

APPLICATION FOR: 30255/APP/2020/4275

279 SWAKELEYS ROAD ICKENHAM

COMMITTEE: North PC

DATE: 21st April 2021

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	279 SWAKELEYS ROAD ICKENHAM	
Development:	Erection of a two storey building with habitable roofspace to consist of 6 x 2-bed and 1 x 3-bed self-contained flats with parking and amenity space, involving demolition of existing dwelling.	
LBH Ref Nos:	30255/APP/2020/4275	
Drawing Nos:	101 102 120 SR/1000/CP 118 107 Design and Access Statement 114 115 116 119 Arboricultural Survey. 100 Drawing Register CIL Form	

Date Plans Recieved: 22/12/2020

Date(s) of Amendment(s):

Date Application Valid: 02/02/2021

1. SUMMARY

The application has come before the Committee due to the submission of 3 petitions, all of which have in excess of 20 valid signatures and object to the proposal.

The application proposes the erection of a two storey building with habitable roofspace to provide 6 x 2-bed and 1 x 3-bed self-contained flats with parking and amenity space, following the demolition of the existing dwelling.

While there is no objection in principle to the redevelopment of the site, the proposed layout, scale and design would result in an uncharacteristic form of development within the site's context, close to the Western Avenue / Swakeleys Avenue junction where the development would be visually prominent.

The development will result in material loss of privacy for occupants of No. 277 Swakeleys Road.

Whilst a number of residents have objected due to additional traffic and inadequate on-site parking the Highway Authority considers any additional vehicle movements to be marginal in traffic generation terms and that the proposal provides a sufficient level of on-site car parking.

The application is recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development, by reason of its scale and prominence would result in an uncharacteristic form of development that would fail to harmonise with the local character of the surrounding area. The proposed development would therefore have a detrimental impact on the character, appearance and visual amenities of the area contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D4 and D5 of the London Plan (2021) and the NPPF (2019).

2 NON2 Non Standard reason for refusal

The proposed car parking and functional requirement for hard surfacing, together with the footprint of the building, is disproportionate to the residual areas of usable soft landscaped space, with limited space for boundary planting and replacement trees. Such limited landscaped areas when combined with the need to provide external cycle and bin stores would be considered prejudicial to the character and appearance of the streetscene and wider area. As such the proposal fails to comply with Policies DMHB 11 and DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

3 NON2 Non Standard reason for refusal

The proposed development, due to its layout, fails to provide on site private or communal amenity space of a quantity and quality commensurate to the size of the proposals. Cumulatively, the shortfalls identified result in a poor quality of accommodation and residential amenity for the future occupiers contrary to Policies BE1 of the Local Plan: Part One (2012), Policies DMHB 11 and DMHB 18 of the Local Plan Part Two - Development Management Policies (2020), Policy D6 of the London Plan (2021) and the NPPF (2019).

4 NON2 Non Standard reason for refusal

No information has been provided for a clear, well evidenced and compelling case as to why lift access cannot be provided. Therefore, the application cannot be supported because the proposal fails to comply with Policy D7 of The London Plan 2021.

5 NON2 Non Standard reason for refusal

The proposal is likely to result in a material loss of privacy for occupiers of No. 277 Swakeleys Road by reason of overlooking. Therefore, the proposal fails to comply with the aims of Policy BE1 (Built Environment) of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policy DMHB 11 of the Local Plan: Part Two - Development Management Policies (2020) and the NPPF (2019).

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.

3. CONSIDERATIONS

3.1 Site and Locality

The site lies to the north of the A40 Western Avenue. It is located at the junction of Warren Road and Swakeleys Road. It also backs onto Silver Birch Close. The existing property is a two storey detached dwelling with later extensions, including a rear dormer window and a detached outbuilding. Vehicular and pedestrian access is from Warren Road, although there appears to be a possibly unused secondary access at the junction of Warren Road and Silver Birch Close. It has a site area of approximately 991 square metres.

The local area is residential in character comprising mainly two storey detached dwellings of individual design. A notable exception is No. 277 Swakeleys Road which adjoins the site to the north and is a small single storey detached dwelling.

3.2 Proposed Scheme

The current application seeks planning permission for the erection of a two storey building with habitable roofspace to consist of 6 x 2-bed and 1 x 3-bed self-contained flats with parking and amenity space following the demolition of the existing dwelling.

3.3 Relevant Planning History

30255/APP/2020/2413 279 Swakeleys Road Ickenham

Erection of a two storey building with habitable roofspace to consist of 6 x 2-bed and 2 x 1-bed self-contained flats with parking and amenity space, involving demolition of existing dwelling.

Decision: 30-09-2020 Withdrawn

30255/PRC/2020/51 279 Swakeleys Road Ickenham

Demolition of existing building and construction of new building to provide 1 x 3 bed, 4 x 2 bed and 4 x 1 bed self contained flats with associated parking and amenity space

Decision: 15-04-2020 OBJ

Comment on Relevant Planning History

There have been a number of previous applications for residential extensions to the original dwelling. It is noted that an application for pre-application advice was submitted under reference 30255/PRC/2020/51 for the demolition of the existing building and construction of new building to provide 1 x 3 bed, 4 x 2 bed and 4 x 1 bed self contained flats with associated parking and amenity space where the conclusion was as follows:

It is considered that the proposal represents over-development of this site and it is considered that substantial amendments are required to achieve an acceptable scheme.

4. Planning Policies and Standards

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) (2019) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

Local Plan Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

DMH 2	Housing Mix
DMH 4	Residential Conversions and Redevelopment
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
H4	Mix of housing units
H6	Considerations influencing appropriate density in residential development.
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP G1	(2021) Green infrastructure
LPP H1	(2021) Increasing housing supply

LPP H10 (2021) Housing size mix
LPP T5 (2021) Cycling
LPP T6 (2021) Car parking
LPP T6.1 (2021) Residential parking

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Numerous neighbouring properties were consulted by letter dated 5/2/2021. The consultation period expired on 26/2/2021

18 written representations have been received together with 3 signed petitions objecting to the proposal, summarised as follows

Increase in traffic causing congestion
Over development of the site
Insufficient parking provision
Out of character with the street scene and surrounding area
Loss of privacy
Noise & pollution arising from the location of the rear car park.
Hazardous to pedestrians

Officer response - The concerns raised above will be considered within the body of this report

Ickenham Residents Association commented as follows:

There are some minor changes since the previous p/a 2020/2413 (withdrawn on 30.09.20). The number of flats has been reduced from 8 to 7 - now one 3-bed flat in the roof area, which would have rather tiny bedrooms. The rear extension towards no. 277 has been reduced, and also marginally the front extension of flat no. 1.

Application Form under 17. states that there are 4 'existing' car parking spaces.

Now eight parking spaces (incl. 1 disabled one) have been marked out at the rear facing Silver Birch Close, but there is no indication of how the cars will get to that part of the site. Exit and access from Silver Birch Close? No mention in the p/a description of any new vehicular access from here. They are also proposing to provide 2 rapid charging points for electric cars. Where would they be installed?

With all the back garden taken up by parking spaces, there will be no amenity space left for the inhabitants of 7 flats, except for the small spaces downstairs of flats no. 1, 2, 3 (front + rear side).

We are aware that the Inspectorate had removed the 10% rule allowed for flats in residential roads, but it is worrying to think of the extra traffic and parking involved, should this development go ahead. There would be a minimum of 8 cars adding to the traffic congestion, which is already at a high point at this part of Swakeleys Road and Warren Road

The Association strongly objects to this application.

Internal Consultees

Highways & Transportation:

Site Characteristics & Background

The site is located within a residential catchment on Swakeleys Road, a main thoroughfare in Ickenham designated as 'Classified' in the borough's hierarchy of roads and in proximity of Swakeleys roundabout. The site consists of a substantive detached property of single tenure on the corner of Swakeleys Road/Warren Road which currently exhibits a single existing vehicular access point from Warren Road.

The proposal involves the demolition of the existing build which is to be replaced with a new build incorporating 7 flatted units (6x2 & 1x3 bedroom flats). The existing vehicular access point on Warren Road would be extinguished and a new access point created to the rear of the site envelope from Silver Birch Close which is a cul-de-sac enveloped within a controlled parking zone operating Monday to Friday - 10 to 11am & 2 to 3pm. The location is also covered by other more stringent restrictions on the surrounding roadways. This new access would lead to 7 communal on-plot parking spaces.

The location exhibits a public transport accessibility level (PTAL) rating of 1b which is considered as low which inherently encourages a higher on-plot parking provision owing to the greater dependency on the ownership and usage of the private motor vehicle.

Parking Provision

It is proposed to provide a new build containing 6x2 & 1x3 bedroom flatted residential units. 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.

The maximum standard requires 1-1.5 spaces per unit equating to 7-11 spaces. The parking standard is therefore broadly met with the provision of 7 on-plot spaces. As the surrounding roadways such as Swakeleys Road, Warren Road and Silver Birch Close are covered by extensive parking controls which inherently guard against any potential parking displacement resulting from the proposal, there is no further comment on this aspect. The allocation of spaces per flat would benefit from a parking allocation plan secured by way of condition.

Disabled Compliant Parking Provision

In accord with the parking standard - 10% of parking spaces should be disabled compliant equating to 1 space. This is indicated on plan and is considered acceptable.

Electric Vehicle Charging Points (EVCP's)

In line with the 'Intend to Publish' version of the London Plan (2019), within any final parking quantum there is a requirement for a minimum 20% 'active' EVCP provision with all remaining spaces being designated as 'passive' provisions which equates to 1 'active' and 6 'passive' spaces. This aspect should be facilitated together with a parking allocation plan with both being secured via planning condition in order to secure the appropriate level of EVCP and parking provision for each flat.

Cycling Provision

In terms of cycle parking there would be a requirement to provide 1 secure and accessible space for each of the 2-bedroom flats with 2 spaces for the 3-bedroom unit in order to accord with the Council's adopted cycle parking standard. This would total a requirement of 8 new suitably located spaces. Although cycle storage is mentioned, it is not depicted therefore this aspect should be secured via planning condition.

Vehicular Access Provision/ Car Park Arrangement

The existing vehicular crossing into the site envelope is to be extinguished and replaced with a new access from Silver Birch Close. This alteration is acceptable in principle however a residents parking bay in Silver Birch Close would need to be removed/alterd to facilitate satisfactory access/egress to and from the site.

Such alteration together, with a new crossing facility (and extinguishment of old on Warren Road) would need to be facilitated at the applicant's expense with the crossing provisions conforming to Council standards in terms of build quality and dimension. All works would be arranged post-permission via a formal agreement i.e. under s184 of The Highways Act 1980 or suitable alternative arrangement.

The proposed parking layout appears broadly fit for purpose however final detail should fully comply with DfT (Manual for Streets (MfS) circa 2007) best practice for new development road and parking layouts guidance.

In safety terms there should be conformity to the relevant mutual inter-visibility sight-line requirements, as per MfS, between vehicles leaving the site and extraneous vehicles/pedestrians on Silver Birch Close. It is therefore recommended that the height of walling on either side of the opening does not exceed 0.6m in height to achieve the aim of satisfactory visibility.

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 the site as compared to the single residential unit. However peak period traffic movement into and out of the site is expected to rise by up to 2-3 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.

Operational Refuse Requirements

Refuse collection is likely to occur via Warren Road/Silver Birch Close. In 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 bin storage is positioned at a collection point within this set distance. Also, the maximum carrying distance from each flat should not exceed 30m. A bin storage area is depicted in proximity to Silver Birch Close which therefore conforms with the above hence 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 T5, T6 and T6.1 of the London Plan (2021).

Access officer:

'This latest application for a small flatted development on this site has been assessed against the requirements of Policy D7 of the London Plan (2021). The Design & Access Statement submitted with this proposal states that the development could deliver appropriate standards of accessibility in accordance with M4(2) as set out in Approved Document M to the Building Regulation (2015 edition). Having reviewed this application, it is clear that lift access to the upper floors is not proposed and therefore step free access into the dwellings above ground floor level would not be possible for wheelchair users.

Policy D7 of the London Plan (2021) recognises that the application of M4(2), which requires lift access (a step free approach to the principle private entrance), may have particular implications for developments of four storeys or less where historically the London Plan may not have required a lift. Local Planning Authorities are therefore required to ensure that dwellings accessed above or below the entrance storey in buildings of four storeys or less have step-free access. Unless the applicant submits a clear, well evidenced and compelling case to the LPA as to why lift access cannot be provided, the application should not be supported on the grounds of non-compliance with Policy D7 of the London Plan 2021.

Conclusion: Unacceptable

Trees & Landscaping Officer:-

This site is occupied by a previously extended two-storey detached house, with accommodation within the roof-space and outhouses located within a generous corner plot at the junction with Warren Road. A detached garage is accessed from Warren Road. The rear boundary of the plot backs on to Silver Birch Close. There are trees on the site and adjacent to it, including two highway trees and two trees on private land, of which the private trees protected by TPO 588 (T1, a protected Walnut to the south side of the house is missing and T3, an oak in front garden of the adjacent property).

COMMENT This submission follows a number of recent applications including ref. 30255/APP/2020/2413 A tree report, by Merewood Arboricultural Consultancy, dated June 2020, has been submitted. This has identified and assessed the condition and value of 8 trees. The report confirms (3.7) that, of the 8 trees recorded, there are no 'A' grade trees. 4 trees are 'B' grade: T3 lime (south-east corner of plot), T5 lime (highway tree, Warren Road), T7 ash (highway tree, Swakeleys Road) and T8 oak, protected by TPO 588, (front garden of adjacent property).

There are 3 'C' grade trees near the back boundary whose poor condition and value pose no constraint on development. The report provides an arboricultural impact assessment and tree protection details with working method statements designed to protect and retain all of the trees on site and adjacent to it. The three 'C' grade trees have little, or no, amenity or wider environmental value. They should be removed and replaced with more suitable specimens.

The proposed site plan indicates that three of the ground-floor units will have access to modest sized private space, comprising a patio and small area of planting. The remaining soft landscaped areas will provide potential for boundary planting but be of little value as usable communal gardens for occupants of the remaining four units.

The proposed car parking and functional requirement for hard surfacing, together with the footprint

of the building, is disproportionate to the residual areas of usable soft landscaped space, albeit there will be space for boundary planting and replacement trees.

RECOMMENDATION The application is detrimental to the character of the area, fails to satisfy policies DMHB 11 and DMHB 18 and should be refused.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Paragraph 118 of the NPPF expects planning decisions to give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs. It promotes and supports the development of under- utilised land and buildings, especially if this would help to meet identified need.

Policy H1 of the Local Plan: Part One (November 2012) gives general support to housing provision to meet and exceed the Council's minimum strategic dwelling requirement, where this can be achieved, in accordance with other Local Plan policies. The proposal would result in the net gain of 8 residential units which is a material consideration in support of this development. Whilst planning policy generally supports the increase in the supply of new homes across the Borough, the Council can demonstrate a healthy supply of new homes being delivered. There is no reason why the redevelopment of the site for residential units would be given priority over the impact of the proposal on neighbouring amenity of inappropriate design, scale and layout.

UNIT MIX

Policy DMH 2 of the Local Plan: Part Two (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.

The Council's current information on housing need indicates a substantial borough-wide requirement for larger affordable and private market units, particularly 3 bedroom properties. This application provides 6 x 2-bed and 1 x 3-bed and therefore provides a mix of units on site in accordance with Policy DMH 2 of the Local Plan: Part Two (2020).

REDEVELOPMENT TO FLATS

Policy DMH 4 of the Local Plan Residential Conversions and Redevelopment

Residential conversions and the redevelopment of dwellings into new blocks of flats will only be permitted where:

- i) it is on a residential street where the proposal will not result in more than 10% of properties being redeveloped into flats;
- ii) On residential streets longer than 1km the proposed redevelopment site should be taken as the midpoint of a 1km length of road for assessment purposes;
- iii) the internal floor area of the original building to be converted is at least 120 sqm; and
- iv) units are limited to one unit per floor for residential conversions.

Paragraph 4.11 of the Local Plan advises that the conversion of single dwellings into more dwellings or the redevelopment of dwellings into new blocks of flats can enable more effective use of sites to be achieved. However, this type of development must seek to enhance the local character of the area. In recent years, large concentrations of flats have resulted in a range of problems, including increased on-street parking and resultant congestion on roads, the loss of front gardens, reductions in privacy, significant changes

to the street scene, and loss of family accommodation.

Although there have been several redevelopments for flats along Swakeleys Road in recent years there is not a 10% concentration within a 1 km distance. The nearest property, No. 277 adjoining was subject of a successful appeal for flatted development, but as this was not implemented before the permission lapsed and it is not a material consideration in this regard.

7.02 Density of the proposed development

Policy DMHB 17: Residential Density states that all new residential development should take account of the Residential Density Matrix contained in Table 5.2. Developments will be expected to meet habitable room space standards.

According to the density matrix, the application proposal should provide 35-100 units p/h or 105-300 habitable rooms per hectare. The application proposes to provide 70 residential units per hectare or 211 habitable rooms per hectare

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

Not relevant to this application

7.04 Airport safeguarding

Not relevant to this application

7.05 Impact on the green belt

Not relevant 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 Local Plan: Part Two - Development Management Policies (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.

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

The proposed building is on a corner site with a further road to the rear. As such it is particularly prominent when viewed from three public sides.

One of the principal concerns relates to the impact of the scale of the proposed development on the surrounding area, which is not in keeping in terms of its footprint size and forward projection. The predominant built form is two storey detached dwellings.

The proposed block has been set in by approximately 3 metres from the side boundaries in order to achieve a satisfactory setting. However, the proposed building is of a much greater width and bulk than the existing dwelling. In considering the visual impact of the proposal on the immediate surrounding area, the new block, by replacing the smaller existing dwelling and being positioned close to the open corner of Warren Road and Silver Birch Close, would be substantially more prominent in the immediate locality with the bulk

and height visible from both these roads and the front bulk from Swakeleys Road where it is forward of the small single storey No. 277. This bulk is further emphasised by accommodation in the roof and front and rear dormer windows.

The proposal would thus be dominant and visually intrusive in the street scene, especially when compared to other dwellings in the vicinity which are generally built in line at both the front and rear.

Overall, the scale of the building and its design is considered unacceptable. The proposed development would have a detrimental impact on the character and appearance of the area. The proposal would fail to comply with the requirements of Policies DMHB 11 and DMHB 12 of the Local Plan: Part Two - Development Management Policies (2020).

7.08 Impact on neighbours

Policy DMHB 11 of the Hillingdon Local Plan: Part Two states that buildings should be laid out so that adequate daylight and sunlight can penetrate into and between them, and the amenities of existing houses are safeguarded. Furthermore the policy stresses the importance of new buildings and extensions providing adequate amount of external amenity space, that not only protects the amenity of the occupants of the proposed development, but also the amenity of the surrounding buildings, as well as protecting both parties privacy.

One of the principle concerns relates to the impact of the scale of the development on the surrounding area, which is not in keeping in terms of its footprint size and forward and rearward projection.

The proposed block has been set in by approximately 3 metres from the side boundaries in order to achieve a satisfactory setting. The visual impact of the proposal on the immediate surrounding area, the new block replacing the smaller dwelling and positioned close to the open corner of Warren Road and Silver Birch Close would be substantially more prominent in the immediate locality. The rearward bulk would be visible from both these roads and the front bulk from Swakeleys Road where it is forward of the small single storey No. 277, further emphasised by accommodation in the roof and front and rear dormer windows. This bulk is increased significantly from that of the current single dwelling.

The proposal would thus be dominant and visually intrusive in the street scene, especially when compared to other dwellings in the vicinity which are built in line at both the front and rear.

The development also removes nearly all soft landscaping to the rear resulting in a hard landscape dominated by cars highly visible to the rear from Silver Birch Close.

7.09 Living conditions for future occupiers

Paragraph 5.38 of the Local Plan states that 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.

In terms of the residential amenities of adjoining properties the main concern is the impact

on No. 277, the small detached dwelling immediately to the north. In all other cases the separation distance exceeds 21 metres. The proposed building stretches further back into the site than the existing and at two storey height with a substantial roof. The proposed development will overlook and cause a material loss of privacy to No. 277 and there are side facing windows in No. 277 which may be habitable rooms.

Internal Space Standards.

Policy DMHB 16 of the Local Plan : 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, asset out in Table 5.1; and
- ii) in the case of major developments, provide at least 10% of new housing to be accessible or easily adaptable for wheelchair users

Table 5.1 identifies the following minimum requirements for this mix of units:

Ground floor and first
2 bed 3 persons - 61 square metres

Roof unit
3 bed x 4 persons 74 square metres
3 bed x 5 persons 86 square metres

The submitted plans indicate that all the units exceed these requirements.

Private amenity space

Policy DMHB 18:of the Local Plan Private Outdoor Amenity Space states

A) 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.

B) Balconies should have a depth of not less than 1.5 metres and a width of not less than 2 metres.

C) Any ground floor and/or basement floor unit that is non-street facing should have a defensible space of not less than 3 metres in depth in front of any window to a bedroom or habitable room. However, for new developments in Conservation Areas, Areas of Special Local Character or for developments, which include Listed Buildings, the provision of private open space will be required to enhance the streetscene and the character of the buildings on the site.

D) 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.

Table 5.3 identifies the following minimum amenity space requirements for flats:

2 bedrooms 25 square metres
3 + bedrooms 30 square metres

The flats on the ground and first floor have access to balconies of approximately 6 sqm and the top floor flat would have two balconies providing an approximate total of 7.5 sqm

which falls considerable short of the minimum amenity space requirements.

The existing rear garden area would be used to provide car parking spaces therefore there is no good quality, useable private outdoor communal element of amenity space.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The maximum standard requires 1-1.5 spaces per unit equating to 7-11 spaces. The parking standard is therefore at the minimum level with the provision of 7 on-plot spaces. The surrounding roadways such as Swakeleys Road, Warren Road and Silver Birch Close are covered by extensive parking controls which inherently guard against any potential parking displacement resulting from the proposal. It is not considered that the application can be refused due to lack of parking or parking stress impacts as a result.

Disabled Compliant Parking Provision

In accord with the parking standard - 10% of parking spaces should be disabled compliant equating to 1 space. This is indicated on plan and is considered acceptable.

Cycling Provision

In terms of cycle parking there would be a requirement to provide 1 secure and accessible space for each of the 2-bedroom flats with 2 spaces for the 3-bedroom unit in order to accord with the Council's adopted cycle parking standard. This would total a requirement of 8 new suitably located spaces. Although cycle storage is mentioned, it is not depicted therefore this aspect could be secured via planning condition (although it would further diminish the already limited amenity space).

Vehicular Access Provision/ Car Park Arrangement

The existing vehicular crossing into the site envelope is to be extinguished and replaced with a new access from Silver Birch Close. This alteration is acceptable in principle however a residents parking bay in Silver Birch Close would need to be removed/alterd to facilitate satisfactory access/egress to and from the site.

Such alteration together, with a new crossing facility (and extinguishment of old on Warren Road) would need to be facilitated at the applicant's expense with the crossing provisions conforming to Council standards in terms of build quality and dimension. All works would be arranged post-permission via a formal agreement i.e. under s184 of The Highways Act 1980 or suitable alternative arrangement.

The proposed parking layout appears broadly fit for purpose however final detail should fully comply with DfT (Manual for Streets (MfS) circa 2007) best practice for new development road and parking layouts guidance.

In safety terms there should be conformity to the relevant mutual inter-visibility sight-line requirements, as per MfS, between vehicles leaving the site and extraneous vehicles/pedestrians on Silver Birch Close. It is therefore recommended that the height of walling on either side of the opening does not exceed 0.6m in height to achieve the aim of satisfactory visibility.

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 the site as compared to the single residential unit. However peak period traffic movement into and out of the site is expected to rise by up to 2-3 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.

Operational Refuse Requirements

Refuse collection is likely to occur via Warren Road/Silver Birch Close. In 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 bin storage is positioned at a collection point within this set distance. Also, the maximum carrying distance from each flat should not exceed 30m. A bin storage area is depicted in proximity to Silver Birch Close which therefore conforms with the above hence there are no further observations.

Conclusion

The application would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns, and is therefore in accordance with Local Plan: Part 2 Development Plan Policies DMT 1, DMT 2 & DMT 6 and Policies T5, T6 and T6.1 of the London Plan (2021).

7.11 Urban design, access and security

This latest application for a small flatted development on this site has been assessed against the requirements of Policy D7 of the London Plan (2021). The Design & Access Statement submitted with this proposal states that the development could deliver appropriate standards of accessibility in accordance with M4(2) as set out in Approved Document M to the Building Regulation (2015 edition). Having reviewed this application, it is clear that lift access to the upper floors is not proposed and therefore step free access into the dwellings above ground floor level would not be possible for wheelchair users.

Policy D7 of the London Plan (2021) recognises that the application of M4(2), which requires lift access (a step free approach to the principle private entrance), may have particular implications for developments of four storeys or less where historically the London Plan may not have required a lift. Local Planning Authorities are therefore required to ensure that dwellings accessed above or below the entrance storey in buildings of four storeys or less have step-free access. Unless the applicant submits a clear, well evidenced and compelling case to the LPA as to why lift access cannot be provided, the application should not be supported on the grounds of non-compliance with Policy D7 of the The London Plan 2021

It is considered that the application should also be refused for non compliance with policy D7 of the London Plan.

7.12 Disabled access

As discussed above

7.13 Provision of affordable & special needs housing

Not relevant to this application as less than 10 units are proposed.

7.14 Trees, Landscaping and Ecology

This submission follows a number of recent applications including ref. 30255/APP/2020/2413 A tree report, by Merewood Arboricultural Consultancy, dated June 2020, has been submitted. This has identified and assessed the condition and value of 8 trees. The report confirms (3.7) that, of the 8 trees recorded, there are no 'A' grade trees. 4 trees are 'B' grade: T3 lime (south-east corner of plot), T5 lime (highway tree, Warren Road), T7 ash (highway tree, Swakeleys Road) and T8 oak, protected by TPO 588, (front garden of adjacent property).

There are 3 'C' grade trees near the back boundary whose poor condition and value pose no constraint on development. The report provides an arboricultural impact assessment and tree protection details with working method statements designed to protect and retain all of the trees on site and adjacent to it. The three 'C' grade trees have little, or no, amenity or wider environmental value. They should be removed and replaced with more suitable specimens.

The proposed site plan indicates that three of the ground-floor units will have access to modest sized private space, comprising a patio and small area of planting. The remaining soft landscaped areas will provide potential for boundary planting but be of little value as usable communal gardens for occupants of the remaining four units.

The proposed car parking and functional requirement for hard surfacing, together with the footprint of the building, is disproportionate to the residual areas of usable soft landscaped space, albeit there will be space for boundary planting and replacement trees.

This is without factoring in consideration of refuse and cycle storage.

In effect the proposals are an overdevelopment of the site and will not result in sufficient landscaping to ensure an acceptable standard of development, in particular as regards the character and appearance of the streetscene.

It is considered that the application is detrimental to the character of the area, fails to satisfy policies DMHB 11 and DMHB 18 and should also be refused on this ground.

7.15 Sustainable waste management

Not relevant to this application

7.16 Renewable energy / Sustainability

Not relevant to this application

7.17 Flooding or Drainage Issues

Not relevant to this application

7.18 Noise or Air Quality Issues

Not relevant to this application

7.19 Comments on Public Consultations

The objections received as a result of public consultation have been addressed within the body of this report

7.20 Planning Obligations

COMMUNITY INFRASTRUCTURE LEVY (CIL)

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for additional floor space for residential developments is £95 per square metre. This is in addition to the Mayoral CIL charge of £60 per sq metre

The existing floor area to be demolished is 336 sqm.

The proposed total additional floor area as advised in the CIL application form is 156 sqm equalling 492 sqm.

The net gain would comprise 156 sqm

This would equate to:

Hillingdon CIL £14,820

Mayoral CIL £9,360

Total = £24,180

7.21 Expediency of enforcement action

Not relevant 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

10. CONCLUSION

Overall, the scale of the building and its design is considered unacceptable. The proposed development would have a detrimental impact on the character and appearance of the area. The proposal would fail to comply with the requirements of Policies DMHB 11 and DMHB 12 of the Local Plan: Part Two - Development Management Policies (2020).

The proposed car parking and functional requirement for hard surfacing, together with the footprint of the building, is disproportionate to the residual areas of usable soft landscaped space, albeit there will be space for boundary planting and replacement trees. It would provide a poor quality of accommodation and residential amenity for future occupiers. Therefore, the proposal is detrimental to the character of the area and fails to satisfy policies DMHB 11 and DMHB 18.

No information has been provided for a clear, well evidenced and compelling case as to why lift access cannot be provided. Therefore, the application cannot be supported on the grounds of non-compliance with Policy D7 of the London Plan 2021.

The proposal is likely to result in a material loss of privacy for occupiers of No. 277 Swakeleys Road.

For these reasons, the proposal 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 (2021)
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 2019

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