

The National Planning Policy Framework (NPPF) (2024) 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

Policy D3 of the London Plan (2021) states 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 supporting text for this policy states that the Council will expect new development proposals to carefully consider layout and massing to ensure development does not result in an increased sense of enclosure and loss of outlook.

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

Paragraph 5.40 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states, 'For the purposes of this policy, outlook is defined as the visual amenity enjoyed by occupants when looking out of their windows or from their garden. The Council will expect new development proposals to carefully consider layout and massing in order to ensure development does not result in an increased sense of enclosure and loss of outlook. Single-aspect dwellings should be avoided.'

Paragraph 5.41 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states, 'The Council will aim to minimise the impact of the loss of daylight and sunlight and unacceptable overshadowing caused by new development on habitable rooms, amenity space and public open space. The Council will also seek to ensure that the design of new development optimises the levels of daylight and sunlight. The Council will expect the impact of the development to be assessed following the methodology set out in the most recent version of the Building Research Establishments (BRE) 'Site layout planning for daylight and sunlight: A guide to good practice'.'

Impact on properties to the south (Almond Avenue):

The neighbouring residential properties on Almond Avenue are located approximately 20m south of the proposed development. Given the separation distance from Almond Avenue, provision of only two rear-facing windows, and northern orientation in relation to these properties, it is not anticipated that there would be undue harm to the residential amenities of these properties from overdominance, daylight, and sunlight impact or overlooking.

Impact on properties to the west (Flat 2, 13-15 Swakeleys Road):

The development would adjoin the existing access route and carpark on the western neighbouring property opposite the above-ground flat at Flat 2, 13-15 Swakeleys Road. This separation and relatively minimal increase in bulk would ensure the development is not overly dominant to the adjacent neighbouring flats. The submitted daylight and sunlight assessment confirms the neighbouring property would experience a reduction in daylight (Vertical Sky Component) of 24% to the kitchen and 29% to the secondary bedroom. BRE guidelines state that any decrease of over 20% will be noticeable to occupiers. It is considered the reduction in sunlight to the secondary bedroom of 29% would result in undue harm to the residential amenity of the neighbouring property and is not acceptable. With regard to overlooking, two flanking obscure-glazed windows are proposed to face the neighbouring flat, opposing the bathroom window for the neighbouring flat. Given that the window would be used for a bathroom and would not be a more sensitive habitable use, the obscure glazing would be sufficient to avoid any undue harm to the privacy of the neighbouring flat.

Impact on properties to the east (7 & 9A Swakeleys Road):

The development would adjoin the existing private right of way that is utilised by the applicant, the vehicle mechanics to the rear, and neighbouring residential properties to the east. This would provide separation from the neighbouring above-ground level residential properties at 7 and 9A Swakeleys Road. This separation and relatively minimal increase in bulk will ensure the development would not be overly dominant to these neighbouring properties. The submitted daylight and sunlight assessment confirms the neighbouring properties would experience minimal reductions to their daylight (Vertical Sky Component) of no more than 12.28% to any of their rear windows. According to BRE guidelines, this loss would not be readily noticeable to occupiers, and it is therefore considered any harm to the daylight and sunlight of the neighbouring properties would be acceptable. With regards to overlooking, multiple windows are proposed to face the neighbouring properties; however, there is no return in outlook, avoiding any issues of outlook between windows. The overlooking would not fall over any sensitive habitable living spaces. It would only be over the rear service yard/garages/access points for the neighbouring properties, thereby avoiding any undue harm to the privacy and amenity of the neighbouring properties.

Summary:

It is considered the proposal would result in an unacceptable loss of daylight and sunlight access to the habitable rooms of Flat 2, 13-15 Swakeleys Road, thereby causing unacceptable harm to the residential amenities of the neighbouring residential property and failing to accord with Policy D3 of the London Plan (2021) and Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

7.2 Impact on Street Scene

Character and appearance:

Policy D3 of the London Plan (2021) states that development proposals should 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 HC1 of the London Plan (2021) states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.

Policy BE1 of the Hillingdon Local Plan: Part 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 HE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) seeks to conserve and enhance Hillingdon's distinct and varied environment, its settings and the wider historic landscape.

Policy DMHB 4 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that new development, including alterations and extensions to existing buildings, within a Conservation Area or on its fringes, will be expected to preserve or enhance the character or appearance of the area

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that new development will be required to be designed to the highest standards and

incorporate principles of good design.

Policy DMHB 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) advises that development should be well integrated with the surrounding area.

The Conservation Officer has reviewed the application with respect to the impact on the character of the area as follows:

The property is a modern two-storey public house constructed in a matching style in the late 1990s. It sits comfortably at its location and does not detract from the conservation area's character. In-depth studies have been produced with regard to both the heritage and design considerations. The surrounding development dates from the interwar and immediate post-war period. It is of a Metroland style and provides the main basis for the area's character. Of particular importance are the pitched tiled roofs and brickwork.

Roof heights vary along the street frontage and, when examined closely, are not uniform. The street developed in the late 1930s and the immediate post-war period. There is some variation with the height to the corner, and then there are some changes in levels as it proceeds northwest.

The proposal is for an additional storey, although much of this would be concealed as with other buildings in the street/conservation area within the roof space. This would result in increased height stepping up to the adjacent main block. This would add to its prominence in the run of shops/flats. It would become a more prominent feature within the streetscape, although it would remain subservient to the corner block. There are, however, advantages in that the roof's pitch to the street is steeper and, therefore, more in keeping with the broader streetscape.

The redesign of the projecting bay is also welcome and more in keeping, as are the hanging tiles. It would have been beneficial to consider adding a chimney stack to the building to reflect the wider roofscape and consider smaller proportioned windows to the dormer element. Overall, the proposals would not cause harm to the significance of the conservation area.

Considering the Conservation Officer's comments, the alterations to the front building, including the increased height and frontage changes, are acceptable.

The design of the rear building has been altered following the pre-application advice provided under reference 6626/PRC/2021/128. The proposed height has been lowered by removing the flat roof terrace and lift structure; however, the proposed extension has now been extended to meet the rear of the existing front building, creating a contiguous building mass.

The rear building would now sit lower than the existing front building (as proposed); however, the proposed rear dormer would still be excessively large and out of proportion with the existing roof, contrary to policy DMHD 1. The proposed contiguous building mass would create an inconsistent roof form, changing from pitched to flat roof to an alternate pitch to flat roof again and creating a poor quality of built form.

The proposed materials are consistent with the existing buildings and, therefore, would be in keeping with the appearance of the existing character area and are acceptable.

The proposal is acceptable regarding the frontage alterations but would create a poor quality of built form to the rear of the site that would cause less than substantial harm to the Conservation Area. The public benefit of the proposed development is considered to be limited and insufficient to outweigh the less than substantial harm posed to the Conservation Area.

The proposal is therefore considered contrary to the NPPF (2021), Policy HC1 of the London Plan (2021), Policies BE1 and HE1 of the Hillingdon Local Plan: Part 1 (2012), and Policies DMHB 4 and DMHB 11 of the Hillingdon Local Plan: Part 2 (2020).

7.3 Traffic Impact/Pedestrian Safety

The application has been reviewed by the Highways Authority (see below), who concluded that the scheme is acceptable from a Highways perspective with regard to Policies DMT 1, DMT 2 & DMT 6 of the Hillingdon Local Plan: Part Two Development Management Plan (2020) and Policies T4, T5 and T6 of the London Plan (2021). However, the Planning Officer finds the proposed bicycle parking arrangement to be of considerable concern with regard to accessibility, as discussed further below.

Site Characteristics & Background

The site is located within a shopping parade on Swakeleys Road, which forms part of the main retail facilities in Ickenham. A rear first-floor extension and new second floor are proposed to facilitate six new residential flats (five two-bedroom and one one-bedroom) together with the retention of an existing two-bedroom flat on the first floor and Public House at ground floor level (but with internal alterations). No on-plot parking is provided, which reflects the present scenario.

The locality is extensively covered by parking restrictions, operating from 8am to 6.30pm on Monday to Saturday, and Pay & Display facilities operate for the same weekly period but from 8am to 6pm. The public transport accessibility level (PTAL) is rated at a level of 3 and is therefore considered moderate; however, in practise, the 'real world' PTAL is considered to be somewhat higher than numerically depicted due to the relative proximity of Ickenham and West Ruislip Stations together with several local bus services within the locality.

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.

Hillingdon Local Plan: Part 2 Policy - DMT 5 requires that new development will be required to provide cycling facilities in accordance with Appendix C, Table 1.

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 overriding regional standard suggests the region of up to 0.75 spaces per unit (not exceeding two bedrooms), which would result in a requirement of four to five spaces.

It is noted that the aforementioned 'real world' site PTAL inherently encourages the use of sustainable travel modes instead of private motor vehicles given the location and relative proximity of Ickenham and West Ruislip Stations and local bus services within the proximity of the address. New residential occupants would, therefore, be expected to rely more on sustainable modes of travel such as walking, cycling, and the convenient and efficient public transport services that serve the parade. It is also observed that there is limited 'free of charge' parking availability in Swakeleys Road as it is extensively covered by Monday to Saturday daytime 'pay & display' and other parking controls, which would further assist in deterring any potential extraneous parking generated by the

proposal.

For the above reasons, it is considered that the location can adequately sustain a 'car-free' development as is the case for the existing residential flat.

The only parking requirement for this use class is related to providing one secure and accessible cycle space per unit to conform to the council's adopted cycle parking standard. An area containing 12 spaces placed centrally at the first-floor level accessed from the stair lobby is indicated on-plan and considered satisfactory in principle.

Planning Officer Comment:

While the proposed first-floor location for the bicycle store meets a number of space requirements for the scheme, it is considered to be a poor, inaccessible location that would limit the usability of the parking to the detriment of future occupiers and their uptake of cycling. The first-floor location is only accessible via a narrow single-width stairwell that could pose significant accessibility issues for mobility-impaired or older occupiers who would likely struggle to carry bikes up and down the stairs, to the detriment of their future amenity. From a planning perspective, this is not considered an acceptable outcome, especially given the car-free nature of the scheme, which will likely have a stronger reliance on cycling as a mode of transportation.

Operational Refuse Requirements

Refuse collection would occur via the adjacent service road where a bin store is proposed to the side of the building. Accepted 'waste distance' collection standards encourage waste collection distances to be within 10m from the point of collection by refuse vehicle. Also, the distances from each flat to the bin storage area should not exceed the recommended standard of 30m. As the proposal provides secure refuse storage at the ground floor level accessed from the established service road, the Highways Authority considers that the above parameters are broadly met.

Construction Management Plan (CMP)

Given the constraints and sensitivities of the local road network, a full and detailed CMP would be required to avoid/minimise potential detriment to the public realm. It would need to be secured post-permission via a planning condition.

Conclusion

The application has been reviewed by the Highway Authority, which is satisfied that the proposal would not discernibly exacerbate congestion or parking stress and would not raise any measurable highway safety concerns. However, it is considered the proposed bicycle parking location is inaccessible, causing access and safety issues for future residents, contrary to Local Plan: Part 2 Development Management Plan (2020) - Policy DMT 5 and Policy T6 of the London Plan (2021).

7.4 Carparking & Layout

N/A

7.5 Urban Design, Access and Security Considerations

- Urban Design:

See 'Impact on Street Scene' section of this report.

- 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'.

As the application is for works on an existing building, Policy D7 is not applicable to the application. There would be no loss of accessible housing due to this development as the existing flat is considered incompatible with accessibility standards.

As such, it is considered there are no relevant concerns with respect to accessibility.

- Residential living conditions:

Policy D6 of the London Plan (2021) sets out the minimum internal floor space standards required for residential developments to ensure an adequate level of amenity for future occupants. The policy defines the requirements for the gross internal floor area of new dwellings at a defined occupancy level.

Policy D6 of the London Plan (2021) Part C states that housing development should maximise the provision of dual-aspect dwellings and normally avoid the provision of single-aspect dwellings.

Table 3.1 of the London Plan (2021) states the same gross internal area space standards set out in the Technical housing standards - nationally described space standard (2015). Table 3.1 of Policy D6 of the London Plan (2021) states that:

- A one-bedroom, two-person occupancy (flat) should provide a GIA of at least 50 square metres.
- A two-bedroom, three-person occupancy (flat) should provide a GIA of at least 61 square metres.

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 to provide an appropriate living environment.

Based on the floor plans submitted, the proposed development would provide six residential units comprising one one-bed two-person unit and five two-bed three-person units. All units are provided with internal floorspace meeting Table 3.1 requirements as follows:

- Flat 1 - 2B3P - 62.6 square metres
- Flat 2 - 2B3P - 65.4 square metres
- Flat 3 - 2B3P - 63.5 square metres
- Flat 4 - 2B3P - 61.4 square metres
- Flat 5 - 2B3P - 65.1 square metres
- Flat 6 - 1B2P - 51.2 square metres

All proposed bedrooms meet the minimum standard of internal space requirements in accordance with Policy D6 of the London Plan (2021).

While none of the proposed flats would be technically single-aspect, the layout of the scheme and units is poor and would generate many of the issues associated with single-aspect development, unduly harming the residential amenity of future occupiers. In particular, proposed flats 2, 3, 5, and 6 are only provided with an outlook east or west, both directions over unattractive rear yards and servicing areas. While units 2 and 5 would have an outlook to the south, these only benefit the master bedroom. Outlook from the northern glazing of units 3, 5, and 6 look directly into adjacent flats and, therefore, are either obscurely glazed or blocked off, providing no amenity regarding outlook. These single-aspect views are of poor quality and also result in a lack of choice of outlook for future occupiers. Poor ventilation for the dwellings is likely due to the limited aspects.

The quality of the outlook itself is also considered poor for flats 2, 3, 5, and 6. As noted above, the primary outlook for these units would face east or west over adjacent rear service yards, hosting a poor visual quality. The flats would have limited choice to avoid this outlook. The proposed windows are small, which would further impact the quality of the outlook from habitable rooms.

The submitted daylight and sunlight assessment identifies that the living/kitchen areas of flats 4 and 5 would not achieve target daylight values, achieving only 46% and 70%, respectively. This is an unacceptable outcome for the primary living areas of the dwellings and would result in substandard living conditions. A further bedroom in flat 2 would also not achieve the target daylight value. As 3 of the 17 habitable rooms in the development would not meet target daylight values, nearly 20% of the development would fail to provide adequate daylight levels and a third of the primary living areas. This would result in substandard living conditions for future occupiers and is unacceptable.

The development would fail to provide satisfactory internal living conditions to meet the needs of future occupiers due to poor outlook, aspect options and poor daylight access. This would cause unacceptable harm to the residential amenity of future occupiers and is contrary to Policy D6 of the London Plan (2021) and Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

- Private amenity spaces:

Policy D6 of the London Plan (2021) Part F9) states - Where there are no higher local standards in the borough Development Plan Documents, a minimum of 5 sq.m. of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sq.m. should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m.

Policy DMHB 18 of the Hillingdon Local Plan: Part 2 (2020) states that all new residential development and conversions will be required to provide good quality and useable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.3. Balconies should have a depth of not less than 1.5 metres and a width of not less than 2 metres. The design, materials and height of any front boundary must be in keeping with the character of the area to ensure harmonisation with the existing street scene.

Amenity space should be provided in accordance with the standards set out in Table 5.3 of the Local Plan - Part 2 (2020), which requires one and two-bedroom flats to have at least 20 and 25 square metres of private amenity space, respectively.

The application proposes the provision of an enclosed 11.2 sq. m. terrace for Flat 1, an enclosed 6.2 sq. m. terrace for Flat 3, and a 6 sq. m. balcony proposed for Flat 6.

There is a significant under-provision of private amenity spaces, with Flats 2, 5, and 6 not being

provided with any outdoor living areas and Flats 1, 3, and 6 provided with under-sized outdoor areas. The lack of outdoor amenity areas for Flats 2, 5, and 6 is unacceptable. No mitigation has been provided or identified to justify the lack of provision.

While reduced provision of private outdoor amenity areas can be acceptable in a flatted/apartment town centre development context, the layout of the provided private amenity spaces is poor, with the terraces for Flats 1 and 3 being enclosed, lacking a sense of openness and devoid of outlook, therefore providing inadequate outdoor amenity. The balcony for Flat 4 would be directly above the terrace for Flat 1, further impacting the openness of the Flat 1 terrace and raising privacy concerns about the inappropriate overlooking of the terrace for Flat 3. This balcony would also be provided with a poor outlook.

There is limited public open space available near the site, with the closest space being over 350m away. Given the distance of the public open spaces and the fact that public open spaces cannot act as a 1:1 replacement for the functionality and benefits of private amenity space, there is insufficient mitigation for the shortfall in private amenity space.

The proposed scheme would provide insufficient private amenity space, contributing to the sub-standard proposed accommodation, contrary to Policy DMHB 18 of the Hillingdon Local Plan: Part 2 (2020).

Air quality:

Policy SI1 of the London Plan (2021) states that 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:

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 development is located within the Hillingdon Air Quality Management Area. An air quality assessment has been submitted in support of the proposal, confirming the site is suitable for the proposed residential development. Outside of construction, no pollutant-generating activities or new parking is proposed, thereby ensuring the use would be air quality neutral and in accordance with Policy SI1 of the London Plan (2021) and Policy DMEI 14 of the Hillingdon Local Plan: Part 2 -

Development Management Policies (2020).

Refuse:

Policy SI 7 and Policy D6 of the London Plan (2021) require developments to be designed with adequate, flexible, and easily accessible storage space and collection systems that support, as a minimum, the separate collection of dry recyclables (at least card, paper, mixed plastics, metals, glass) and food.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that Development proposals should make sufficient provision for well-designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

The proposed ground floor plan indicates that refuse and recycling stores would be provided at the rear of the application site. This location is over 30m from the access door for the flats and significantly further from the front door of each flat once internal carry distances are considered. This poor, inaccessible location exceeds recommended carry distances and could cause regular conflict with vehicles using the right of way. It also raises safety concerns, requiring residents to walk down an alley with limited lighting and active surveillance to dispose of their household waste.

The proposed servicing arrangement is poorly designed and raises safety concerns for future residents, contrary to Policies SI7 and D6 of the London Plan (2021) and Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

Fire Safety

Policy D12 of the London Plan (2021) states the following:

A) In the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety and ensure that they:

- 1) identify suitably positioned unobstructed outside space:
 - a) for fire appliances to be positioned on
 - b) appropriate for use as an evacuation assembly point
- 2) are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; appropriate fire alarm systems and passive and active fire safety measures
- 3) are constructed in an appropriate way to minimise the risk of fire spread
- 4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users
- 5) develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in
- 6) provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.

A fire statement has been submitted in support of the application in accordance with Policy D12 of the London Plan (2021).

Water Efficiency

Policy DMEI10 of the Hillingdon Local Plan: Part 2 (2020) requires that all new development include water efficiency measures, including the collection and reuse of rainwater and grey water, and all new residential development should demonstrate water usage rates of no more than 105 litres/person/day.

The application has not submitted any information with regard to water efficiency, reuse, and usage of the development not in accordance with Policy DMEI10 of the Hillingdon Local Plan: Part 2 (2020).

Crime Prevention

Policy DMHB 15 of the Hillingdon Local Plan: Part 2 (2020) states that the Council will require all new development to ensure safe and attractive public and private spaces by referring to the Council's latest guidance on Secured by Design principles. Where relevant, these should be included in the Design and Access Statement. Development will be required to comprise good design and create inclusive environments whilst improving safety and security by incorporating the following specific measures:

- i) providing entrances in visible, safe and accessible locations;
- ii) maximising natural surveillance;
- iii) ensuring adequate defensible space is provided;
- iv) providing clear delineations between public and private spaces; and
- v) providing appropriate lighting and CCTV.

Any grant of planning permission would be subject to a secure by design condition to achieve appropriate accreditation. To obtain further advice, you may wish to contact the Metropolitan Police's Secure by Design Officer, PC Robert Palin, who can be contacted on 020 8733 5245 or by e-mail on Robert.Palin@met.pnn.police.uk

7.6 Other Issues

Principle of Development and Protection of Public Houses:

Paragraph 98 of the National Planning Policy Framework (2024) states that planning decisions should plan positively for the provision and use of shared spaces, community facilities (including public houses) and other local services to enhance the sustainability of communities and residential environments.

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 SD6 of the London Plan (2021) states that the potential for new housing within and on the edges of town centres should be realised through mixed-use or residential development that makes best use of land, capitalising on the availability of services within walking and cycling distance, and their current and future accessibility by public transport.

Policy HC7 of the London Plan (2021) states that planning decisions should:

- A)1) protect public houses where they have a heritage, economic, social or cultural value to local

communities, or where they contribute to wider policy objectives for town centres, night-time economy areas, Cultural Quarters and Creative Enterprise Zones

2) support proposals for new public houses where they would stimulate town centres, Cultural Quarters, the night-time economy and mixed-use development, taking into account potential negative impacts.

B) Applications that propose the loss of public houses with heritage, cultural, economic or social value should be refused unless there is authoritative marketing evidence that demonstrates that there is no realistic prospect of the building being used as a pub in the foreseeable future.

C) Development proposals for redevelopment of associated accommodation, facilities or development within the curtilage of the public house that would compromise the operation or viability of the public house use should be resisted.

Policy D13 of the London Plan (2021) state that The Agent of Change principle places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development and development should be designed to ensure that established noise and other nuisance-generating uses remain viable and can continue or grow without unreasonable restrictions being placed on them.

Policy DMCI 1 of the Hillingdon Local Plan: Part 2 (2020) supports the retention of existing community facilities.

In recognising that the site is located within a sustainable town centre location, the principle of residential redevelopment, which retains the existing public house, is acceptable.

However, the submission has not demonstrated that the development would not compromise the current or future operation or viability of the public house. The application proposes a loss of over 80 sq. m. of first-floor space associated with the operation of the public house, including bathrooms, storage, and plant space. The application claims the existing rear ground level of the public house would be reconfigured to replace the lost amenities and functional areas, but no detailed plans have been provided to support this claim. The existing area already hosts the kitchen and accessible WC, as well as storage, and no evidence has been provided that the lost amenities and functional floor area can be provided at the ground level without significantly impacting the operational capacity of the public house. Therefore, there are concerns that the redevelopment would compromise the operation or viability of the public house.

The application also failed to provide acoustic measurements of the public house activities concerning the proposed upper-floor apartment. This is discussed further in the noise section of this report, but officers have concerns about the absence of acoustic measurements. Given the proposed residential units are a sensitive use and the Council Noise Officer has recommended a condition of consent to ensure maximum noise levels in the residential units do not exceed certain limits, there is concern that the establishment of the flats could limit or restrict the operation of the public house, going against the Agent of Change principle.

Overall, while the principle of residential development in the town centre location is accepted, the proposal has not demonstrated that the viability and functionality of the public house would not be adversely impacted by the loss of floor space nor demonstrated that the establishment of multiple residential flats above the public house would not result in unreasonable noise and operation restrictions on the public house. As such, the application is not in accordance with Policies HC7 and D13 of the London Plan (2021).

Density and mix of units:

Policy H10 of the London Plan (2021) states that schemes should generally consist of a range of unit sizes and details several factors which should be considered when determining the appropriate housing mix for a particular scheme. This includes local evidence of need.

In terms of factors specific to a site, Policy H10 of the London Plan (2021) also includes a need to consider the mix of uses in the scheme, the range of tenures in the scheme and the nature and location of the site, with a higher proportion of one and two-bed units generally more appropriate in locations which are closer to a town centre or station or with higher public transport access and connectivity.

Family housing is defined within the glossary of the London Plan. It outlines it must generally be of a size that has three or more bedrooms. It is worth noting that the Secretary of State directed changes to Policy H10 to address the need for new family housing to prevent families from being forced to move outside of London.

Policy DMH 2 of Hillingdon Local Plan: Part 2 (2020) requires 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. Paragraph 4.6 outlines that there is a substantial borough-wide requirement for larger affordable and private market units, particularly three-bedroom properties.

The proposal consists of the following housing mix:

- One 1-bed 2-person unit (16.7%); and
- Five 2-bed 3-person units (83.3%).

The site has a PTAL of 3 and is located within the Ickenham Local Centre. The scheme would consist of 16.7% 1-bed units and 83.3% 2-bed units, with a net increase of 5 flats. Given the constraints of the site, this is considered appropriate and in accordance with Policy H10 of the London Plan (2021) and Policy DMH2 of the Hillingdon Local Plan: Part Two (2020).

Noise:

Policy D13 of the London Plan (2021) states that The Agent of Change principle places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development and development should be designed to ensure that established noise and other nuisance-generating uses remain viable and can continue or grow without unreasonable restrictions being placed on them.

Policy D14 of the London Plan (2021) states that In order to reduce, manage and mitigate noise to improve health and quality of life, residential and other non-aviation development proposals should manage noise by avoiding significant adverse noise impacts on health and quality of life, reflecting the Agent of Change principle as set out in Policy D13 Agent of Change and mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses.

The application has been reviewed by the Noise Officer, who originally had no objection to the application but recommended that a condition of consent be applied in the event of approval requiring noise levels in the proposed dwellings not to exceed certain noise levels. The Planning Officer identified that noise measurements of the existing public house use within the existing flat or first floor of the public house had not been provided as part of the noise assessment and raised concerns over the lack of information, noting the other noise measurements relating to the street and vehicle mechanics that were provided by the noise report.

The Noise Officer subsequently agreed that further noise measurements would be beneficial to undertaking an informed assessment of the proposal stating 'I accept there is some uncertainty and that we could ask for measurements at the first floor during pub operations to provide further assurance, 'tighten' the condition for example to make it a rating level rather than simple LAeq, shorten the time interval or use a different metric, or a combination. I'm inclined to agree that in this case requesting an internal first floor measurement during pub operation would be a reasonable request to make for further information.'

The lack of noise measurements concerning the existing public house use, therefore, raises concerns over whether acceptable internal noise levels would be achieved within the proposed residential flats per the Agent of Change Principle. No further information was requested from the applicant on the basis that other fundamental issues have been identified with the design and layout of the development and cannot be readily resolved.

There are concerns that the proposed residential flats would impact the long-term operation and viability of the public house by unduly limiting the noise generation of the public house, which is not in accordance with Policies D13 and D14 of the London Plan (2021).

Biodiversity net gain:

Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity.

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.

Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. There are exemptions; however, any future application would need to demonstrate, where applicable, that it would deliver a biodiversity net gain.

As the application will not impact 25 sq. m. or more of habitat, the de minimis exemption applies, and biodiversity net gain is not required.

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 residential 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.

The application has provided a CIL form confirming CIL liability.

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 (2024) and the Community Infrastructure Levy Regulations (2010).

8. Reference Documents

National Planning Policy Framework (2024)

The London Plan (2021)

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

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

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