

APPEAL STATEMENT

Location: 26 Highland Road, Northwood, HA6 1JT

Client: Nasir Kazalbash

Date: June 2021



PLANNING
INSIGHT



QUALITY ASSURANCE

Revision	Author	Reviewed By	Date
1	AR	GH	04.06.2021

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INTRODUCTION

PLANNING STATEMENT

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1.0 Introduction

1.1 Overview

- 1.1.1 This Appeal Statement has been prepared by Planning Insight on behalf of Mr. Kazalbash (hereafter referred to as 'the Appellant') to accompany a planning appeal following the decision of London Borough of Hillingdon (LBH) to refuse planning permission for the following development at Land to the rear of 26 Highland Road HA6 1JT (the 'Appeal Site'):

"Conversion of existing dwelling to 1 x 3-bed unit and 1 x 2-bed unit with associated amenity space and parking"

- 1.1.2 The application (LBH reference 49247/APP/2021/1060) was refused by delegated powers on 17 March 2021, the Decision Notice is provided in Appendix 1. The application was refused for the 1 reason:

1. *The application property forms part of a continuous line of properties with a rigid building line and uniform plot widths. It is considered that the proposed sub-division of the property would, by reason of the resultant narrow plot widths, result in a cramped form of development which would be harmful to the character and appearance of the street scene. It would be 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 2 - Development Management Policies (2020) and Policy D6 of the London Plan (2021).*

1.2 Original Application Drawings and Documents

- 1.2.1 In determining the application, the Local Planning Authority (LPA) considered the following drawings and documents (as detailed in the Decision Notice):

- Drawing - Location Plan
- Drawing - 01
- Drawing 02 B
- Drawing - 03 A
- Planning and Design and Access Statement

PLANNING BACKGROUND

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2.0 Planning Background

2.1 Site and Surroundings

- 2.1.1 The appeal site is situated in the London Borough of Hillingdon administrative area.
- 2.1.2 The subject site is located on the western side of the road on a street typified by semi-detached dwellings. The plot size of the appeal site differs from the properties south, it is a larger plot with a triangular shaped garden. Around the bend a row of different architectural style dwellings is present.
- 2.1.3 In terms of the wider area, the site is located in close proximity to Northwood town centre which provides a range of amenities, there are schools and other facilities in the vicinity.
- 2.1.4 The site is in short walking distance from Northwood Hills Underground Station that is served by the Metropolitan Line. The PTAL has been confirmed as 3, it is therefore relatively well connected in terms of public transport.
- 2.1.5 The appeal site itself is a two-storey semi-detached dwelling with a side extension which is set back. The building's external surfacing is primarily render with some brick detailing. The site benefits from a large rear garden. To the rear of the site are grounds associated with Northwood Football Club.
- 2.1.6 The site is not located within a Conservation Area and not a Listed Building.



Figure 1 – Front view of existing dwelling

2.2 Planning History

- 2.2.1 Other than the application subject of this appeal, the following Planning History is considered of relevance:
- 49247/APP/2005/3554 – Erection of single storey part side and rear extension.
Approved 17/02/06
 - 49247/APP/2005/2611 – Erection of a front canopy over the entrance door, part single storey, part two storey side extension and part single storey, part two storey rear extension (involving demolition of existing conservatory and outbuildings).
Allowed at Appeal 13/12/06
- 2.2.2 The above Planning History is referred to in the Grounds of Appeal as appropriate.

PLANNING POLICY CONTEXT

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3.0 Planning and Legislative Context

3.1 Overview

- 3.1.1 This section of the Statement explains the legislative and planning policy context in which the proposed development should be considered.
- 3.1.2 Planning decisions in England and Wales should be taken in accordance with the development plan unless material considerations indicate otherwise. This statutory requirement is set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 3.1.3 The statutory development plan for the London Borough of Waltham Forest consists of:
- London Plan (2021)
 - Local Plan Part 1 (2012) and Part 2 (2020).
- 3.1.4 While not forming part of the statutory development plan, the following documents remain important material considerations for the determination of planning applications in Hillingdon:
- National Planning Policy Framework (NPPF) (2019).
 - National Planning Practice Guidance (NPPG) (2014, as amended).
 - London Housing SPG (2016).
 - Strategic Housing Market Assessment (2016)
- 3.1.5 The most relevant extracts of these documents are analysed in detail below (and included in the appendices to this statement).

3.2 Policies Referenced in the Decision Notice

- 3.2.1 The Decision Notice references the following policies. These policies will be addressed in the grounds of appeal.

London Plan (2021)

- Policy D6 'Housing quality and standards' requires that housing development of the highest quality meeting the minimum space standards, providing external private space.

Hillingdon Local Plan Part 1 (2012)

- Policy BE1 'Built Environment' is a broad policy that seeks to steer urban design and maintain the quality of the built environment

Hillingdon Local Plan Part 2 (2020)

- Policy DMHB 11 'Design of New Development' seeks to secure high quality design.
- Policy DHMB 12: 'Streets and Public Realm' seeks to ensure new development should be well integrated with the surrounding area and accessible.

3.3 Other Material Considerations

National Planning Policy Framework (NPPF)

- 3.3.1 On 19th June 2019, the government adopted the revised National Planning Policy Framework (NPPF). The document provides a consolidated framework of planning policy which replaces the previous National Planning Policy Framework published in March 2012.
- 3.3.2 Paragraph 8 of the NPPF explains that achieving sustainable development means that the planning system has three overarching objectives: an economic objective, a social objective and environmental objective.
- 3.3.3 Paragraph 11 of the framework requires plans and decisions to apply a presumption in favour of sustainable development. Part C sets out that for decision taking, this means proposals that accord with an up-to-date development plan should be approved without delay.
- 3.3.4 Paragraph 59 of the Framework sets out the Government's objective of significantly increasing the supply of homes. It highlights the need for land to come forward and that the needs of specific housing requirements are met.

Strategic Housing Assessment (2016)

- 3.3.5 The Strategic Housing Assessment provides the evidence base for the formation of planning policy in the borough. In this regard projections of household growth are relevant to the subject proposal.

National Design Guide (2019)

- 3.3.6 The National design guide is a document prepared by Government to illustrate how well-designed places that are beautiful can be achieved in practice.

APPLICATION PROCESS

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4.0 Application Process

4.1 Introduction

- 4.1.1 The planning application was validated by the Local Planning Authority on 17 March 2021. During the course of the application the Local Planning Authority failed to provide neighbour consultations or consultee comments to the appellant's agent, despite a series of requests. The appellant was notified that the application would be determined by the North Planning Committee by the Technical Support Team.
- 4.1.2 The Planning Officer had recommended two reasons for refusal, the first being as included on the Decision Notice, the second relating to highway impact.

4.2 Committee Report

- 4.2.1 The officer's Committee Report is given in Appendix 2. The report sets out the planning justification for the Council's decision. The relevant parts of the report are detailed in the assessment section of this statement.

Highways

- 4.2.2 On receipt of the Committee Report, the appellant appointed a Transport Consultant to review the scheme and highways objection and provide advice and note. This was submitted to the Team Leader at LBH as the Case Officer was no longer employed by LBH. The key concern from the LBH Highways was the amount of parking falling below the maximum standards.
- 4.2.3 The site is in a PTAL 3 location, a short distance from shops, services and amenities. Northwood Hills underground station is a short distance from the site and there is good access to the bus network. The proposed car parking provision for the development is compliant with the Council's maximum policy expectations as well as the maximum standards contained in the London Plan. The Transport Consultant has confirmed that the most likely scenario, based on evidence is that no net increase in parking demand would arise and the development would provide adequate car parking.
- 4.2.4 The initial recommendation found in the Committee Report was that the application be refused for a second reason relating to highways. The Highway Authority removed their objection at the Committee meeting, and it was not included as part of the Decision Notice.

THE APPELLANT'S CASE

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5.0 The Appellant's Case

5.1 Grounds of Appeal

5.1.1 The Appellant's grounds of appeal are set out below by reference to the reason for refusal and planning balance:

- Reason for Refusal 1 – Street scene
- Planning Balance.

5.2 Reason for Refusal 1 – Impact on the Street scene

5.2.1 Reason 1 is given in full as follows:

1. *The application property forms part of a continuous line of properties with a rigid building line and uniform plot widths. It is considered that the proposed sub-division of the property would, by reason of the resultant narrow plot widths, result in a cramped form of development which would be harmful to the character and appearance of the street scene. It would be 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 2 - Development Management Policies (2020) and Policy D6 of the London Plan (2021).*

5.2.2 The above reason for refusal has several strands that are address under the following subsections:

1. Building Line and Plot Width.
2. Impact on the Street Scene.
3. Compliance with Planning Policy.

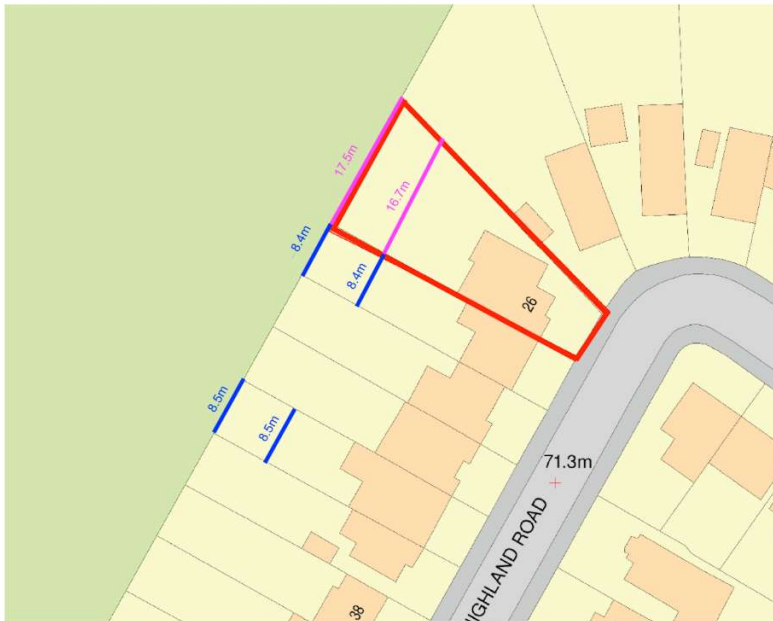
5.2.3 Each of the above matters are dealt with below.

1. Building Line and Plot Width

5.2.4 The appeal scheme involves the subdivision of the existing 4-bedroom dwelling in order to retain a 3-bedroom unit and an additional 2-bedroom unit. The application was refused on the basis that the subdivision of the plot would result in a narrow plot width that would result in a cramped form of development, the LPA allege that harm would result as result of this that would substantiate a reason for refusal. The appellant considers that the subdivision of the site would result in two high quality dwellings that achieve the space standards, and no material change would arise to the street scene.

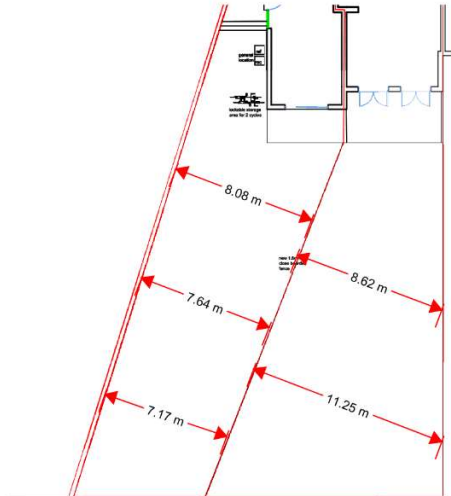
- 5.2.5 Within the Committee Report it states that there is a “very high degree of building uniformity gives a very strong character to the street scene”. It goes on to state “By subdividing the plot in half it is considered that this would have a much more conspicuous impact than at other locations where there is less uniformity in the street scene. Furthermore, the very narrow plot width of the subdivided new unit would it is considered result in a cramped form of development that would be harmful to the character of the Highland Road street scene.”
- 5.2.6 In the first instance it is of assistance to examine the existing situation and the proposed plot sizes. The below figure annotates the appeal site, the adjacent property and no.36 Highland Road.

Figure 1: Annotated Plot Sizes



- 5.2.7 As per paragraph 5.25 which provides an extract of the officer report, the fundamental criticism of the scheme is that the proposed development would interrupt the uniform plot sizes. In this regard, as demonstrated above the appeal site is significantly wider than the adjacent property and those further along Highland Road. No.26 is twice as wide as the other properties which, it is acknowledged are more uniform, this characterisation does not apply to the appeal site.
- 5.2.8 Turning to the subject proposal, it would involve the subdivision of the existing site to create two plots, the garden width would vary due to the nature of the plot. The below diagram shows the approximate garden widths, as can be observed the proposed gardens would similar in width to the adjacent property as a result of the appeal proposal.

Figure 2: Proposed Garden Widths



- 5.2.9 The subdivision of the garden would result in a more uniform situation when compared with the other properties on Highland Road. In this regard, the Council's assessment is spurious.

2. Impact on the Street Scene

- 5.2.10 In the first instance it is of assistance to understand the meaning of the 'street scene'. The Government issued the National Design Guide in 2019 (extract in Appendix 3), helpfully defines the term, it states:

"Street scene: The appearance of all of the elements of a street, including the carriageway, pavement, street furniture, planting, and the buildings or structures along its edges, particularly the composition of buildings on each side of the street." (Our Emphasis)

- 5.2.11 The above definition sets out what constitutes the street scene. In terms of the subdivision of the existing dwelling, the application proposes no alterations to the external appearance of the building, as such the appeal site building would remain in the same condition as present. In this regard, the only alteration is the erection of a fence to the rear of the property, this would not require planning permission under Part 2, Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 as amended (enclosed as Appendix 4).
- 5.2.12 Focusing on the street scene, as defined above by the National Design Guide, the proposed development would not result in any change to the subject building that forms part of the street scene or the composition of the buildings. The appellant considers that given no alterations are proposed and as such there would be no evidence that the building had been subdivided, no harm to the street scene would occur should the appeal be allowed.
- 5.2.13 It is unreasonable to ascribe harm to the street scene if the appeal scheme would not result in any alterations, as demonstrated the appeal scheme is entirely acceptable in this regard.
- 5.2.14 Both proposed units would comply with the space standards and benefit from large gardens of a similar size to the properties along Highland Road, plainly, the scheme would not result in cramped development.

3. Compliance with Planning Policy

- 5.2.15 The LPA allege that the scheme fails policy BE1 of the Local Plan (Part 1), DHMB 11 and DMHB 12 of the Local Plan (Part 2), as well as D6 of the London Plan 2021. This section demonstrates that the proposed development accords with these policies.

Policy BE1 of the Local Plan Part 1

- 5.2.16 Policy BE1 (Built Environment) requires new development to improve and maintain the quality of the built environment. It sets out a series of criterion the policy is contained in full in Appendix 5, the relevant parts of the policy are considered below.

1. Achieve a high quality of design in all new buildings, alterations, extensions, and the public realm which enhances the local distinctiveness of the area, contributes to community cohesion and a sense of place.

- 5.2.17 The proposed development does not involve the construction of a new building, alteration or extension. The appeal scheme results in no alterations in terms of urban design, as such the local distinctiveness and sense of place of the locality is preserved.

2. Be designed to be appropriate to the identity and context of Hillingdon's buildings, townscapes, landscapes and views, and make a positive contribution to the local area in terms of layout, form, scale and materials and seek to protect the amenity of surrounding land and buildings, particularly residential properties.

- 5.2.18 The townscape would remain the same as the existing situation. The layout of the site would facilitate an additional residential unit, it would not be discernible from the street scene. A fence would be the only indication of the appeal scheme. No alterations in terms of form, scale and materials are proposed, as acknowledged by the LPA, the scheme would not result in impact with regard to residential amenity.

7. Improve the quality of the public realm and provide for public and private spaces that are attractive, safe, functional, diverse, sustainable, accessible to all, respect the local character and landscape, integrate with the development, enhance and protect biodiversity through the inclusion of living walls, roofs and areas for wildlife, encourage physical activity and where appropriate introduce public art.

- 5.2.19 The scheme would not result in any material impact in terms of the local character. Given no alterations are proposed the scheme would not result in any impact in this regard.

9. Not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas and increase the risk of flooding through the loss of permeable areas.

- 5.2.20 The scheme does not result in inappropriate development of the garden, the only alteration is the positioning of a fence that could be constructed without the need for planning permission.

Policy DHMB 11 Local Plan (Part 2)

- 5.2.21 Part A of policy DHMB 11 (Design of New Development) sets out a series of criteria that are required to be met; an extract of the policy is included as Appendix 6. The policy states all development must be designed to the highest standards, in this regard what constitutes development is the subdivision of the house and the construction of the fence subdividing the garden. Part (i) of the policy states that new development must harmonise with the existing local context. The proposed development would provide two units that meet the space standards, no external alterations to the building are proposed, therefore the appeal scheme would be harmonious.

DMHB 12 of the Local Plan (Part 2)

- 5.2.22 Policy DMHB 12 (Streets and Public Realm) relates to new development and streets primarily focusing on legibility, public realm and landscapes. It has no relevance to the appeal proposal, and it was unreasonable for the LPA to include this policy within the decision notice in order to bulk their spurious refusal.

Policy D6 of the London Plan (2021)

- 5.2.23 Policy D6 (Housing quality and standards) relates to the quality of new housing development focusing on the internal layout on matters such as housing being dual aspect and meeting the minimum standards. At paragraph 7.09 of the committee report an assessment of the living conditions of the future occupiers is carried out, it states:

"The proposal thus accords with Policy DMHB 16 of the adopted Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies LPP D4 and LPP D6 of the London Plan (2021)" (my emphasis)

- 5.2.24 As can be observed the council have stated the scheme accords with policy D6 of the London Plan. This policy is attached to a reason for refusal relating to impact on the street scene, it is completely irrelevant in this regard. Given that it has been acknowledged by the LPA that the scheme would provide an acceptable standard of accommodation and comply with policy D6, again this policy has been placed on this reason for refusal completely unreasonably.

- 5.2.25 In summary the above has demonstrated that the appeal scheme would accord with the planning policies cited in the reason for refusal, where they are relevant. The LPA has placed policies that have no relevance to the reason for refusal and indeed added policies to seek to add credence to their refusal, the appellant this demonstrates the lack of any veracity to the refusal.

5.3 The Planning Balance

- 5.3.1 In all assessments of planning application, a degree of assessment is required known as the planning balance. Planning law dictates that decisions should be made in accordance with the development plan unless material considerations indicate otherwise. As such other matters of high importance should be taken into account when assessing the subject appeal.

Housing Delivery

- 5.3.2 The application site is Previously Developed Land (PDL). One of the core planning principles within paragraph 17 of the NPPF is that planning should encourage the effective use of land by reusing that which has previously been developed (brownfield land). As such the principle of enhancing and increasing the residential output of existing housing sites is strongly encouraged in policy terms.
- 5.3.3 Paragraph 68 of the NPPF places great weight on the value of delivering small and medium sites for housing in order to contribute to the wider 'housing crisis'. Part (c) of paragraph 118 states that substantial weight should be given to the value of using suitable brownfield land within settlements for homes. The subject scheme meets this requirement and therefore performs well against the overarching aims of the NPPF in order to deliver housing which strongly weighs in favour of the appeal.
- 5.3.4 Policy H1 (Housing Growth), of the Local Plan Part 1, states that the Council must deliver a minimum of 4,250 new dwellings in the period between 2011 and 2021. Table 4.1 of the London Plan provides an up-to-date figure in terms of delivery requirements of London boroughs. It sets out that over the 10-year period Hillingdon must deliver 10,830 homes, of this, 2,950 new units are to be delivered through small sites. London Plan policy H2 (Small Sites), supports the development of smaller sites in order to play a significant role in addressing London's housing shortage. In this regard the development of this small site, on a broader strategic and national level carries significant weight.

Design

- 5.3.5 The application was refused based on the impact of the street scene. As per Appeal Ground 1, the appellant considers no material harm would arise. Notwithstanding this, should any harm be identified it would be minimal and the weight of the delivery of new housing on a previously developed site would plainly outweigh this. In this regard, the appellant the council has failed to see the planning benefit of the scheme in not failing to attach substantial weight to the delivery of new housing.

CONCLUSION

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6.0 Conclusion

- 6.1.1 This appeal is made under Section 78 (1) (c) of the Town and Country Planning Act 1990 (as amended).
- 6.1.2 The Act requires that planning applications are determined in accordance with development plan unless material considerations indicate otherwise. In this regard, the appeal proposal would deliver a new residential unit which is a priority as per National, Strategic and Local planning policy.
- 6.1.3 In terms of the impact on the street scene, as established the proposed development would not result in a material difference owing to no external alterations being proposed that would be perceived at street level. The plot fundamentally differs from the other properties to the south of the appeal site given that it is a triangular shape and much larger. In this regard, the subdivision of the plot would not result in harm to the existing development pattern.
- 6.1.4 If harm is identified, it is negligible and plainly outweighed by the planning benefit of the delivery of a new home and retaining a family sized unit. The delivery of housing carries significant weight in the assessment of this appeal.
- 6.1.5 The LPA has attached policies to the refusal that have no relation, demonstrating the lack of veracity to the refusal. Fundamentally, no harm would arise as a result of the proposal as demonstrated by this Statement of Case. Accordingly, the Inspector is respectfully asked to allow the appeal.



Appendix 1: Decision Notice

P0811 – 26 HIGHLAND ROAD
APPEAL STATEMENT

Mr Alex Richards
Planning Insight
31-35 Kirby Street
London
EC1N 8TE

Application Ref:
49247/APP/2021/1060

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

REFUSAL OF PLANNING PERMISSION

The Council of the London Borough of Hillingdon as the Local Planning Authority within the meaning of the above Act and associated Orders **REFUSES** permission for the following:-

Description of development:

Conversion of existing dwelling to 1 x 3-bed unit and 1 x 2-bed unit with associated amenity space and parking

Location of development: 26 Highland Road Northwood

Date of application: 17 March 2021

Plan Numbers: See attached Schedule of plans

Permission is refused for the reason(s) listed on the attached schedule:-



Head of Planning, Transportation and Regeneration

Date: 24 May 2021

- NOTES: (i) Please also see the informatives included in the Schedule of Reasons.
- (ii) Should you wish to appeal against this decision please read the attached sheet which explains the procedure.

REFUSAL OF PLANNING PERMISSION

Application Ref: 49247/APP/2021/1060

SCHEDULE OF REASONS

1. The application property forms part of a continuous line of properties with a rigid building line and uniform plot widths. It is considered that the proposed sub-division of the property would, by reason of the resultant narrow plot widths, result in a cramped form of development which would be harmful to the character and appearance of the street scene. It would be 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 2 - Development Management Policies (2020) and Policy D6 of the London Plan (2021).

INFORMATIVES:

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. 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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies

DMEI 9 Management of Flood Risk
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 18 Private Outdoor Amenity Space
DMHD 1 Alterations and Extensions to Residential Dwellings
DMT 2 Highways Impacts
DMT 6 Vehicle Parking
LPP D4 (2021) Delivering good design
LPP D5 (2021) Inclusive design
LPP GG4 (2021) Delivering the homes Londoners needs
LPP H10 (2021) Housing size mix
NPPF- 11 NPPF-11 2018 - Making effective use of land

SCHEDULE OF REASONS

NPPF- 12 NPPF-12 2018 - Achieving well-designed places
NPPF- 2 NPPF-2 2018 - Achieving sustainable development
NPPF- 5 NPPF-5 2018 - Delivering a sufficient supply of homes

- 3 . 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.
- 4 . 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.
- 5 . This is a reminder that Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), should an application for appeal be allowed, the proposed development would be deemed as 'chargeable development' and therefore liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This would be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012.

For more information on CIL matters please visit the planning portal page at:
www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

END OF SCHEDULE

Address:

Residents Services
London Borough of Hillingdon
3 North Civic Centre, High Street, Uxbridge UB8 1UW
Tel: 01895 250230
www.hillingdon.gov.uk

REFUSAL OF PLANNING PERMISSION

Application Ref.No.: 49247/APP/2021/1060

SCHEDULE OF PLANS

Location Plan - received 17 Mar 0021

01 - received 17 Mar 0021

02 B - received 17 Mar 0021

03 A - received 17 Mar 2021

Design & Access - received 17 Mar 2021

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the office of the First Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Planning Inspectorate at Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel 0117 372 8424). Appeal forms can be downloaded from the Planning Inspectorate's website at www.Planning-inspectorate.gov.uk

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal.

Further details are available at www.gov.uk/government/collections/casework-dealt-with-by-inquiries

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances, which excuse the delay in giving notice of an appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices.

If either the local planning authority or the officer of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use by carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.



Appendix 2: Committee Report

P0811 – 26 HIGHLAND ROAD
APPEAL STATEMENT

APPLICATION FOR: 49247/APP/2021/1060

26 HIGHLAND ROAD NORTHWOOD

COMMITTEE: North PC

DATE: 19th May 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** 26 HIGHLAND ROAD NORTHWOOD**Development:** Conversion of existing dwelling to 1 x 3-bed unit and 1 x 2-bed unit with associated amenity space and parking**LBH Ref Nos:** 49247/APP/2021/1060**Drawing Nos:** Location Plan
01
02 B
03 A
Design & Access**Date Plans Received:** 17/03/2021**Date(s) of Amendment(s):****Date Application Valid:** 17/03/2021**1. SUMMARY**

Based on the plans and supporting documents that have been submitted, the proposal cannot be supported. The development proposed would not be in keeping with the character of the local area by reason of its design, scale, siting and relationship within the plot boundaries. The proposed 2 bed dwellinghouse would result in a cramped form of development that would be harmful to the character and appearance of the street scene.

The site has a PTAL of 2, which is considered poor and heightens dependency on the use of private motor transport. The application has been reviewed by the Highway Authority, which is concerned that the proposal would potentially exacerbate local parking stress due to the insufficient and substandard layout of on-plot parking provision, and would therefore raise highway safety concerns, contrary to Local Plan and London Plan (2021) policies.

2. RECOMMENDATION**REFUSAL for the following reasons:****1 NON2 Non Standard reason for refusal**

The application property forms part of a continuous line of properties with a rigid building line and uniform plot widths. It is considered that the proposed sub-division of the property would, by reason of the resultant narrow plot widths, result in a cramped form of development which would be harmful to the character and appearance of the street scene. It would be 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 2 - Development Management Policies (2020) and Policy D6 of the London Plan (2021).

2 NON2 Non Standard reason for refusal

The proposed development fails to demonstrate the adequacy of on-plot car parking provisions, which may therefore lead to undue on-street parking demand to the detriment of on-street parking capacity and public/highway safety contrary to Policy DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy

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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

DMEI 9	Management of Flood Risk
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 18	Private Outdoor Amenity Space
DMHD 1	Alterations and Extensions to Residential Dwellings
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP GG4	(2021) Delivering the homes Londoners needs
LPP H10	(2021) Housing size mix
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes

3 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.

4 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.

5 174 Community Infrastructure Levy (CIL) (Refusing Consent)

This is a reminder that Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), should an application for appeal be allowed, the proposed development would be deemed as 'chargeable development' and therefore liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This would be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012.

For more information on CIL matters please visit the planning portal page at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

3. CONSIDERATIONS

3.1 Site and Locality

The application site contains a two storey, semi-detached dwellinghouse, located on the west side of Highland Road and backing on to Northwood Recreation Ground. The application property is set back from the adjacent highway with front garden laid in hardstanding with a low brick wall forming boundary treatment along the front of the application site. There is an existing vehicular access off Highland Road to the driveway providing off-street parking space. To the side is an existing two storey side extension. To the rear is an enclosed garden area.

From No.26 Highland Road (the application site) which is the last property on the bend in the road, all the way to No.96 Highland Road (close to the junction with Cranbourne Road) there is a continuous line of properties with a rigid building line and uniform plot widths (which is replicated by the odd numbers across the road too).

3.2 Proposed Scheme

The application is seeking planning permission for the sub-division of an existing semi-detached dwelling to create a separate (but attached) 2-bedroom house, which at present comprises a two-storey side extension, with associated amenity space and one off-street parking space.

3.3 Relevant Planning History

49247/APP/2005/2611 26 Highland Road Northwood

ERECTION OF A FRONT CANOPY OVER THE ENTRANCE DOOR, PART SINGLE STOREY, PART TWO STOREY SIDE EXTENSION AND PART SINGLE STOREY, PART TWO STOREY REAR EXTENSION (INVOLVING DEMOLITION OF EXISTING CONSERVATORY AND OUTBUILDINGS)

Decision: 17-01-2006 Refused **Appeal:** 13-12-2006 Allowed

49247/APP/2005/3554 26 Highland Road Northwood

ERECTION OF SINGLE STOREY PART SIDE AND REAR EXTENSION (INVOLVING DEMOLITION OF EXISTING GARAGE)

Decision: 17-02-2006 Approved

49247/APP/2006/2946 26 Highland Road Northwood

DETAILS OF HARDSTANDING IN COMPLIANCE
WITH CONDITION 4 OF PLANNING PERMISSION
49247/APP/2005/3554 DATED 17-02-2006 :
ERECTION OF SINGLE-STOREY PART SIDE AND REAR EXTENSION (INVOLVING
DEMOLITION OF EXISTING GARAGE)

Decision: 15-03-2007 Approved

Comment on Relevant Planning History

As listed above

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:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMEI 9 Management of Flood Risk
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 18 Private Outdoor Amenity Space

DMHD 1	Alterations and Extensions to Residential Dwellings
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP GG4	(2021) Delivering the homes Londoners needs
LPP H10	(2021) Housing size mix
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places
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

16 neighbouring properties and Northwood Residential Association were consulted via letters on 22-03-21. 8 representations and a signed petition with 35 signatures were received objecting to the proposal on the following grounds.

1. Inadequate parking provision
2. Impact on residential amenity in terms of noise pollution
3. The proposed development would be out of character and overbearing to adjacent properties
4. Drainage issues
5. Traffic congestion

Internal Consultees

Tree/Landscape officer: There is no recent planning history. There is no objection to the proposal to sub-divide the existing house, however, details of the external spaces including parking in the front garden and the layout of the private amenity / garden space should be conditioned. Details of the management and maintenance of any shared / communal external space should also be provided. RECOMMENDATION No objection subject to conditions RES9 (parts 1,2,4 and 5)

Highway officer

The proposal is for the sub-division of an existing semi-detached dwelling to create a separate (but attached) 2-bedroom house which at present consists of a two-storey side extension. 1 parking space is to be provided on the frontage with 1 space for No.26 being retained. A single existing carriageway crossing would need modification to facilitate unfettered vehicular access for both No.26 and the new unit.

The surrounding roadways are generally devoid of parking controls and neighbouring properties exhibit some degree of on-plot parking provisions. The site exhibits a Public Transport Accessibility Level (PTAL) of 2 which is considered as poor and therefore heightens dependency on the ownership and use of private motor transport.

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 parking requirement for the 2-bedroom house equates to 2 on-plot spaces in order to fully comply with Hillingdon's adopted parking standard. 1 space is proposed hence there is a deficit in provision. This parking deficit is further compounded by the existing address (No.26) losing two on-plot parking spaces which cumulatively may cause undue parking displacement and stress on the public highway.

As the applicant has not provided any detail or evidence with regard to the level of present on-street parking demand and whether any spare capacity exists which could satisfactorily accommodate potential parking displacement generated by the proposal, the default position is a refusal on insufficient on-plot parking grounds as private car dependency generated by the proposal is likely to be high due to the poor PTAL rating which can potentially result in undue loss of on-street parking provision and injudicious parking displacement onto the unrestricted public highway. Understandably the Council has a duty of care to prevent such eventualities wherever possible.

Electric Vehicle Charging Point (EVCP) Provision

In line with the London Plan (2021), within the final parking quantum there is a requirement for a minimum of 20% 'active' EVCP provision with all remaining spaces (80%) being designated as 'passive' provisions. In this case, the new unit should incorporate 1 'active' space in order to future proof for anticipated demand.

Cycle Parking Provision

In terms of cycle parking, there would be a requirement to provide 1 secure and accessible space for the 2-bedroom unit in order to meet the Council's adopted cycle parking standard. 2 cycle spaces, for both the existing and proposed house, are shown located to the front and rear of the build respectively which is considered appropriate and therefore acceptable.

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. As a consequence of the scale of development, any vehicular trip generation uplift is predicted to be negligible and therefore does not raise any specific highway concerns.

Operational Refuse Requirements

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 is positioned at a collection point within this set distance. The proposed positioning of the bin "collection" area on the frontage therefore indicates conformity. There are no further observations.

Conclusion

Refusal on insufficient on-plot parking grounds is recommended as follows:-

"The proposed development fails to demonstrate the adequacy of on-plot car parking provisions, which may therefore lead to undue on-street parking demand to the detriment of on-street parking capacity and public/highway safety contrary to Local Plan: Part 2 Development Plan (2020) Policy DMT 6 and Policy T6/T6.1 of the London Plan (2021).

7. MAIN PLANNING ISSUES

7.01 The principle of the development

PRINCIPLE OF DEVELOPMENT

The National Planning Policy Framework (February 2019) has a requirement to encourage the effective use of land and encourages the use of previously developed, vacant and underutilised sites to maximise development potential, in particular for new housing. Chapter 5 of the National Planning Policy Framework supports the delivery of homes, confirming that local authorities should, through their Local Plans, demonstrate how housing targets and objectives will be met. Particular emphasis is given to housing delivery over the next five years, but authorities are also required to consider growth beyond this.

Policy GG4 of the London Plan (March 2021) seeks to ensure that London's housing needs are met. This objective is reiterated in the Mayor of London's Supplementary Planning Guidance (SPG) on Housing, although it is noted that in achieving housing targets, full account must be given to other policy objectives. Policy H10 of the London Plan (2021) promotes the optimisation of housing output within different types of location. Policies H10 of the London Plan and DMH 2 of the Local Plan (Part Two) also encourage the Council to provide a range of housing choices in order to take account of the various different groups who require different types of housing. Consideration will also be given to the accessibility of the site to services and amenities.

At the local level Policy H1 of the Local Plan: Part 1 - Strategic Policies (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.

Policy DMH 2: Housing Mix The Council will require 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 application seeks to intensify the already established residential use of the site and in some cases the principle of development may be considered acceptable. In this case the matters of relevance are the impact on the character and appearance of the streetscene, neighbours impacts and parking/highway impact.

7.02 Density of the proposed development

Policy DMHB 17 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that all new residential development should take account of the Residential Density Matrix contained in the supporting Table 5.3. and that all developments will be expected to meet habitable rooms standards.

The proposed scheme includes 1 dwelling across the 0.0587 ha site area. The site has a Public Transport Accessibility Level (PTAL) of 2 and Table 5.3. stipulates a density standard of 35 - 50 or 105 - 175 hr/ha . The proposed scheme would sit outside the upper density range recommended by Policy DMHB 17. However the density matrix should not be applied mechanistically enabling account to be taken of other factors relevant to optimising potential such as local context, design, transport, social infrastructure open space.

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

Not applicable

7.04 Airport safeguarding

Not applicable

7.05 Impact on the green belt

Not applicable

7.07 Impact on the character & appearance of the area

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (Jan 2020) sets out specific principles for all new development in order to ensure buildings are designed to the highest standards and integrates with the character and appearance of the street scene.

Policy DMHB 12 of the Hillingdon Local Plan Part 2: Development Management Policies (January 2020) states that development should be well integrated with the surrounding area and accessible. It should: ii) ensure public realm design takes account of the established townscape character and quality of the surrounding area

The proposal is for the sub-division of an existing semi-detached dwelling to create a separate (but attached) 2-bedroom house which at present consists of a two-storey side extension. The submitted drawings show that the subject building to be used as a separate 2-bed house attached to the host property at No.26 Highland Road. From No.26 Highland Road (the application site) which is the last property on the bend in the road, all the way to No.96 Highland Road (close to the junction with Cranbourne Road) there is a continuous line of properties with a rigid building line and uniform plot widths (which is replicated by the odd numbers across the road too). This very high degree of building uniformity gives a very strong character to the streetscene. By subdividing the plot in half it is considered that this would have a much more conspicuous impact than at other locations where there is less uniformity in the streetscene. Furthermore the very narrow plot width of the subdivided new unit would it is considered result in a cramped form of development that would be harmful to the character of the Highland Road street scene.

Together the above policies require that new development is of the highest possible standards of design and layout, and that it can take place without material detriment to the existing character of the area. The development proposed is considered to be harmful to the character and appearance of the street scene. It would therefore be 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 2 - Development Management Policies (2020).

7.08 Impact on neighbours

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 also not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

Paragraph 5.38 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states: "The Council will aim to ensure that there is sufficient privacy for residents and it will resist proposals where there is an unreasonable level of overlooking between habitable rooms of adjacent residential properties, schools or onto private open spaces. A minimum of 21 metres separation distance between windows of habitable rooms will be required to maintain levels of privacy and to prevent the possibility of

overlooking. In some locations where there is a significant difference in ground levels between dwellings, a greater separation distance may be necessary."

The proposal is for the sub-division of an existing semi-detached dwelling to create a separate (but attached) 2-bedroom house which at present consists of a two-storey side extension. The proposed sub-division to create a 2 bed dwellinghouse will not involve external alteration to the current built form to create new window openings. The sole identifiable change would be an entrance door on the side elevation and the splitting up of the plot in two. These changes are not considered likely to have sufficient adverse impact on neighbours to justify refusing the application in this respect. The proposed development would not have an unacceptable impact on the living conditions of the neighbouring properties in terms of loss of light or outlook, overlooking and loss of privacy. The proposal, therefore, would accord with the above aforementioned policies.

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.

Policy DMHB 16 (Housing Standards) requires that new housing development complies with the space standards as detailed below

Paragraph 5.60 of the Adopted Local Plan states that when assessing the size of households the Council will assume that any bedroom over 11.5 sqm is capable of being occupied by two persons.

Below is the required minimum floor space standards;
2 bed, 3 person = 70 sqm
3 bed, 4 person = 90 sqm

The proposal will provide internal floor space measuring 142.4 sq.m and 71.2 sq.m for host dwelling at 26 Highland Road and the new unit respectively.

The proposal thus accords with Policy DMHB 16 of the adopted Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies LPP D4 and LPP D6 of the London Plan (2021), the Housing Standards Minor Alterations to The London Plan (March 2016), the Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016) and the Technical Housing Standards - Nationally Described Space Standard (March 2015).

Technical housing standards requires that the minimum floor to ceiling height is 2.3m for at least 75% of the Gross Internal Area. In this instance, the applicant has failed to submit a section drawing to show the proposed accommodation within the roofspace would meet the requirement. As such, it has not been possible to assess the compliance of the development as it relates to the provision of habitable accommodation within the roofspace. This is considered to weigh against the proposal in this instance.

Policy DMHB 18 of the Hillingdon Local Plan (2020) recognises that new residential buildings should 'provide external amenity space which is sufficient to protect the amenity of the occupants of the proposed and surrounding buildings'.

Policy DMHB 18 states:

"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."

2/3 bedroom dwellinghouse = 60 sq.m

The existing unit would retain 175 sq.m of garden space and the proposed would benefit from 200 sq.m of outdoor space. In this regard the proposed development would exceed the minimum standards, which is considered a positive aspect of the scheme and would accord Policy DMHB 18 of the adopted Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

7.10 Traffic impact, car/cycle parking, pedestrian safety

The proposal is for the sub-division of an existing semi-detached dwelling to create a separate (but attached) 2-bedroom house which at present consists of a two-storey side extension. 1 parking space is to be provided on the frontage with 1 space for No.26 being retained. A single existing carriageway crossing would need modification to facilitate unfettered vehicular access for both No.26 and the new unit.

The surrounding roadways are generally devoid of parking controls and neighbouring properties exhibit some degree of on-plot parking provisions. The site exhibits a Public Transport Accessibility Level (PTAL) of 2 which is considered as poor and therefore heightens dependency on the ownership and use of private motor transport.

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 parking requirement for the 2-bedroom house equates to 2 on-plot spaces in order to fully comply with Hillingdon's adopted parking standard. 1 space is proposed hence there is a deficit in provision. This parking deficit is further compounded by the existing address (No.26) losing two on-plot parking spaces which cumulatively may cause undue parking displacement and stress on the public highway.

As the applicant has not provided any detail or evidence with regard to the level of present on-street parking demand and whether any spare capacity exists which could satisfactorily accommodate potential parking displacement generated by the proposal, the default position is a refusal on insufficient on-plot parking grounds as private car dependency generated by the proposal is likely to be high due to the poor PTAL rating which can potentially result in undue loss of on-street parking provision and injudicious parking displacement onto the unrestricted public highway. Understandably the Council has a duty of care to prevent such eventualities wherever possible.

Cycle Parking Provision

In terms of cycle parking, there would be a requirement to provide 1 secure and accessible space for the 2-bedroom unit in order to meet the Council's adopted cycle parking standard. 2 cycle spaces, for both the existing and proposed house, are shown located to the front and rear of the build respectively which is considered appropriate and therefore acceptable.

The application has been reviewed by the Highway Authority, which is concerned that the proposal would potentially exacerbate local parking stress due to the insufficient and substandard layout of on-plot parking provision, and would therefore raise highway safety concerns, contrary to Local Plan and London Plan (2021) policies.

7.11 Urban design, access and security

The proposal is for the sub-division of an existing semi-detached dwelling to create a separate (but attached) 2-bedroom house which at present consists of a two-storey side extension. It is considered that all the proposed habitable rooms, and those altered by the extension, would maintain an adequate outlook and source of natural light.

7.12 Disabled access

Not applicable

7.13 Provision of affordable & special needs housing

Not applicable

7.14 Trees, Landscaping and Ecology

The application site is occupied by a two-storey semi-detached house located on the west side of Highland Road, backing on to Northwood Recreation Ground. There are no TPO's or Conservation Area designations affecting the site. No trees will be affected as a result of the proposed development. Given that there is no sufficient details of the external spaces including parking in the front garden and the layout of the private amenity / garden space submitted by the applicant, this aspect of the development can be conditioned if the application is minded for an approval.

7.15 Sustainable waste management

Operational Refuse Requirements

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 is positioned at a collection point within this set distance. The proposed positioning of the bin "collection" area on the frontage therefore indicates conformity. There are no further observations.

7.16 Renewable energy / Sustainability

Not Applicable

7.17 Flooding or Drainage Issues

Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (Jan 2020) seek to ensure that new development incorporates appropriate measures to mitigate against any potential risk of flooding and are further supported by Policies 5.13 and 5.15 of the London Plan (March 2016).

Paragraph 6.46 of the LPP2 states that Sustainable drainage systems (SuDS) are vital in addressing Hillingdon's surface water flood risk, which is predicted to rise as climate change increases the frequency of heavy rainfall and as further new development and intensification within the Borough increases the volume of waste and surface water going into the existing drainage infrastructure. SuDS manage runoff from developments, reducing the quantity of water entering drains, especially at peak periods, improving the quantity of runoff and promoting amenity and biodiversity benefits from using water in the environment.

Whilst the application site is located within an area identified as a Critical Drainage Area, the current proposal will not involve any development/construction of built form within the site, as the subject property relates to an existing structure. The proposal, therefore, is unlikely to exacerbate the current flood risk within the immediate surroundings.

7.18 Noise or Air Quality Issues

Not applicable

7.19 Comments on Public Consultations

Please refer to the Main Planning Issues section of this report.

7.20 Planning Obligations

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

7.21 Expediency of enforcement action

None

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

The proposal, based on the plans and supporting documents that have been submitted cannot be supported, as the development proposed would not be in keeping with the character of the local area by reason of its design, scale, siting and relationship within the plot boundaries. The proposed 2 bed dwellinghouse would unbalance the symmetry of the pair of semi-detached dwellings. It would result in a cramped form of development that would be harmful to the character and appearance of the street scene.

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
Hillingdon Design and Accessibility Statement: Accessible Hillingdon
National Planning Policy Framework

Contact Officer: Batatunde Aregbesola

Telephone No: 01895 250230

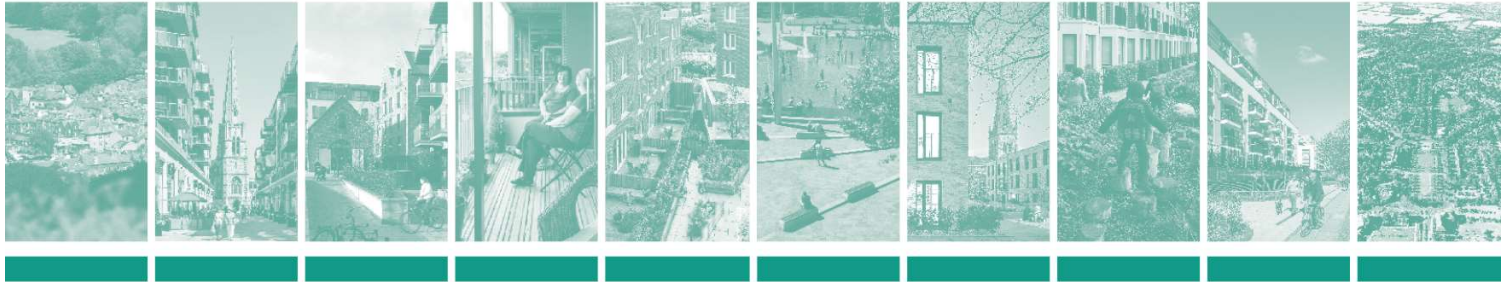


Appendix 3: National Design Code Extract

P0811 – 26 HIGHLAND ROAD
APPEAL STATEMENT

National Design Guide

Planning practice guidance for beautiful, enduring and successful places



Ministry of Housing,
Communities &
Local Government

Identity

56 Well-designed places contribute to local distinctiveness. This may include:

- adopting typical building forms, composition, articulation, proportions, features, materials, details, patterns and colours of an area;
- drawing upon the architectural precedents that are prevalent in the local area, including the proportions of buildings and their openings;
- using local building, landscape or topographical features, materials or planting types;
- introducing built form and appearance that adds new character and difference to places, with particular attention to how buildings meet the ground and sky;
- creating a positive and coherent identity that residents and local communities can identify with.

57 Materials, construction details and planting are selected with care for their context. They are attractive but also practical, durable and affordable. They contribute to visual appeal and local distinctiveness. In well-designed buildings, the materials and details suit the design concept and they are consistently followed through the construction process to completion.

13 Create character and identity

58 Design decisions at all levels and scales shape the character of a new place or building and help to create a memorable sense of place. Character starts to be determined by the siting of development in the wider landscape, then by the layout and grain – the pattern of streets, landscape and spaces, the movement network and the arrangement of development blocks. It continues to be created by the form, scale, proportions, design, materials, details, patterns and colours of buildings and landscape. In this way, it creates a coherent identity for residents and communities to identify with.

59 Where the scale or density of new development is very different to the existing place, it may be more appropriate to create a new identity rather than to scale up the character of an existing place in its context. New character may also arise from a response to how today's lifestyles could evolve in the future, or to the proposed method of development and construction. Larger scale new developments, such as garden villages or urban extensions, may benefit from a variety of characters so that different areas or neighbourhoods each have their own identity.

60 Where the character of an existing place has limited or few positive qualities, then a new and positive character will enhance its identity.



A wide street with house frontages stepping down along its length. Their simple forms, considered roof detailing, and colourful façades create a strong identity appropriate to the local and wider context of **Nansledan, Newquay**.

Definitions

Street scene: The appearance of all of the elements of a street, including the carriageway, pavement, street furniture, planting, and the buildings or structures along its edges, particularly the composition of buildings on each side of the street.

Roofscape: A view of roofs, particularly in terms of its aesthetic appeal.

Legibility: How easy it is for people to understand and find their way around a place and how memorable it is.

Appendix 4: GPDO Class A

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PART 2
Minor operations

Class A – gates, fences, walls etc

Permitted development

- A. The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.**

Development not permitted

A.1 Development is not permitted by Class A if—

- (a) the height of any gate, fence, wall or means of enclosure erected or constructed adjacent to a highway used by vehicular traffic would, after the carrying out of the development, exceed—
 - (i) for a school, 2 metres above ground level, provided that any part of the gate, fence, wall or means of enclosure which is more than 1 metre above ground level does not create an obstruction to the view of persons using the highway as to be likely to cause danger to such persons;
 - (ii) in any other case, 1 metre above ground level;
- (b) the height of any other gate, fence, wall or means of enclosure erected or constructed would exceed 2 metres above ground level;
- (c) the height of any gate, fence, wall or other means of enclosure maintained, improved or altered would, as a result of the development, exceed its former height or the height referred to in paragraph (a) or (b) as the height appropriate to it if erected or constructed, whichever is the greater; or
- (d) it would involve development within the curtilage of, or to a gate, fence, wall or other means of enclosure surrounding, a listed building.

Interpretation of Class A

A.2 For the purposes of Class A, “school” includes—

- (a) premises which have changed use under Class S or T of Part 3 of this Schedule (changes of use) to become a state-funded school or registered nursery as defined in paragraph X of Part 3; and
- (b) a building permitted by Class C of Part 4 of this Schedule (temporary buildings and uses) to be used temporarily as a school, from the date the local planning authority is notified as provided in paragraph C.2(b) of Part 4.

Class B – means of access to a highway

Permitted development



Appendix 5: Policy BE1

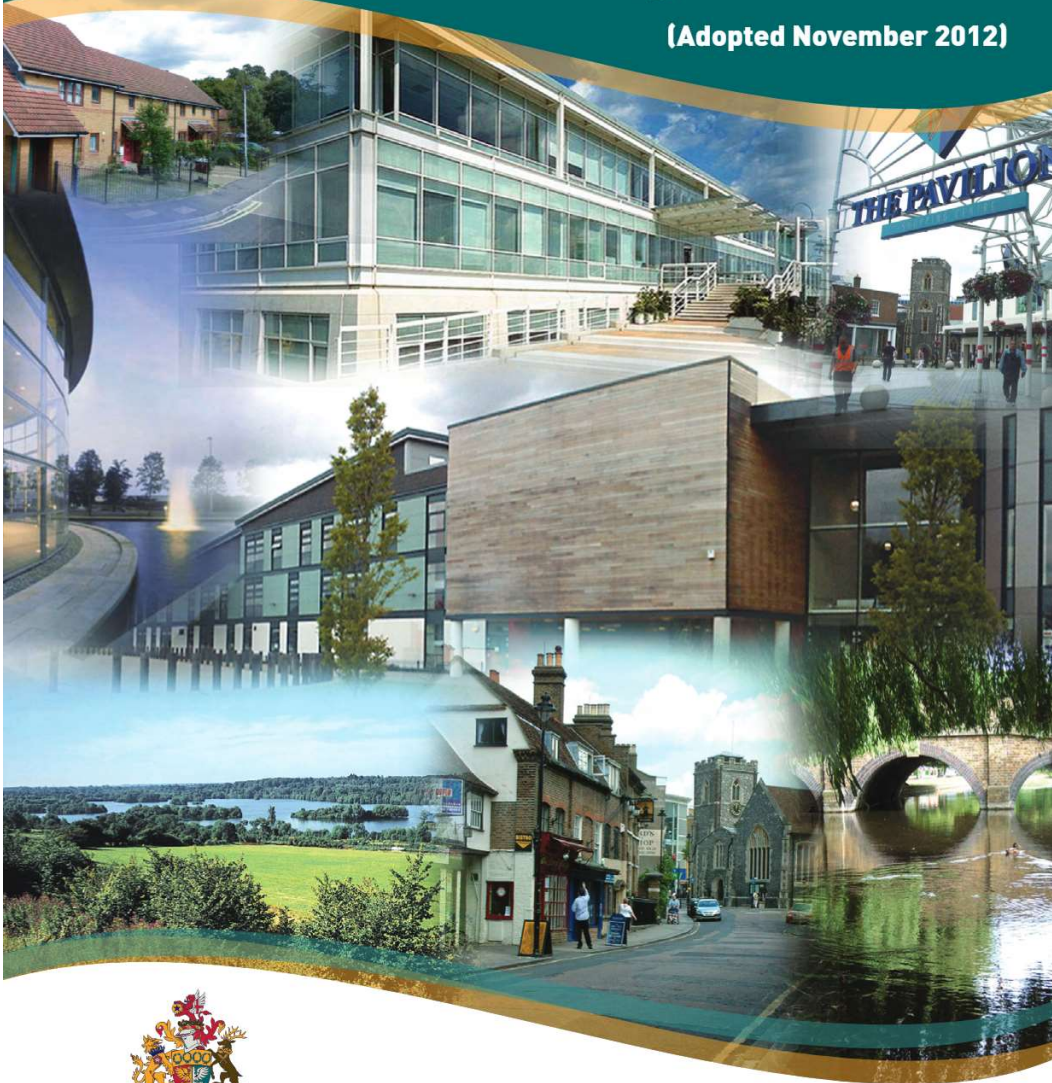
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A VISION FOR 2026

Local Plan: Part 1

Strategic Policies

(Adopted November 2012)



HILLINGDON
LONDON

www.hillingdon.gov.uk

Policy BE1: Built Environment

The Council will require all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods, where people enjoy living and working and that serve the long-term needs of all residents. All new developments should:

1. Achieve a high quality of design in all new buildings, alterations, extensions and the public realm which enhances the local distinctiveness of the area, contributes to community cohesion and a sense of place;
2. Be designed to be appropriate to the identity and context of Hillingdon's buildings, townscapes, landscapes and views, and make a positive contribution to the local area in terms of layout, form, scale and materials and seek to protect the amenity of surrounding land and buildings, particularly residential properties;
3. Be designed to include "Lifetime Homes" principles so that they can be readily adapted to meet the needs of those with disabilities and the elderly, 10% of these should be wheelchair accessible or easily adaptable to wheelchair accessibility encouraging places of work and leisure, streets, neighbourhoods, parks and open spaces to be designed to meet the needs of the community at all stages of people's lives;
4. In the case of 10 dwellings or over, achieve a satisfactory assessment rating in terms of the latest Building for Life standards (as amended or replaced from time to time);
5. Improve areas of poorer environmental quality, including within the areas of relative disadvantage of Hayes, Yiewsley and West Drayton. All regeneration schemes should ensure that they are appropriate to their historic context, make use of heritage assets and reinforce their significance;
6. Incorporate a clear network of routes that are easy to understand, inclusive, safe, secure and connect positively with interchanges, public transport, community facilities and services;
7. Improve the quality of the public realm and provide for public and private spaces that are attractive, safe, functional, diverse, sustainable, accessible to all, respect the local character and landscape, integrate with the development, enhance and protect biodiversity through the inclusion of living walls, roofs and areas for wildlife, encourage physical activity and where appropriate introduce public art;
8. Create safe and secure environments that reduce crime and fear of crime, anti-social behaviour and risks from fire and arson having regard to Secure by Design standards and address resilience to terrorism in major development proposals;
9. Not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas and increase the risk of flooding through the loss of permeable areas;

10. Maximise the opportunities for all new homes to contribute to tackling and adapting to climate change and reducing emissions of local air quality pollutants. The Council will require all new development to achieve reductions in carbon dioxide emission in line with the London Plan targets through energy efficient design and effective use of low and zero carbon technologies. Where the required reduction from on-site renewable energy is not feasible within major developments, contributions off-site will be sought. The Council will seek to merge a suite of sustainable design goals, such as the use of SUDS, water efficiency, lifetime homes, and energy efficiency into a requirement measured against the Code for Sustainable Homes and BREEAM. These will be set out within the Hillingdon Local Plan: Part 2- Development Management Policies Local Development Document (LDD). All developments should be designed to make the most efficient use of natural resources whilst safeguarding historic assets, their settings and local amenity and include sustainable design and construction techniques to increase the re-use and recycling of construction, demolition and excavation waste and reduce the amount disposed to landfill;
11. In the case of tall buildings, not adversely affect their surroundings including the local character, cause harm to the significance of heritage assets or impact on important views. Appropriate locations for tall buildings will be defined on a Character Study and may include parts of Uxbridge and Hayes subject to considering the Obstacle Limitation Surfaces for Heathrow Airport. Outside of Uxbridge and Hayes town centres, tall buildings will not be supported. The height of all buildings should be based upon an understanding of the local character and be appropriate to the positive qualities of the surrounding townscape.

Support will be given for proposals that are consistent with local strategies, guidelines, supplementary planning documents and Hillingdon Local Plan: Part 2- Development Management Policies.

Implementation of Policy BE1: how we will achieve this

This policy will be operated through the Council's and Hillingdon Partners development programmes in relation to both buildings and the public realm. The Council will:

- Identify in the Hillingdon Local Plan: Part 2- Site Specific Allocations LDD, Local Plan sites where redevelopment would provide an opportunity to improve the local environment;
- Adopt the Draft Public Realm SPD to ensure that all works within the public realm contribute to maintaining and improving the quality of the local environment;
- Produce a borough-wide Character Study to inform the parameters for appropriate residential and non-residential densities including defining inappropriate locations for tall buildings.

In relation to new development, developers will have to justify their design decisions within a Design and Access Statement for each application. For residential schemes of over 10 units, developers will need to demonstrate how the 'Building for Life' criteria are met and how the proposal will meet a satisfactory standard. There will be more detailed policies within the Development Management Policies Local Development Document and Supplementary Planning Documents on specific design and public realm issues.

This policy will be implemented, in conjunction with the other policies in the plan, through the determination of planning applications and the preparation of the Hillingdon Local Plan: Part 2- Development Management Policies and Site Specific Allocations LDDs and Supplementary Planning Documents which could include Design Briefs.

Monitoring of Policy BE1: how we will measure success

1. Public satisfaction with visual character of the built environment (Local);
2. Amenity space standards (Local);
3. Public art provision (Local);
4. The Annual Monitoring Report (Core Indicator H6 on Housing Quality) will monitor the number and proportion of total new build completions on housing sites reaching a satisfactory rating against the Building for Life Criteria;
5. All new housing proposals are required to meet Lifetime Home Standards and 10% of all housing units on major planning applications (10 units or more) are also required to be wheelchair accessible and these will be monitored under BVPI 156.



Appendix 6: Policy DHMB 11

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daylight and sunlight. The Council will expect the impact of the development to be assessed following the methodology set out in the most recent version of the Building Research Establishments (BRE) "Site layout planning for daylight and sunlight: A guide to good practice".

Design of waste storage facilities in new development

5.42 The sustainable management of waste is integral to any development and needs to be factored into its design at the outset. Local authorities have increasing targets to separate out materials for re-use and recycling and to reduce the amount of waste sent to landfill. Waste has the potential to be a nuisance and may cause serious problems if it is not managed properly, therefore all proposals for new development are expected to provide satisfactory arrangements for the internal and external storage and collection of general waste, recycling and organic waste. External bins should be located and screened to avoid adverse visual impacts and nuisance to both occupiers and neighbours.

Policy DMHB 11: Design of New Development

A) 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.

B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

C) Development will be required to ensure that the design safeguards the satisfactory re-development of any adjoining sites which have development potential. In the case of proposals for major development⁵ sites, the Council will expect developers to prepare master plans and design codes and to agree these with the Council before developing detailed designs.

D) Development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

Streets and Public Realm

5.43 Strategic Objectives SO2 and SO4 seek to create neighbourhoods that are distinctive, safe, functional and accessible, whilst ensuring that due regard is given to achieving high quality design. It is important that new development contributes to the delivery of a safe and secure environment, which includes buildings, spaces and inclusive communities.

5.44 Policy DMHB 12: Streets and Public Realm sets out how we can deliver a well-designed, high quality, durable public realm. Development will be required to be well integrated with the surrounding areas to produce a coordinated and legible public realm. Connectivity and legibility around transport interchanges can be key to the delivery of a successful local environment and neighbourhood centre. It is particularly important to ensure that developments in and around these locations support and improve connections between different transport modes. Improvements to the public realm may also be sought through Planning Obligations, in accordance with the adopted Planning Obligations SPD.

5.45 Development should create streets and spaces with an appropriate degree of enclosure, which can define the boundaries of public areas whilst promoting natural surveillance and self policing to ensure they are well used and safe.

⁵ Major Development: Residential development of 10 dwellings or more; any building with a floor space of 1000 square metres or more; development on a site of 1 hectare or more.