

DELEGATED DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL

Select Option

1. No valid planning application objection in the form of a petition of 20 or more signatures, has been received ☐
2. Application complies with all relevant planning policies and is acceptable on planning grounds ☐
3. There is no Committee resolution for the enforcement action ☐
4. There is no effect on listed buildings or their settings ☐
5. The site is not in the Green Belt (but see 11 below) ☐

REFUSAL RECOMMENDED: GENERAL

6. Application is contrary to relevant planning policies/standards ☐
7. No petition of 20 or more signatures has been received ☐
8. Application has not been supported independently by a person/s ☐
9. The site is not in Green Belt (but see 11 below) ☐

RESIDENTIAL DEVELOPMENT

10. Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha ☐
11. Householder application in the Green Belt ☐

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

12. Change of use of retail units on site less than 1 ha or with less than 1000 sq m other than a change involving a loss of A1 uses ☐
13. Refusal of change of use from retail class A1 to any other use ☐
14. Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use. ☐

CERTIFICATE OF LAWFULNESS

15. Certificate of Lawfulness (for proposed use or Development) ☐
16. Certificate of Lawfulness (for existing use or Development) ☐
17. Certificate of Appropriate Alternative Development ☐

CERTIFICATE OF LAWFULNESS

18. ADVERTISEMENT CONSENT (excluding Hoardings) ☐
19. PRIOR APPROVAL APPLICATION ☐
20. OUT-OF-BOROUGH OBSERVATIONS ☐
21. CIRCULAR 18/84 APPLICATION ☐
22. CORPSEWOOD COVENANT APPLICATION ☐
23. APPROVAL OF DETAILS ☐
24. ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where Heads of Terms have already received Committee approval ☐
25. WORKS TO TREES ☐
26. OTHER (please specify) ☐

The delegation powers schedule has been checked. Director of Residents Services can determine this application.

Case Officer

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

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

Address LAND BEHIND 1 AND 3 LULWORTH WAYE LULWORTH WAYE HAYES

Development: Erection of two x 2-bed semi-detached dwellings with associated parking and amenity space following demolition of existing garage

LBH Ref Nos: **75713/APP/2021/2629**

Drawing Nos: 2865-SK1-2
 2865-02-02
 2865-02-04
 2865-02-05
 2865-02-01
 2865-02-03
 Design and Access Statement
 MS-4786

Date Plans received : 01/07/2021

Date(s) of Amendment(s):

Date Application Valid: 01/07/2021

1. **SUMMARY**

The application seeks planning permission to erect a pair of semi-detached dwellings (with associated parking and amenity space).

The proposed layout and form of the dwellings would be out of keeping with the 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 and area. Furthermore, an inadequate amount of private amenity space would be provided for future occupiers of the development, resulting in them having substandard living conditions. The development is therefore contrary to planning guidance contained within the Local Plan, London Plan and NPPF.

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 visual amenity, character and appearance of the street scene and of the area as a whole. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policy DMH 6 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies D1, D3 and D6 of the London Plan (2021), guidance within The London Plan Housing Supplementary Planning Guidance (March 2016) and the NPPF (2021).

2 NON2 Non Standard reason for refusal

The proposed development, by virtue of its failure to provide amenity space of sufficient size and quality commensurate to the size and layout of the said unit would result in an

over-development of the site detrimental to the residential amenity of existing and future occupiers. The proposal is therefore contrary to Policies DMHB 11 and DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan (2021) and NPPF (2021).

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 GG2	(2021) Making the best use of land
LPP GG4	(2021) Delivering the homes Londoners needs
LPP H1	(2021) Increasing housing supply
LPP H2	(2021) Small sites
LPP H10	(2021) Housing size mix
LPP D2	(2021) Infrastructure requirements for sustainable densities
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises part of the rear gardens of 1 and 3 Lulworth Waye. The site is located on the Eastern side of Lulworth Waye and is bordered to the North West by properties on Wimborne Avenue and to the East by the rear garden of properties on Shaftsbury Avenue. As existing, the properties are located in large mature garden plots, with a number of trees along the side and rear boundaries and is enclosed. The principal elevation of the existing houses front South West. The site is not affected by any other designations including Conservation Areas and Areas of Special Local Character. However the site lies within a location prone to Surface Water Flooding Area.

The area surrounding the site is residential comprising of two storey, detached, semi-detached and terraced properties finished in brick, render, mock tudor beaming, hung tile, pebble dash and mixtures of the mentioned materials. Each property fronts its respective road, but is set back allowing for off road parking and front gardens. The rear gardens of properties are predominantly long and rectangular providing a good level of private amenity space for their occupiers.

3.2 Proposed Scheme

The application seeks planning permission for the erection of a pair of semi-detached 2 bedroom dwellings with associated parking, amenity space and access from Lulworth Waye.

3.3 Relevant Planning History

75713/APP/2020/2128 Land Behind 1 And 3 Lulworth Waye Lulworth Waye Hayes

Two x 2-bed semi-detached dwellings with associated parking and amenity space involving demolition of existing garage

Decision: 03-12-2020 Refused

Comment on Planning History

75713/APP/2020/2128 - Two x 2-bed semi-detached dwellings with associated parking and amenity space involving demolition of existing garage. Refused: 04/12/2020.

The proposed development is considered to be similar to the refused scheme referenced above. The main differences between the schemes are that the proposed properties have been reduced in size, the distance between the rear elevations of the new properties and 1 Lulworth Waye has increased and boundary lines have changed allowing for No.1 Lulworth Waye to have a larger rear garden.

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date:- Not applicable

4.2 Site Notice Expiry Date:- Not applicable

5. Comments on Public Consult

Consultee comments

Access Officer:

Any grant of planning permission should include the following conditions:

Prior to works commencing, details of step free access via the principal private entrance shall be submitted to, and approved in writing, by the Local Planning Authority. Such provision shall remain in place for the life of the building.

REASON To ensure that an appropriate standard of housing stock, in accordance with the 2021 London Plan policy D7 is achieved and maintained.

The dwelling(s) hereby approved shall accord with the requirements of Policy D7 of the London Plan, and shall not be occupied until certification of compliance with the technical specifications for an M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, has been submitted to, and approved in writing, by the Local Planning Authority. All such provisions must remain in place for the life of the building.

REASON: To not only allow the Building Control body to require the development to comply with the optional Building Regulations standards, but to also ensure the appropriate quantity and standard of accessible and adaptable housing is constructed and maintained in accordance with policy D7 of the London Plan.

Trees/Landscape Officer:

This site comprises an area of land to the rear (northeast) of 1 and 3 Lulworth Waye. There are two trees towards the northern end of the plot which are protected by TPO 536. T1, a Lombardy poplar and T2 a sycamore are situated opposite the back garden of 34 / 36 Shaftesbury Avenue. A recent site inspection confirmed that the poplar tree is no longer present on site.

COMMENT: A previous submission, application ref. 75713/APP/2020/2128, for a pair of semi-detached houses, was refused. The current proposal has been amended but still seeks to provide a pair of semi-detached houses. The response to the planning questionnaire (Q.18) indicates that there are no trees that can influence the site, however, the site plan plots the presence of several third-party (off-site) trees which are close to the boundaries and can be said to influence the site. One of these trees is the sycamore T2 on the TPO schedule. No survey, or assessment of the potential impact of development on trees has been submitted, however, none appear to be close enough to refuse the application. While there should be no direct impact of the development on the tree due to the built footprint, there could be an indirect effect due to the construction-related activity. The tree(s) will need to be protected and a construction/arboricultural method statement submitted for approval to ensure that the neighbouring trees are protected. If you are minded to approve the application, hard and soft landscape details should be conditioned.

RECOMMENDATION: No objection subject to pre-commencement condition RES8 and conditions RES9 (parts 1, 2, 4 and 5) and RES10.

Highways Officer:

No objection subject to conditions, for the reasons set out in the previous application (75713/APP/2020/2128).

Officers Comment:

For ease of reference those comments are set out in section 7.3 of this report. Had the application been recommended for approval each of the suggested conditions in section 7.3 of this report would have been recommended for inclusion on the decision notice.

6. Local Plan Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

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 GG2	(2021) Making the best use of land
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In addition: Development Plan

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

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

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

7. MAIN PLANNING ISSUES

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

Part B of Policy DMHB 11 states 'Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space'.

Guidance for Policy DMHB 11 states 'The Council will aim to ensure that there is sufficient privacy for residents and it will resist proposals where there is an unreasonable level of overlooking between habitable rooms of adjacent residential properties, schools or onto private open spaces. A minimum of 21 metres separation distance between windows of habitable rooms will be required to maintain levels of privacy and to prevent the possibility of overlooking. In some locations where there is a significant difference in ground levels between dwellings, a greater separation distance may be necessary'.

Guidance for Policy DMHB 11 also states ' For the purposes of this policy, outlook is defined as the visual amenity enjoyed by occupants when looking out of their windows or from their garden. The Council will expect new development proposals to carefully consider layout and massing in order to ensure development does not result in an increased sense of enclosure and loss of outlook. Single aspect dwellings should be avoided'.

The front elevation windows of the proposed dwellings would be approximately 21m from the rear windows of 1 Lulworth Way and even further from No.3. It is therefore considered that the occupiers of No.1 and 3 Lulworth Way would not be the subjects of any significant loss of privacy or overlooking. It is noted that the first floor windows of the new dwellings may provide some views into the rear gardens of No.1 and 3 Lulworth Way, however the level of overlooking provided would be common of this residential area. Where the first floor rear windows of properties provide views into each others gardens at various distances.

Due to the significant separation distance between the proposed properties and existing dwellings on Wimborne Avenue, Shaftesbury Way and Lulworth Way, the development is unlikely to lead to any harmful loss of outlook or light to occupiers of nearby dwellings. Nor are the properties likely to be overbearing.

Had the application been recommended for approval, a condition could have been added restricting the insertion of first floor side elevation windows, this would aid in protecting the rear gardens of properties on Wimborne Avenue and Shaftesbury Way from overlooking.

For the reasons mentioned above the proposed development is considered to have an acceptable impact on neighbouring amenities.

7.2 Impact on Street Scene

Policy BE1 of the Hillingdon Local Plan (November 2012) requires that all new development achieves a 'high quality of design in all new buildings, alterations and extensions'.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that 'all development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including: i) harmonising with the local context by taking into

account the surrounding: · scale of development, considering the height, mass and bulk of adjacent structures; building plot sizes and widths, plot coverage and established street patterns; · building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure; architectural composition and quality of detailing; local topography, views both from and to the site; and impact on neighbouring open spaces and their environment. ii) ensuring the use of high quality building materials and finishes; iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities; iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure'.

Policy DMH 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states '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 and unacceptable light spillage avoided; ii) vehicular access or car parking should not have an adverse impact on neighbours in terms of noise or light. Access roads between dwellings and unnecessarily long access roads will not normally be acceptable; iii) development on backland sites must be more intimate in mass and scale and lower than frontage properties; and iv) features such as trees, shrubs and wildlife habitat must be retained or re-provided.

Table 3.2 of the London plan sets out design guidance for new housing development in the City. It states 'The layout of the scheme (including spaces between and around buildings) should form a coherent, legible and navigable pattern of streets and blocks'.

Paragraph 71 of the NPPF (2021) states inter alia:

"Plans 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."

Paragraph 124 of the NPPF (2021) states:

"Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services - both existing and proposed - as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e) the importance of securing well-designed, attractive and healthy places."

Paragraph 130 of the NPPF(2021) states:

'Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but

over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience'

The area surrounding the site is residential comprising of two storey, detached, semi-detached and terraced properties finished in brick, render, mock tudor beaming, hung tile, pebble dash and mixtures of the mentioned materials. Each property fronts its respective road, but is set back allowing for off road parking and front gardens. The rear gardens of properties are predominantly long and rectangular providing a good level of private amenity space for their occupiers. The frontage of properties, their position on the main road, set backs, front gardens and large rear gardens make up the area's character.

The proposed dwellings would be sited away from the main road in an isolated position to the rear of 1 and 3 Lulworth Way. Their backland location is completely out of character with the surrounding area, which is characterised by properties which front the road and contribute to the appearance of the street scene. The siting of the new dwellings is therefore considered to be harmful to the areas character and prevailing pattern of residential development.

The private amenity space which would be provided for both of the new properties would be significantly smaller than other dwellings within the area, making them appear cramped and out of place, to the detriment of the areas character.

No. 1 and 3 Lulworth Way are approximately 7.5m high (see plan 2865-02-01). The proposed dwellings would be 7.6m high the new dwellings are therefore not considered to be more intimate in scale or height than frontage properties contrary to Policy DMH 6.

The form of backland development proposed has the potential to set a precedent which would lead to increased densities and the erosion of an area characterised by properties fronting the road with spacious plots.

The loss of what is a residential rear garden and the impact of the proposed dwellings 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.

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 measures 12.3m in width and 6.9m in depth set beneath a gabled roof at a maximum height of 7.6m. The building is set in minimally from the Western boundary line (at maximum 0.5m), such that it would not be possible to provide any meaningful landscaping on this space, and 1.5 metres maximum, reducing to 1 metre to the rear, from the Eastern boundary. The scale of the dwelling would be generally consistent with others within the area. To this end the development fails to comply with Policy DMH 6 which requires that "Development on backland sites must be more intimate in mass and scale."

In consideration of the form of development, it fails to follow the historic grain of the surrounding area and properties 1 and 3 Lulworth Waye. Their spacious plots and ample frontages relate to the suburban aesthetic of the surrounding area and original intent in which this area had been developed. 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 and small gaps between the sites side boundaries. Furthermore, it would also result in the existing properties having very limited rear garden areas. Overall therefore, the proposal would result in a cramped form of development and an unacceptable intensification of the existing site.

The development would appear as an isolated form set behind 1 and 3 Lulworth Waye, detrimentally altering the appearance of the street pattern. 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 and street pattern. Therefore the proposal fails to comply with the requirements of Policies DMH 6 and DMHB 11 of the Local Plan, as well as paragraphs 71, 124 and 130 of the NPPF (2021).

It should also be noted that several mature trees are located near the boundaries of the development site, the boroughs landscape officer has confirmed that subject to conditions those trees which add to the visual amenities of the site could be protected, as such there are no tree related reasons for refusing this application.

7.3 Traffic Impact/Pedestrian Safety

Policy - DMT 6 of the Local Plan requires that new development 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 proposal is located within a residential catchment in Hayes. A substantive part of the rear gardens of No's 1 & 3 Lulworth Way are now proposed to accommodate 2 two bedroom semi-detached units with 3 on-plot parking spaces.

Pedestrian and vehicular access to this 'back-land' development would be facilitated via an existing private service road located to the side of No.1. The service road leads to garages located to the rear of addresses on Wimborne Avenue (No's 25-35). It also serves as an access to two existing parking spaces (including a garage) located to the rear of No.1 that would be removed as a result of the proposal. This is confirmation that the applicant has established rights of way over the service road despite not owning the roadway.

Access to two replacement parking spaces on the frontage of No.1 would also be provided directly off this private road where it borders with Lulworth Way. A separate existing carriageway crossing on Lulworth Way would remain to serve two parking spaces on the frontage of No.3.

The surrounding road network is generally devoid of parking controls with the exception of double yellow line restrictions positioned on the nearby junction of Lulworth Way & Wimborne Avenue. The location displays a PTAL of 2 which is considered relatively low and therefore heightens dependency on the ownership and usage of private motor

transport. However the majority of surrounding properties exhibit relatively generous on-plot parking provisions which arguably lessens 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 per unit. 3 spaces are proposed in total which falls below the standard. However this deficit is considered marginal and no undue consequence would be anticipated in terms of displaced parking within or outside of the site curtilage. The proposal would benefit from a parking allocation plan in order to ensure an appropriate distribution of parking spaces for each dwelling. This would need to be secure by way of planning condition.

Electric Vehicle Charging Points (EVCP's)

In line with the emerging London Plan, 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 in order to 'future proof' for anticipated demand. In this case, each parking space within the curtilage of each unit should be designated as 'active' (i.e. 2 spaces) with the remaining single remote space assigned as a 'passive' provision. Again this aspect should be subject to a planning condition.

Cycling Provision

In terms of cycle parking there should be a provision of at least 2 secure and accessible spaces for each dwelling unit in order to conform to the adopted minimum borough cycle parking standard. A secure compound area containing 2 spaces per dwelling to the rear of the plot has been indicated. This arrangement and quantum is therefore considered acceptable.

Vehicular Access Provision & Internal Parking Layouts

No's 1 & 3 Lulworth Waye

The existing crossing serving 2 on-plot spaces on the frontage of No.3 is to remain unaltered and is considered fit for purpose. Access to parking on the frontage of No.1 would be facilitated via the adjacent private service road to the same level of provision which again is considered a satisfactory arrangement.

Site Envelope (Rear Plot)

The adjacent private service road would become a shared surface pedestrian and vehicular access to the new units. In physical and practical terms the arrangement broadly aligns with DfT (Manual for Streets circa 2007) best practice for road and parking layouts given the respective low traffic flows involved. Hence in design terms, there is no objection in principle to the use of the service road which allows for passenger/smaller delivery vehicles using the site to enter and leave the site in a forward gear which is the recommended practice on highway safety grounds and is therefore welcomed.

That said, it is acknowledged that this short service road is narrow and there is no opportunity to provide vehicular passing provisions which would normally be desirable. So although it would be preferable for the development to be served by a wider 'shared surface' access road, it is appreciated that the existing garages affiliated to properties on Wimborne Avenue (No's 25-35) and the two existing parking spaces within the site envelope are, to date, being accessed through this roadway without known detriment to both vehicles and pedestrians. It is also anticipated that due to the small scale of proposal, any net usage in vehicular and pedestrian activity imposed on the access road would be very low with a maximum of several vehicle/pedestrian movements per day with no direct prejudice to emergency vehicle access (i.e. Fire tenders) as there is sufficient width available to gain access in the present scenario.

Further to this last point, it is also highlighted that in circumstances where a fire tender cannot, for whatever reason, gain access into a site envelope, Building Regulations (Fire Safety: Document B) make allowance for this scenario by stipulating that fire appliances should be able to be positioned within 45m of the source of an emergency in order to execute their duty. In line with the aforementioned Building Regulations, if this distance is exceeded then alternative options such as hydrants and or internal water sprinkler systems can be applied in lieu of a fire tender accessing a site thereby covering all eventualities. Henceforth even if, in this particular case, fire tender access was not achievable through the service road, the aforementioned distance parameter as set by Building Regulations would be met. In conclusion, as there is no evidence to suggest that the existing service road performs unsatisfactorily coupled with the minor uplift in proposed vehicular and pedestrian activity, the proposal as presented is, on-balance, considered acceptable.

Residential Environment

A general observation is made with regard to the rear service road not being conducive to an ideal environment for accessing a new residential provision in terms of setting. Its prime function of facilitating access to existing garages located to the rear of properties on Wimborne Avenue coupled with sub-standard road surfacing, the absence of suitable lighting and active frontages etc does not contribute to a comfortable and safe environment for any potential users of the roadway. Normally there would be a demand for betterment to be achieved whereby, for example, the road surface would be encouraged to be renewed with provision of low level lighting as a minimum requirement to facilitate a planning permission. However the service road is not within the red-line boundary of the site envelope or ownership of the applicant which severely limits what can be delivered. Established 'rights of way' appear to be the only legal easement that is afforded to the applicant.

The points made above are considered, more so, as a residential amenity/environmental issue and would not fully justify a highway related refusal reason as the site envelope is physically accessible and usable by both pedestrians and motor vehicles.

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 existing dormant nature of the plot. However peak period traffic movements into and out of the site would not be expected to rise beyond 1-2 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 would be collected from Lulworth Waye and an indicative bin store location within the site envelope is depicted on plan.

On collection day, a site management regime should ensure that waste collection distances between the new bin store (or suitable collection point) and a refuse vehicle should not exceed 10m in order to accord with the Council's waste collection standard. As presented this parameter appears to be exceeded given that refuse vehicles would not be encouraged to enter the service road to attain closer access to the bin store on operational & safety grounds. It is therefore anticipated that refuse vehicles would collect directly from Lulworth Waye. New occupiers would then be required to move their waste to a position within the 10m rule. It is considered that for this small scale of development, it is in the best interest of the occupiers to place their refuse within the 10m distance parameter if they wish for their refuse to be collected. This 'informal' arrangement is therefore considered sufficient in this case. There are no further observations.

Construction Logistics Plan (CLP)

A full and detailed CLP would be a requirement given the constraints of the site and sensitivities of the local residential road network in order to avoid/minimise potential detriment to the public realm. It will need to be secured under a suitable planning condition.

Taking into consideration the above the proposal is unlikely to cause harm to highway safety, nor it is likely to discernibly exacerbate congestion or parking stress in the area, in accordance with Local Plan: Part 2 Development Plan Policies DMT 1, DMT 2 & DMT 6.

The Highways Officer has raised no objection to the proposed development for the reasons mentioned. Had the application been recommended for approval, each of the suggested conditions would have been recommended for inclusion on the decision notice.

7.5 Urban Design, Access and Security Considerations

The Council's Local Plan, the London Plan and NPPF all support the creation of new residential development in existing residential areas subject to compliance with all other relevant policies.

The London Plan (2021) 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.

Each of the proposed dwellings would comply with the internal floor space standards set out in the London Plan.

The Council's Local Plan (2020) Policy DMHB 18 states that new residential developments should provide an adequate level of private amenity space for occupiers that is good quality and usable. The policy advises that for 2-3 bedroom properties at least 60sq.m of private amenity space should be provided. Both of the existing properties would be provided with amenity spaces in excess of 60m².

Both of the proposed properties would be provided with approximately 54m² of useable

amenity space as the site is cramped and cycle stores take up portions of their respective gardens. The proposed development would therefore fail to provide an adequate standard of outdoor amenity space for existing and future occupants, contrary to policy guidance.

7.6 Other Issues

Drainage:

The Site lies within a Surface Water Drainage area, if the application was to be recommended for approval the following condition would be attached (as suggested on the previous application -75713/APP/2020/2128).

Prior to the commencement of development details of a soakaway or tank to control surface water from the proposed development shall be submitted to and be approved in writing by the Local Planning Authority. The details should ensure that any new pipework would not be connected to any existing surface water network which drains to any road or sewer. Water run off from any hard paving associated with the development should also be directed to a soakaway, or made permeable. The development shall only be undertaken in accordance with those approved details, and the approved scheme shall be implemented prior to the first use of the development hereby permitted and retained for the duration of the development.

Reason: To ensure that surface water run off is controlled and is handled as close to its source as possible to ensure the development does not increase the risk of flooding in compliance with Policy EM6 of the Hillingdon Local Plan: Part One - Strategic Policies (Nov 2012), Policies 5.12, 5.13 and 5.15 of The London Plan (2016), the National Planning Policy Framework (March 2012) and the Planning Practice Guidance (March 2014).

CIL

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

8. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - (January 2020)
The London Plan (2021)
National Planning Policy Framework (2021)

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