



APPENDICES



APPENDIX A

Report of the Head of Planning, Transportation and Regeneration

Address NO'S 5 & 6 FIRS WALK AND LAND TO THE REAR OF 25 DENE ROAD
NORTHWOOD

Development: Demolition of 5 & 6 Firs Walk, 6 No. new dwellinghouses with associated car parking, new access arrangements from Foxdell and removal of existing access from Firs Walk at No's 5 & 6 Firs Walk and land to the rear of No. 25 Dene Road (Outline application with some matters reserved)

LBH Ref Nos: 73874/APP/2018/2107

Drawing Nos: SK.01 H
SK.02
101:165
LP.01

Date Plans Received: 06/06/2018 **Date(s) of Amendment(s):** 14/06/2018
Date Application Valid: 06/06/2018 06/06/2018

1. SUMMARY

The proposal seeks outline permission for the demolition of nos. 5 and 6 Firs Walk and the erection of 6 new dwellings, incorporating part of the rear garden of no. 25 Dene Road. The details for the access to the site and layout have been included; all other matters of landscaping, appearance, scale are reserved for future consideration. Two of the proposed houses sit in garden land to the rear of No.25 Dene Road that falls within the Dene Road Area of Special Local character.

The proposed layout would result in a cramped development that would be harmful to the character and appearance of the street scene and the wider area, including the Dene Road Area of Special Local Character. Although the proposal has included an acceptable access and the provision of a turning head adequate to address highway safety concerns, the proximity of the turning head to the habitable accommodation within the dwelling proposed in plot 1 would result in an unacceptable level of noise and light pollution to the detriment of future occupiers.

For these reasons therefore, it is considered that the proposal falls contrary to a number of adopted Local Plan policies and criteria contained in the Residential Layouts SPD.

The proposed development would constitute a form of backland development that would fail to maintain the open and verdant character and appearance of the surrounding area, it is therefore recommended for refusal.

A petition has been submitted against the proposal and the Ward Members have requested the application be called in for a decision by the North Area Committee.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 **Non Standard reason for refusal**

The proposed development, by reason of its siting and layout would result in a

development of the site, which would fail to harmonise with the existing local and historic context of the surrounding area. The principle of intensifying the residential use of the site to the level proposed, as well as the proposed loss of existing private rear garden area would have a detrimental impact on the Dene Road Area of Special Local Character character and appearance of the area as a whole. The proposal is therefore detrimental to the visual amenity and character of the surrounding area and contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE5, BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5, 7.1 and 7.4 of the London Plan (March 2016), the Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016).

2 NON2 Non Standard reason for refusal

The proposed layout and access, by reason of the close proximity of the proposed turning head, would be detrimental to the residential amenity of the future occupants of plot 1 by reason of the noise, disturbance and potential light pollution. As such the proposal would fail to comply with Policies BE19, BE21 and OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies and the adopted Supplementary Planning Document HDAS: Residential Layouts.

INFORMATIVES

1 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 saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

2 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 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the eastern end of Firs Walk, a small single track private road and currently comprises 2 detached two storey properties and their garden space and a section of rear garden of 25 Dene Road. The site area covers approximately 0.28 ha. To the west are nos. 5 and 7 Firs walk and the end of the rear garden of Tormead. To the east is the turning head of the adjacent cul-de-sac Foxdell and the properties nos. 8 and 13. The London School of Theology lies to the south.

The street scene is residential in character comprising larger detached properties of differing designs set within spacious plots. The character of the area is open and green, with the northern sections of the site (the rear garden of no. 25 Dene Road) set within the Dene Road Area of Special Local Character. Aerial photographs of the site show that until

recently there were two well established trees within the garden of no. 6 against the boundary with Foxdell, these have been removed although at the stumps were still visible on the Officer site visit. Two of the proposed houses sit in garden land to the rear of No.25 Dene Road that falls within the Dene Road Area of Special Local character.

The application site lies within the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

3.2 Proposed Scheme

The application seeks outline planning permission for the removal of the existing dwellings and the erection of 6 detached dwellings. Details for the access to the site and the proposed layout have been included; all other matters are reserved for future consideration

3.3 Relevant Planning History

Comment on Relevant Planning History

None.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.HE1 (2012) Heritage

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

BE5 New development within areas of special local character

BE13 New development must harmonise with the existing street scene.

BE19 New development must improve or complement the character of the area.

BE20 Daylight and sunlight considerations.

BE21 Siting, bulk and proximity of new buildings/extensions.

BE22 Residential extensions/buildings of two or more storeys.

BE23 Requires the provision of adequate amenity space.

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

H4 Mix of housing units

H12 Tandem development of backland in residential areas

OE1 Protection of the character and amenities of surrounding properties and the local

	area
LPP 3.3	(2016) Increasing housing supply
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places
NPPF- 16	NPPF-16 2018 - Conserving & enhancing the historic environment
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

34 neighbours and the Dene Road Residents Association were consulted for a period of 21 days expiring on the 5 July 2018. The site notice was erected to the front of the site expiring on 16 July 2018. 19 responses were received raising the following issues:

- Access will be critical and should approval be given due to the limited space on Foxdell we insist the workers and trucks park on site
- The turning head on Foxdell is in use as parking space for residents
- Dene Road and roads that come off there are already quite congested. The increase in traffic generated by the new dwelling would be detrimental to highway safety
- Not in keeping with surrounding area
- Overdevelopment
- Greater noise and pollution
- Disruption due to construction
- Potential damage to Dene Road
- Impact on existing infrastructure
- Plans indicate no trees will be affected, this is because they were cut down just prior to the application being submitted
- Garden grabbing
- Loss of privacy
- The financial situation of the developer on the Companies website is precarious making this a high risk development for delivery
- The proposed design does not harmonise with the existing topography and detracts from amenities currently enjoyed by neighbouring properties
- Proposed layout contrary to design policies
- The application contends there is no established building line Firs Walk as there is on Foxdell. This may be true but does not mean the relationship of the proposal to properties on Firs Walk should be discounted
- Loss of daylight and sunlight
- Some of the land for development does not in fact owned by nos. 5 and 6 Firs Walk. This land is owned by Firs Walk itself and is intended and used as a turning space at the end of Firs Walk
- Dene Road and its subsidiary roads are currently applying for Conservation Area status

- Numerous inconsistencies within the the Design and Access Statement
- Loss of view
- Contravention of Human Rights Act
- No mention of waste storage, collections and recycling arrangements
- No building details for consideration
- The Land Registry documents show the land at the turning head is owned by nos. 11, 13 and 8 Foxdell

Northwood Residents Association - The application is no in keeping with the surrounding area and would cause over-development of the site, with higher levels of traffic and street parking

Internal Consultees

Access Officer - Any approval at this stage should convey that a full submission should ensure compliance with standards for a Category 2 M4(2) home as set out in Approved Documents M to the Building Regulations (2010) 2015.

Trees/Landscaping - No response.

Highways - The site has a PTAL rating of 1 (poor) and therefore encourages a higher dependency on the private motor car.

The proposal is presented in Outline form with details of the principle of access. Parking related aspects and detail are to be determined at a future reserved matters stage.

The existing access to the site from Firs Walk is to be extinguished and a new access formed from Foxdell. The principle for this is considered acceptable and it should be noted that the new access point from the publicly adopted highway (Foxdell) would need to be constructed to an appropriate Council standard under a S278 (Highways Act 1980) agreement (or suitable alternative arrangement) at the applicant's expense. The closure of the redundant access from Firs Walk (private in tenure) should also be made good.

The internal layout and arrangement of the new access road within the site envelope would broadly conform to the Department for Transport's (DfT) - Manual for Streets (MfS) (circa 2007) best practice for road and parking layouts were it not for the notable absence of a 'turning head' which is a recommendation under this best practise which highlights that 'for cul-de-sacs longer than 20m, a turning area should be provided to cater for vehicles that will regularly need to enter the street'. As the length of proposed roadway approaches 40m in site width, the submitted design does not conform to this parameter.

Henceforth the recommended practise, based on safety grounds, which encourages and allows vehicles entering and leaving a site envelope in a forward gear is not realised rendering the proposed road layout unacceptable.

The proposal would marginally increase traffic generation from the site as compared to the two existing dwelling units. However peak period traffic movement into and out of the site would not be expected to rise above 3-4 additional vehicle movements during the peak morning and 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.

Officer response: A revised plan incorporating a turning head has been provided and the Highways Officer has advised that the new turning head can serve its intended purpose and the highway objection is therefore rescinded.

Environmental Protection - Nuisance from demolition an construction work is subject to control

under the Control of Pollution Act 1974, the Clean Air Act 1993 and Environmental Protection Act 1990.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

In order to establish the acceptability of the principle of developing this site for residential purposes, it is necessary to take into account currently adopted planning policy. Paragraph 7.29 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) suggests that backland development may be acceptable in principle subject to being in accordance with all other policies, although Policy H12 does resist proposals for tandem/backland development which may cause undue disturbance or loss of privacy.

The London Plan (2016) provides guidance on how applications for development on garden land should be treated within the London Region. The thrust of the guidance is that back gardens can contribute to the objectives of a significant number of London Plan policies and these matters should be taken into account when considering the principle of such developments. Policy 3.5 of the London Plan supports development plan-led presumptions against development on back gardens where locally justified by a sound local evidence base.

The Mayor's Housing Supplementary Planning Guidance, November 2016 also provides further guidance on the interpretation of existing policies within the London Plan as regards garden development. Paragraph 1.2.44 advises that when considering proposals which involve the loss of gardens, regard should be taken of the degree to which gardens contribute to a community's sense of place and quality of life (Policy 3.5), especially in outer London where gardens are often a key component of an area's character (Policies 2.6 and 2.7). The contribution gardens make towards biodiversity also needs to be considered (Policies 7.18 and 7.19) as does their role in mitigating flood risk (Policies 5.12 and 5.13). Gardens can also address the effects of climate change (Policies 5.9 - 5.11). The new draft London Plan has not yet reached EIP stage, policies relevant to this application have received substantial objections and therefore the plan is not relevant to consideration of this application.

The new NPPF has removed any direct references to Council's being able to resist inappropriate development of residential gardens, and instead focuses almost entirely on achieving housing growth, however it does emphasise the importance of protecting local distinctiveness in various parts of the document. The local and regional planning policies which emphasise local distinctiveness and protection from garden grabbing proposals are therefore important, albeit they must be balanced against housing growth targets (and the Council is meeting housing delivery targets hence there is not a strong justification to destroy local distinctiveness).

The Council has adopted the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012). Policy BE1 advises that new development, in addition to achieving a high quality of design, should enhance the local distinctiveness of the area, contribute to community cohesion and sense of place and make a positive contribution to the local area in terms of layout, form, scale and materials and seek to protect the amenity of surrounding land and buildings, particularly residential properties. Specifically, the policy advises that development should not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas and increase flood risk. Thus whilst taking into account site circumstances, there has been a general strengthening of the presumption against residential development within rear gardens at national, strategic and local level.

The proposed development would impact on the character and appearance of the area, resulting in the loss of an area of undeveloped land that contributes to the character of the

area and the amenities of existing residents that surround the site.

This is particularly apparent with the land to the rear of No.25 Dene Road which sits within an Area of Special local character, where the spacious grounds around houses are part of the character of the area. This area currently forms a break in the built form and an area of private amenity that contributes to the character and appearance of the street scene. This break in built form is considered essential to allow for the prominence of the trees and hedges to remain the dominant visual feature safeguarding the current character of the area. Although the development meets minimum distances to side boundaries, the overall issue is loss of this important verdant parcel of land which is considered to make a very positive contribution to the character and bio-diversity for the surrounding area.

The proposal would therefore fail to retain the open and green nature that is characteristic of the area, and would be contrary to Policy BE1 of the adopted Hillingdon Local Plan: Part One Strategic Policies (November 2012), Policies BE13 and BE19 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy 3.5 of the London Plan (March 2016).

7.02 Density of the proposed development

Policy 3.4 of the London Plan seeks to ensure that the new development takes into account local context and character, the design principles in Chapter 7 and public transport capacity development should optimise housing output for different types of location within the relative density range shown in Table 3.2. Development proposals which compromise this policy should be resisted.

The density matrix, however, is only of limited value when looking at small scale development such as that proposed with this application. In such cases, it is often more appropriate to consider how the development harmonises with its surroundings and its impact on adjoining occupiers. The proposed development would constitute a form of backland development that would fail to maintain the open and verdant character and appearance of the surrounding area.

7.03 Impact on archaeology/CAs/LBs or Areas of Special Character

The part of the site currently forming the end of the rear garden of 25 Dene Road lies within the Dene Road Area of Special Local Character. Details of the proposed dwellings are reserved for further consideration at a later stage. It is therefore not possible to fully assess the impact of individual designs on the Area of Special Local Character. However the indicative layout and size of the site are such that the layout would inevitably result in a development which would appear cramped and as described in the principle of development section of this report adversely impact on the character of the area. It is considered that six dwellings is too many for the site and will not enable anything other than token new tree or hedgerow planting.

7.04 Airport safeguarding

No airport safeguarding issues arise from this proposed development.

7.05 Impact on the green belt

The site is not located within the Green Belt.

7.07 Impact on the character & appearance of the area

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states that all new developments should achieve a high quality of design in all new buildings and the public realm contributes to community cohesion and a sense of place. Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the layout and appearance of new development should "harmonise with the existing street scene or other features of the area." The NPPF (2011) notes the importance

of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

The application is in outline form and details of the appearance, landscaping, and scale are reserved, so no details of the proposed design have been provided. The proposed layout indicates the provision of 6 new dwellings, with access from Foxdell. 2 properties would be situated to the north of the road and 4 to the south. The site comprises two existing residential units set in spacious plots and the end of the rear garden of no. 25 Dene Road. The existing dwellings currently align with the style and layout of the neighbouring properties in Firs Walk. The proposed dwellings would align with properties on Foxdell.

The area as a whole is characterised by larger dwellings set within good sized gardens, with the plots to the west along Firs Walk having a width exceeding 16.5m and the properties to the east along Foxdell having plots of at least 14m in width. The layout plan indicates that whilst plots 1 and 2 may be more in keeping in scale with the character of the general street scene, plots 3 to 6 are more densely positioned with plot widths of around 11.3m. The site layout also indicated that the proposed dwellings would be sited forward of the neighbouring properties within Foxdell, but approximately 2m of the adjacent property at no. 13 and approximately 9.5m forward of no. 8. The properties along Foxdell maintain a fairly uniform main building line, which this extension of the cul-de-sac would fail to respect. It is therefore considered that the proposed development would not appear to maintain existing densities or the spaciousness of the area. The proposal would therefore result in a cramped development that would be harmful to the character and appearance of the street scene and the wider area, including the Dene Road Area of Special Local Character. As such it fail to comply with the requirements of Policies BE5, BE13, BE15 & BE19 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

7.08 Impact on neighbours

Although this application is for outline permission, with only the means of access and layout to be determined at this stage, the site would be capable of accommodating four houses without adversely affecting the amenities of surrounding properties. The layout shows that the nearest houses would be sufficiently remote from adjoining properties with a separation distance in excess of 21m between habitable rooms and 17.5m from rear windows facing a flank wall. Also the proposed dwellings would not compromise a 45 degree line of sight from the nearest habitable windows.

The separation distances would ensure that the proposed houses would not result in any overshadowing or appear unduly dominant from neighbouring properties. As such, the proposal would comply with policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's HDAS Residential Layouts.

7.09 Living conditions for future occupiers

On 25 March 2015, the Government introduced new technical housing standards in England, which comprise of new additional 'optional' Building Regulations on water and access, and a nationally described space standard (referred to as "the new national technical standards"). These new standards came into effect on 1 October 2015. The Mayor of London has adopted the new national technical standards through a minor alteration to The London Plan.

The Housing Standards (Minor Alterations to the London Plan) March 2016 sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. No details of the properties

have been submitted although the layout indicates large detached properties that should satisfy the space standards.

It is considered that all the proposed habitable rooms, would have an adequate outlook and source of natural light, and therefore comply with the SPD: New Residential Layouts: Section 4.9.

HDAS advises that developments should incorporate usable garden space and for a 4+ bedroom house a minimum of 100sqm would be required. The layout plan shows a minimum provision of approximately 100sqm. The proposal therefore complies with policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) considers whether the traffic generated by the proposed development is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards. These require a provision of 2 spaces per dwelling.

The proposed plan indicates the provision of a driveway providing a parking space to the front of each of the proposed dwellings. The indicative elevations also show the provision of a garage, giving the required parking provision.

The Highways Officer originally raised concerns over the lack of a turning head on highway safety grounds. Revised plans have been submitted to include a turning head and the Highways Officer has now withdrawn their objection. However the turning head is situated directly in front of and separated by just 1m from the window of the main living accommodation to the front of the dwelling in plot 1. Whilst it is noted that normal traffic movements which pass the front of a dwelling situated close to a road would generate a certain level of noise, the close proximity of the turning head to the dwelling in plot 1 would result in an increased risk of potential noise and light pollution to the detriment of the future occupiers. It is therefore considered that the proposal has failed to demonstrate that an appropriate turning head can be provided.

7.11 Urban design, access and security

Secured by Design is now covered by Part Q of the Building Regulations.

7.12 Disabled access

If the scheme is found acceptable a condition would be recommended to secure the development was built to M4(2) in accordance with Policy 3.8 c of the London Plan.

7.13 Provision of affordable & special needs housing

Not applicable to this proposal.

7.14 Trees, landscaping and Ecology

The Council's Landscape Officer has not commented on this proposal as landscaping is a reserved matter not being considered at this stage.. At the time of the Officer site visit there were no notable trees identified on the site although it was apparent that there had been some substantial trees on site as observed from the remaining tree stumps. However as the site is not covered by a TPO or situated within a Conservation Area there would have been nothing to prevent their removal. Any details for suitable planting and landscaping could be assessed with the submission of the reserved matters application.

7.15 Sustainable waste management

Whilst no detail has been provided at this stage there is ample space on site to provide bin storage.

7.16 Renewable energy / Sustainability

Not applicable to this proposal.

7.17 Flooding or Drainage Issues

Whilst the application site is not located within a flood zone, a condition requiring details of sustainable drainage would be added to any consent granted.

7.18 Noise or Air Quality Issues

Not applicable to this proposal.

7.19 Comments on Public Consultations

The concerns raised are noted and the planning issues have been addressed appropriately in the report.

Although the ownership of the land containing the existing turning head is within the owners of the properties in Foxdell, the land forms part of an adopted highway and as such would allow right of access.

7.20 Planning obligations

The proposal would not necessitate the provision of planning obligations, however based on the information before officers at this stage it would be liable for payments under the Community Infrastructure Levy.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

No other issues are raised by this planning application.

8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are

imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

The proposed plans fail to demonstrate that the proposed dwellings could be provided without presenting a visually intrusive and cramped appearance, which would be out of keeping with the character of the street scene and wider area. The proposal has also failed to demonstrate that it can provide adequate access and turning without compromising the amenity of the future occupiers of plot 1. As such, the proposal is considered contrary to policies in the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), the SPD HDAS: Residential Layouts: The London Plan (2016).

11. Reference Documents

NPPF (July 2018)

London Plan (March 2016)

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

Supplementary Planning Document HDAS: Residential Layouts (July 2006)

Supplementary Planning Document HDAS 'Accessible Hillingdon' Supplementary Planning Document (May 2013).

landscaping.

- No windows on rear elevations, and privacy screens on terraces, meant that there was no loss of privacy, and the development met the 25 degree test.
- Regarding parking, seven of the retail properties had the right to park a vehicle within the service road, all of which were proposed to be replaced. The one lease holder, referred to previously, had the right to park a car, not a truck.
- All parking spaces would be reproduced, alongside an additional six parking spaces for residential flats.
- Regarding the layout of the access road, while concerns had been raised, the highway Authority had offered a solution by way of an adjustment to the positioning of the proposed bollards, providing a wider service road for larger vehicles whilst also improving manoeuvrability into the parking spaces.
- Lit bollards could be conditioned to address lighting concerns.

Members raised concerns regarding the functionality of the site, loss of privacy, and delivery access to the existing shops. The officer's recommendation was moved, seconded, and when put to a vote, unanimously agreed.

RESOLVED: That the application be refused.

110. **NO'S 5 & 6 FIRS WALK AND LAND TO THE REAR OF 25 DENE ROAD, NORTHWOOD - 73874/APP/2018/2107** (*Agenda Item 7*)

Demolition of 5 & 6 Firs Walk, 6 No. new dwellinghouses with associated car parking, new access arrangements from Foxdell and removal of existing access from Firs Walk at No's 5 & 6 Firs Walk and land to the rear of No. 25 Dene Road (Outline application with some matters reserved)

Officers introduced the report, highlighting that the application site was located in an area of special local character. It was asserted that the application would result in a cramped development that would be harmful to the character and appearance of the street scene. In addition, the proposed turning head was adequate to address highway safety concerns, but would result in an unacceptable level of noise and light pollution to future occupiers.

As the application was considered to fail to maintain the open and verdant character and appearance of the surrounding area, it was recommended for refusal.

A petitioner addressed the Committee in objection to the application. Points included:

- The application site was within an area of special local character, which included gardens and trees that were well established.
- The proposal sought to demolish two attractive properties and gardens, and squeeze in 6 detached properties that would be out of character with the surrounding area.
- 113 residents had signed the petition, and 24 letters of objection had been received by the Council.
- Hillingdon was meeting its housing targets.
- The application included access via private land that was not included in the purchase of the site.
- The officer's report cited many strong reasons for refusal, and the recommendation should be upheld.

Members agreed that the application was out of character with the surrounding area