

APPLICATION FOR: 21577/APP/2020/1792

LAND TO REAR OF 18 MOOR PARK ROAD NORTHWOOD

COMMITTEE: North PC

DATE: 16th September 2020

I confirm:-

- All consultations have been completec
- All consultations are reflected in the report.
- The report is free from spelling, typing and grammatical errors.

Final formatting:

Signed:- _____
Case Officer

Signed:- _____
Team Manager

Signed:- _____
Senior Manager

I agree this report can go on the agenda for the above Committee.

Signed:- _____
DC Tech Admin

Item No. **Report of the Head of Planning, Transportation and Regeneration**

Address LAND TO REAR OF 18 MOOR PARK ROAD NORTHWOOD

Development: Erection of a detached 5 x bed dwelling with associated parking and amenity space with new crossover to Grove Road.

LBH Ref Nos: 21577/APP/2020/1792

Drawing Nos: J3745-D-00 - Rev A
 J3745-D-01 Rev A
 J3745-D-02
 J3745-D-03
 J3745-D-04
 J3745-D-05
 J3745-D-06
 J3745-D-0S
 Design and Access Statement
 Arboricultural Impact Assessment

Date Plans Recieved: 12/06/2020 **Date(s) of Amendment(s):**

Date Application Valid: 06/07/2020

1. **SUMMARY**

The application seeks permission for the erection of a detached 5 x bed dwelling with associated parking and amenity space with new crossover to Grove Road.

The proposed dwelling is of a design and form that would be out of keeping with the historic character of the area and would result in a cramped form of development and an unacceptable intensification of the existing site to the detriment of the character and appearance of the wider street scene. The proposal also fails to make adequate provision for the retention and long term protection of off site trees.

It is therefore recommended for refusal.

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 as proposed, as well as the proposed loss of existing private rear garden area would have a detrimental impact on the street scene and 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), Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies 3.5, 7.1 and 7.4 of the London Plan (2016), guidance within The London Plan Housing Supplementary Planning Guidance (March 2016), the NPPF.

2 NON2 Non Standard reason for refusal

The application fails to demonstrate that the development will safeguard existing trees on/adjoining the site in as much that trees, shrubs and wildlife habitat cannot be retained or re-provided in the residual garden spaces and further fails to demonstrate protection for and long-term retention of the trees. The proposal is therefore detrimental to the visual amenity of the street scene and the wider area contrary to Policies DMH 6 Policy and DMHB 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)

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 Local Plan Part 2 (2020), then London Plan Policies (2016). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

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 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.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises part of the rear garden of 18 Moor Park Road. The site is located on the eastern side of Grove Road and is bordered to the north by 2 Grove Road and to the east by the rear garden of 16 Moor Park Road. As existing, the house is located in a large mature garden plot, with a number of trees along the side and rear boundaries and is enclosed along Grove Road by a tall wooden fence. The principal elevation of the existing house fronts Moor Park Road to the south. The site is not affected by any other designations including Conservation Areas and Areas of Special Local Character.

3.2 Proposed Scheme

The application seeks planning permission for the erection of a detached 5 x bed dwelling with associated parking and amenity space with new crossover to Grove Road.

3.3 Relevant Planning History

74971/APP/2019/3169 Land To Rear Of 18 Moor Park Road Northwood

The erection of a new pair of semi-detached dwellings, together with the formation of two new vehicle crossovers onto Grove Road

Decision: 22-01-2020 Refused

74971/PRC/2019/156 Land To Rear Of 18 Moor Park Road Northwood

Erection of pair of semi-detached dwellings together with the formation of two new vehicular crossovers onto Grove Road

Decision: 08-11-2019 OBJ

Comment on Relevant Planning History

74971/APP/2019/3169 - The erection of a new pair of semi-detached dwellings, together with the formation of two new vehicle crossovers onto Grove Road - Refused 28/1/2020 for the following reasons

1. 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 as proposed, as well as the proposed loss of existing private rear garden area would have a detrimental impact on the street scene and 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 BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy DMHB 11 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019), Policies 3.5, 7.1 and 7.4 of the London Plan (2016), guidance within The London Plan Housing Supplementary Planning Guidance (March 2016), the NPPF and to the Council's adopted Supplementary Planning Document HDAS: Residential Layouts..

2. The proposed development, by reason of its siting, size, scale, bulk and design, including the crown roof form, gabled gables, tile hung and exposed brickwork would be a stark contrast to the predominant rendered appearance of the dwellings along Grove Road and would fail to harmonise with the character and architectural composition of surrounding properties, appearing as an awkward, incongruous and cramped form of development which would be detrimental to the visual amenity of the street scene and harmful to the character and appearance of the surrounding area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies DMHB 11 and DMHB 12 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) and to the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

3. The proposal has not demonstrated that sufficient off street parking/manoeuvring arrangements would be provided, and therefore the development is considered to result in substandard car parking provision, leading to on-street parking/queuing to the detriment of public and highway safety and contrary to Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012), Policies DMT 2 and DMT 6 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019), to Hillingdon's Adopted Parking Standards as set out in the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

4. In the absence of a Tree Survey and Arboricultural Implication Assessment to BS5837:2012 standards, the application has failed to demonstrate that the development will safeguard existing trees on/adjoining the site and further fails to demonstrate

protection for and long-term retention of the trees. The proposal is therefore detrimental to the visual amenity of the street scene and the wider area contrary to Policies BE19 and BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy DMHB 14 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

4. Planning Policies and Standards

The application will be assessed against policies within the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), The London Plan (2016), The Housing Standards Minor Alterations to The London Plan (March 2016), Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016), Technical Housing Standards - Nationally Described Space Standard and the National Planning Policy Framework

Local Plan Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMH 6	Garden and Backland Development
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.9	(2016) Cycling
LPP 6.13	(2016) Parking
LPP 7.4	(2016) Local character
LPP 7.5	(2016) Public realm
LPP 7.6	(2016) Architecture
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

11 neighbouring properties were consulted by letter dated 3/7/2020. The consultation period expired on 24/7/2020

7 written representations and a petition with 34 valid signatories have been received objecting to the proposal summarised as follows: -

1. Backland development
2. Out of character with the surrounding area
3. Will close the open nature of this corner plot
4. Possibility of damage to mature trees
5. Loss of outlook
6. Loss of a private garden
7. Over development of the site
8. Building in front of the established building line
9. Proximity to site boundaries
10. Noise and disruption during construction
11. Increased air pollution
12. Strain on current water and drainage supplies
13. Will lead to a higher population density

Officer response - concerns 1 to 9 raised above will be addressed within the body of this report. Concerns 10 to 13 raised are generally dealt with under other legislation.

The Northwood Residents Association commented as follows: -

The NRA is objecting to the proposal because we are of the view that the proposed development fails to comply with the following policies:

DMH 6 : The proposal relates to backland because it is the rear garden of an existing property and has not been previously developed. It is not sufficiently intimate in mass (iii) and several trees are to be removed that will impact on the neighbouring properties (iv). Therefore, we are of the view that the proposed development would constitute a piecemeal form of backland development and would fail to maintain the open and verdant character and appearance of the road.

DMHD 1: Whilst the property at 1a Grove Road was given consent to replace an existing bungalow, the houses in this part of Grove Road are built on that side of the road only. This would be the only house built on this side of Grove Road so would adversely impact the amenity value of the area,

DMHB 18 : Whilst the amenity space is above the minimum for a four bedroom house, this will actually be a six bedroom house given the games room in the loft which could be used as the sixth bedroom. The proposed amenity space is below the level for comparable sized houses in the immediate locality which makes the resulting sites of both 18 Moor Park Road and the proposed property relatively cramped for the locality. In addition: There is limited on-site car parking and limited landscaping to the frontage, and also limited visitor's car parking whilst there are parking restrictions on the roads around the proposed house. The minimum parking and amenity

requirements are Borough wide and so keeping to or close to the minimum requirements in this location of larger houses and amenity space than the average in the Borough cumulatively adds to the cramped feeling of the site with the proposed six bedrooms and so likely to need more than the minimum as well as assimilate with what is the norm for the immediately surrounding area.

There are proposed two crossovers but current LBH policy is that only one crossover will be permitted per property and requests for additional crossovers will be rejected. Whilst not specifically against the second crossover as a planning matter, here it points towards the relative overdevelopment because of a lack of space to the front of the house but that moving the house back would reduce the amount of amenity space provided to the rear.

Officer response - noted and the above comments will be addressed in the body of this report

Internal Consultees

See Sections 07.10 and 07.14 of this report

7. MAIN PLANNING ISSUES

7.01 The principle of the development

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, also provides further guidance on the interpretation of existing policies within the London Plan as regards garden development. Paragraph 1.2.44 advises that when considering proposals which involve the loss of gardens, regard should be taken of the degree to which gardens contribute to defining local context and character (Policy 7.4 and 3.5), especially in outer London where gardens are often a key component of an area's character (Policies 2.6). The contribution gardens make towards biodiversity also needs to be considered (Policies 7.19 and 7.21) as does their role in mitigating flood risk (Policies 5.12 and 5.13).

The NPPF (July 2018) at paragraph 70, advises that LPAs 'should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.'

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

Policy DMH6: Garden and Backland Development of the Hillingdon Local Plan Part 2: Development Management Policies (January 2020) advises there is a presumption against the loss of gardens due to the need to maintain local character, amenity space and biodiversity. In exceptional cases a limited scale of backland development may be acceptable, subject to the following criteria:

- i) Neighbouring residential amenity and privacy of existing homes and gardens must be maintained
- ii) Vehicular access or car parking should not have an adverse impact on neighbours in

terms of noise or light

- iii) Development on backland sites must be more intimate in mass and scale; and
- iv) Features such as trees, shrubs and wildlife habitat must be retained or re-provided

London Plan policy 3.5 recognises the contribution of gardens (especially back gardens) and suggests a presumption against their loss where it can be locally justified. Policy DMH 6 gives a presumption against the loss of gardens due to the need to maintain local character, amenity space and biodiversity. Only in exceptional cases will backland development be acceptable.

The proposal involves development of a garden site in a residential area characterised by family housing with large undeveloped rear gardens being a prevailing characteristic and the issues relating to its siting and impact on character and thus the principle of development are discussed below, suffice to say that the proposal constitutes an unacceptable form of garden and back land development.

The loss of what is a residential rear garden and the impact of the proposed dwelling on the immediate locality is considered to be detrimental to the character and appearance of the surrounding street scene. The infilling of the gap, which at present provides an important break in the built form, would appear out of character with the pattern, scale and form of development within the surrounding area. The proposal is thus unacceptable in principle.

7.02 Density of the proposed development

Policy 3.4 of the London Plan (2015) 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.

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

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

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 DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) advises that all development will be required to be designed to the highest standards and incorporate principles of good design. It should take into account aspects including the scale of the development considering the height, mass and bulk of adjacent structures; building plot sizes and established street patterns; building lines and streetscape rhythm and landscaping. It should also not adversely impact on the amenity,

daylight and sunlight of adjacent properties and open space.

The main body of the proposed building measuring 15.4m in width and a maximum of 8.5m in depth set beneath a hipped roof with a maximum height of 8.5m. To the front this includes a 5.9m wide two storey element with a gable end feature set under the centre of the main hipped roof together with a side element comprising an integral garage on the ground floor with bedroom above. There is a single storey rear extension element with a depth of 3.7m, a width of 6.5m and set under a flat roof. Three small dormers are proposed in the rear roof slope. The dwelling is set in from the proposed southern boundary by 600mm, 1 metre from the northern boundary and between 4.994m and 5.42m from the pavement to the Grove Road frontage. The submitted street scene indicates the scale of the dwelling would be generally consistent with others within the area.

In consideration of the form of development, it fails to follow the historic grain of the surrounding area. The houses along this stretch of road are defined by their painted rendered exterior and hipped pitched roof form. Their spacious plots and ample frontages relate to the suburban aesthetic of the surrounding area and original intent in which this part of Northwood had been developed in. The properties are comfortably positioned within their respective plots with ample gaps between the built forms maintaining a sense of rhythm along the road as well as providing a sense of openness to the street scene.

In comparison to neighbouring sites, the site area associated to the proposed property is significantly smaller with a limited rear garden, a minimal frontage and small gaps between the sites side boundaries, which would result in a cramped form of development and an unacceptable intensification of the existing site.

The eastern side of Grove Road is defined by close boarded fence line enclosing the rear gardens of no. 18 Moor Park Road and no. 2 Grove Road. The introduction of the proposed dwelling would disrupt the existing open, verdant character of the road. The development would appear as an isolated form along the eastern side, detrimentally altering the appearance of the street scene. Furthermore it would establish an unwelcome precedent within this area, which would erode its well defined character and appearance.

As such it is considered that the proposed development would be considered an incongruous addition within the area, which would fail to relate to the established local distinctiveness and would be out of keeping with the character and appearance of the streetscene. Therefore the proposal fails to comply with the requirements of Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)

7.08 Impact on neighbours

Policy DMHB 11 states that any development should not have an adversary impact on the amenity, daylight and sunlight of adjacent properties and open space. Policy DMHD 1 requires that there is no unacceptable loss of outlook to neighbouring occupiers.

The proposed site plan identifies that the proposed dwelling would be situated between no. 18 Moor Park Road and 2 Grove Road, with the blank flank walls set back a minimum of 21.5m and 42.9m respectively. It is therefore considered that there is sufficient separation to prevent any significant impact on the neighbouring properties by virtue of over dominance, loss of light or loss of outlook, in compliance with adopted policy and guidance.

To the rear, the property would afford views over the end of the rear gardens of the neighbouring properties. To the north the properties along Grove Road are set some distance away, with a span at 21m within a 45 degree line of sight a minimum of 55m away. Given the degree of separation it is not considered there would be a significant loss of privacy to the occupants of those dwellings. To the south the nearest property at no. 16 Mood Park Road would be situated approximately 22.3m away at the nearest point, with a separation of approximately 34m on a 45 degree line of sight to their private patio area to the rear of the property. It is therefore considered that given the degree of separation the proposal would not result in a significant loss of privacy on the private garden area to the rear of that property.

It is therefore considered that the proposal would not significantly impact of the amenity of the adjoining neighbours by reason of significant loss of light, loss of outlook, sense of dominance or loss of privacy in accordance with Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan Part 2: Development Management Policies (January 2020)

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. Policy DMHB 16: Housing Standards states that all housing development should have an adequate provision of internal space in order to provide an appropriate living environment. To achieve this all residential development or conversions should: i) meet or exceed the most up to date internal space standards, as set out in Table 5.1;

The proposal as presented would suggest a 5 bed property and a 5 bed 8 person property over 3 floors would require a minimum floor area of 134 sqm. The proposed floor area would exceed this requirement. It is noted that there is a 'games room' proposed in the roof space which could be used as a sixth bedroom however, even if this is taken into consideration and assessed as such, the internal floor space would still exceed the minimum internal floor 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 requirements of Policy 3.5 of the London Plan (2016).

Policy DMHB 18 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) advises all new residential development will be required to provide good quality and usable private outdoor amenity space. For a 4+ bed property a minimum provision of 100sqm would be required. The proposal includes a private amenity space of approximately 178sqm, which would exceed the required standard. The proposal would therefore comply with the requirements of Policy DMHB 18 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019).

7.10 Traffic impact, car/cycle parking, pedestrian safety

Highways & Transportation commented as follows:-

Site Characteristics

The site is located in a residential catchment in Northwood within the rear garden area of a corner property (No.18) which flanks Grove Road. One 5 bedroom detached residential unit is proposed to face the latter roadway with a new carriageway crossing facility.

The locality is devoid of parking controls and there are generous off-street parking facilities available for most of the surrounding residential properties in the area which assists in reducing general on-street parking demand.

Parking Provision

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.

In order to comply with the adopted parking standard the maximum on-plot requirement demands up to 2 spaces. This has been provided with a suitably sized integral garage and frontage parking area thereby conforming to the standard. A single 'passive' and 'active' electric vehicle charging point provision is recommended which can be secured via planning condition.

In terms of cycle parking there should be a provision of at least 2 secure and accessible spaces for the new unit in order to conform to Hillingdon's cycle parking standard. It is likely that the 2 spaces would be accommodated within the integral garage however this is not confirmed so this requirement will need to be secured via planning condition.

New Carriageway Crossing on Grove Road

There is no 'in-principle' objection to a new carriageway crossing provision however there is no detail shown on plan hence a planning condition is required. The crossing should be dimensioned accordingly in line with the Council's carriageway crossing standard i.e. 2.44m at the back of footway and 5.78m (with taper kerbs) at the edge of kerb. Final provisions would be implemented to the Council's construction standard at the applicant's expense.

In safety terms effort should be made to maintain a low frontage wall treatment onto Grove Road in order to help ensure conformity to the relevant mutual inter-visibility sight-line requirements, as per DfT (Manual for Streets (MfS) circa 2007) best practice for new development road and parking layouts guidance, between vehicles leaving the site and extraneous vehicles/pedestrians on Grove Road itself. In order to assist with improving sight-lines at both site entrances for vehicles and pedestrians, it is therefore recommended that the front boundary wall height should not exceed 0.6m to achieve the aim of improved visibility. Again a planning condition is required as no detail is indicated.

Vehicular Trip Generation

Local Plan: Part 2 Policies - DMT 1 and DMT 2 require the Council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or

pedestrian safety.

The proposal would clearly increase traffic generation from what is a dormant site. However, statistically, peak period traffic movement into and out of the site would not be expected to rise beyond 1-2 two-way vehicle movements during the peak morning and evening hours. This potential 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.

Operational Refuse Requirements

It order to conform to the Council's 'waste collection' maximum distance collection parameter of 10m i.e. distance from a refuse vehicle to the point of collection, arrangements should ensure that waste is positioned at a collection point within this set distance. A planning condition is required as no detail is indicated. There are no further observations.

Conclusion

The application has been reviewed by the Highway Authority who are satisfied that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns, in accordance with Local Plan Part 2 Development Plan Policies DMT 1, DMT 2 & DMT 6 and Policies 6.3, 6.9, and 6.13 of the London Plan (2016).

7.11 Urban design, access and security

These issues are covered in other sections of the report.

7.12 Disabled access

The Access Officer has advised that any grant of planning permission should include a condition requiring compliance with Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010).

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

Trees & Landscaping commented as follows: -

This site is occupied by part of the back garden of a two-storey detached house at the junction with Grove Road, which runs along the side (west) boundary. This end of the garden features a number of established trees and shrubs which, together with the vegetation on neighbouring sites, contributes to the character and appearance of the area. There are no TPO's or Conservation Area designations affecting the site.

COMMENT

A tree report by Mark Welby has identified and assessed 13 trees which are on, or close to, the site. There are no 'A' grade trees. Three trees are category 'B': T8, a Lawson cypress and two off-site trees T12 Prunus and T13 Fraxinus. There are 2 'U' grade trees - of poor condition and value which can be removed in the interests of good management. The remaining trees are category 'C'. Within the site, 9 trees will be removed to facilitate the development, including the one 'B' grade specimen, Lawson cypress. The only surviving tree / shrub will be a Common privet - an unrefined plant for a small garden. The remaining off-site trees on the north and east boundaries will benefit the setting of the site

(as borrowed landscape), however, the ash is shown to oversail the small rear garden and is likely to become a nuisance - with likely pressure from future occupants to control the canopy spread. - At approximately 5-7 metres from the back of the proposed house, ash is an unsuitable (vigorous and high water demand) tree to have close to a building. While the loss of individual 'C' grade trees is not normally seen as a constraint on development, the cumulative impact of the removal of the group of nine trees will be detrimental to the character and appearance of the area. The front garden, fronting on to Grove Road will be dominated by hard standing for cars.

RECOMMENDATION

The application fails to satisfy policy DMH6 (v) in as much that trees, shrubs and wildlife habitat cannot be retained or re-provided in the residual garden spaces. The application also fails to satisfy DMHB 14 and should be refused

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

See Section 06.1 of this report

7.20 Planning Obligations

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for additional floorspace for residential developments is £95 per square metre and office developments of £35 per square metre. This is in addition to the Mayoral CIL charge of £35 per sq metre.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

None

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 dwelling is of a design and form that would be out of keeping with the historic character of the area and would result in a cramped form of development and an unacceptable intensification of the existing site to the detriment of the character and appearance of the wider street scene. The proposal also fails to make adequate provision for the retention and long term protection of off site trees. The development is therefore considered contrary to a suite of Hillingdon Local Plan policies (2012) and policies in the London Plan 2016 and is recommended for refusal.

11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)
The London Plan (2016)
The Housing Standards Minor Alterations to The London Plan (March 2016)
Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)
Technical Housing Standards - Nationally Described Space Standard
National Planning Policy Framework

Contact Officer: Diane Verona

Telephone No: 01895 250230