

23469/APP/2022/144

170 HAREFIELD ROAD UXBRIDGE

LBH Ref Nos: 23469/APP/2022/144

Drawing Nos: 110 Rev A, 111 Rev B, 112 Rev A, 113 Rev A, 114 Rev A, 115 Rev A, Design and Access Statement.

1. RECOMMENDATION

An appeal on the grounds of non-determination has been received (appeal reference APP/R5510/W/22/3301645). Had an appeal not been received, it would have been recommended that planning permission be refused for the reasons set out in this report.

REFUSAL for the following reasons:

1. Due to its size, siting, position, defined curtilage and unsympathetic design, the proposed dwelling would form an uncharacteristic and visually incongruous form of development which would obscure the host dwelling, reduce openness and subsequently fail to harmonise with the established character of the area and appearance of the streetscene. The proposal would therefore be detrimental to the visual amenities of the streetscene and character of the surrounding area, all contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies, Policies DMH 6, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D1 and D3 of the London Plan (2021), as well as paragraphs 130 (a) and (c) of the NPPF (2021).
2. By virtue of the position, siting and design of the proposed dwelling, in addition to the relative ground levels and limited separation distances, the proposal would give rise to harmful overlooking and loss of privacy between the proposed dwelling and numbers No.170 and 172 Harefield Road. This relationship would provide an unacceptable residential environment for the future occupiers of the new dwelling, in addition to causing significant harm to the residential amenities of the neighbouring occupiers, all contrary to Policy DMHB 11 of the Local Plan: Part Two - Development Management Policies (January 2020) and paragraph 130 (f) of the NPPF (2021).
3. The proposal fails to provide a step free access for the new dwelling and fails to meet the internal floorspace and layout standards set out in Diagram 27 of Approved Document M to the Building Regulations. The proposal is therefore considered to be contrary to Policy D7 A(2) of the London Plan, which requires all houses (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.
4. Due to its siting and design, the proposed in/out dual access and parking arrangement would be detrimental to both highway and pedestrian safety, contrary to policies DMT2 and DMT6 of the Hillingdon Local Plan Part 2 - Development Management Policies (2020), as well as Policy T4 of the London Plan (2021).

2. SITE AND LOCALITY

The proposed development site is located on the south side of Harefield Road. At present the site comprises one half of a pair of two storey, semi detached dwellings. The property has

been finished in brick, render and tiling. It has a two storey projecting bay window and when viewed from the street it is almost identical to its neighbour (No.172). The site is currently accessed via a shared private road located between No.170 and No.168 Harefield Road. The pair of semi-detached properties (170 and 172) are attractive and make a positive contribution to the streetscene in their elevated position.

No.170 is set back from the main road and it has a substantial front garden. To the rear of the site is a small rear garden and beyond that is a recently constructed chalet bungalow. The new bungalow exists upon land which was once the rear garden of No.170.

To the east of the bungalow is No.170a Harefield Road, a detached bungalow located behind the rear garden of 172 Harefield Road. Number 168 Harefield Road is located to the West of the application site, i.e. on the adjacent side of the private access road. To the rear of the application site (beyond the newly constructed bungalow mentioned above) are the residential gardens of numbers 18 and 22 North Common Road.

The application site has a Public Transport Accessibility Level (PTAL) rating of 1a (very poor).

It should also be noted that upon visiting the site on 28/06/22, a 1.8m to 2m high close board wooden fence had been erected along the entirety of the sites boundaries, dividing No.170 Harefield Road from its front garden. Trees also appeared to have been removed from the site's north east boundary (next to the private access road shared by No.172 and 172a Harefield Road). Visual screening in the form of planting had been erected in front of No.170 Harefield Road.

3. SUMMARY

Planning permission is sought to erect a 3 bedroom chalet bungalow in front of 170 Harefield Road.

The proposed dwelling would appear as an uncharacteristic and visually incongruous form of development, which would fail to harmonise with the established character of the area and street scene. It would block the contribution which existing frontage properties make to the streetscene and would erode the openness of the site. Further harm would be caused to the character of the area by the compartmentalisation of this site and the irregular street side location of the proposed parking facilities.

The proposal would give rise to unacceptable mutual overlooking and loss of privacy between the proposed development and numbers 170 and 172 Harefield Road, resulting in harm to neighbouring amenity and providing a poor standard of amenity for the future occupiers of the proposed dwelling.

Due to its substandard internal arrangement, the new dwelling would not be accessible for all and would therefore fail to provide accessible and sustainable housing to London and the Borough's Housing stock.

Due to its design and siting the proposed vehicle access and parking area would be detrimental to both highway and pedestrian safety, contrary to policies DMT2 and DMT6 of the Hillingdon Local Plan Part 2 - Development Management Policies (2020).

For these reasons the proposal is considered to be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies, Policies DMT 2, DMT 6, DMH 6, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D3 and D7 of the London Plan (2021), as well as paragraphs 130 (a), (c) and (f) of the NPPF (2021).

4. CONSIDERATIONS

Proposed Scheme

Planning permission is sought to erect a 3 bedroom chalet bungalow on the existing front garden of No.170. The new house would provide 136m² of accommodation set over two levels.

The proposed works include off road parking, a turning area, landscaping alterations and external amenity space provisions.

Relevant Planning History

Site Address	Application No.	Description	Decision and Decision Date
170 Harefield Road Uxbridge	23469/APP/2020/3612	Erection of a 3-bed detached bungalow with habitable roofspace involving parking and amenity space	Approved - 13/07/21
170 Harefield Road Uxbridge	3469/APP/2021/3233	Details pursuant to Condition 4 (Arboricultural and Tree Protection Method Statement), Condition 10 (Demolition and Construction Management Plan), Condition 15 (Highways Details) and Condition 16 (Construction Logistics Plan) of Planning Permission ref. 23469/APP/2020/3612 dated 05/08/21 for the Erection of a 3-bed detached bungalow with habitable roofspace involving parking and amenity space.	Approved - 18/10/21
170 Harefield Road Uxbridge	23469/APP/2021/3258	Details pursuant to Condition 3 (Materials and External Surfaces), Condition 5 (Landscape Scheme), Condition 11 (Waste and Recycling Management Strategy) and Condition 12 (Step Free Access) of Planning Permission ref. 23469/APP/2020/3612 dated 05/08/21 for the Erection of a 3-bed detached bungalow with habitable roofspace involving parking and amenity space	Approved 21/10/21
170 Harefield Road Uxbridge	23469/APP/2021/3340	Details pursuant to Condition 9 (Sustainable Water Management and Water Efficiency) of Planning Permission ref.	Approved 28/10/21

		23469/APP/2020/3612 dated 05/08/21 for the Erection of a 3-bed detached bungalow with habitable roofspace involving parking and amenity space.	
170 Harefield Road Uxbridge	3469/APP/2022/363	Non-material amendment to planning permission ref. 23469/APP/2020/3612 dated 04/08/2021 (Erection of a 3-bed detached bungalow with habitable roof space involving parking and amenity space) to amend internal layout at ground floor swapping lounge and bedroom; changes to external elevations including alterations to front porch; new ground floor window and reduced size rooflight on West Elevation; removal of ground floor window on South Elevation; removal of a ground and first floor window on the North Elevation.	Refused - 08/03/22
170 Harefield Road Uxbridge	23469/APP/2022/873	Variation of Condition 2 (approved plans) of planning permission ref. 23469/APP/2020/3612 dated 04/08/2021: Erection of a 3-bed detached bungalow with habitable roofspace involving parking and amenity space.	Pending
Land At The Rear Of 15, 16 And 17 North Common Road Uxbridge	61320/APP/2014/2502	3 x two storey, 3-bed terraced dwellings with associated parking and amenity space involving installation of vehicular access to front and demolition of existing garage to the side of No.17.	Refused – 29/01/15. Appeal Allowed: 29/02/2016
Land At The Rear Of 15, 16 And 17 North Common Road Uxbridge	61320/APP/2015/2013	Demolition of a single garage at 17 North Common Road, construction of a new access road between 16 and 17 North Common Road and the development of a terrace of 3 x 3 bedroom dwellings with associated car parking and amenity area on land to the rear of 15, 16 and 17 North Common Road	Non determined. Appeal Allowed: 29/02/16
170 Harefield Road Uxbridge	3469/B/81/1896	Mixed development on 0.1300 hectares.	Refused - 02/03/82

170 Harefield Road Uxbridge	23469/C/83/1437	Retention of permission 23469/811896(P).	Refused – 02/12/83
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It should also be noted that a chalet bungalow was recently approved and constructed within the rear garden of No.170 Harefield Road (23469/APP/2020/3612). The property has been completed and is for sale.

The Applicant's Design Statement sets out further planning history, some of which is historic, permitted under a different Local and Regional Plan. Nonetheless, the appeal decision at 15, 16 and 17 North Common Road has been considered as part of this assessment and is listed above. The Salt Hill Close example (also cited in the Applicant's Design Statement) is noted, but relates to a very different building and design typology to that proposed here.

5. POLICY CONTEXT

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)

The National Planning Policy Framework (NPPF) (2021) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

PT1.BE1

PT1.H1

(2012) Built Environment

(2012) Housing Growth

Local Plan Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-
Part 1 Policies:

NPPF2

NPPF5

NPPF11

NPPF12

DMH 2

DMHB 11

DMHB 12

DMHB 14

DMHB 16

DMHB 17

DMHB 18

DMT 1

DMT 2

DMT 6

LLP D1

LPP D3

LPP D4

LPP D6
LPP D7
LPP GG2
LPP SI13
LPP T5
LPP T6
LPP T6.1
NPPF 2021 - Achieving sustainable development
NPPF 2021 - Delivering a sufficient supply of homes
NPPF 2021 - Making effective use of land
NPPF 2021 - Achieving well-designed places
(2021) London's form character and capacity for growth
(2021) Optimising site capacity through the design-led approach
(2021) Delivering good design
(2021) Housing quality and standards
(2021) Accessible housing
(2021) Making the best use of land
(2021) Sustainable drainage
(2021) Cycling
(2021) Car parking
(2021) Residential parking

6. CONSULTATIONS

External Consultees

11 neighbouring properties were directly notified of the proposal on 09/02/22.

7 letters of objection have been received in response to consultation on the application. Those comments have been summarised below.

- 1) The proposal would represent an overdevelopment of the site;
- 2) The proposal would set a poor precedent for future development in the area;
- 3) The proposal would have an adverse impact on the local highways network, as well as pedestrian and vehicle user safety;
- 4) The proposal is out of character and would be harmful to the appearance of the area;
- 5) Occupiers of the new property would be overlooked by those who live at No.170;
- 6) The development would have an adverse impact on drainage, sewage and pollution;
- 7) There is insufficient space for refuse storage, 4 properties leaving waste at the end of the road is an environmental hazard;
- 8) Access and ability to enter and exit neighbouring property would be restricted by construction and delivery vehicles;
- 9) There are discrepancies in the submitted documentation - the proposed site section shows a distance of 15.1m from 170 to proposed development, but on the proposed site plans this is 14.8m;
- 10) The proposal would have an adverse impact on the amenities of neighbouring dwellings including in terms of loss of outlook, privacy, noise and disturbance;
- 11) The proposal would be contrary to Policy DMHB 6;
- 12) Work appear to have commenced at the site prior to the granting of any permission;
- 13) Trees have been removed without planning permission and a fence has been erected around the site;
- 14) Construction will have an adverse impact on neighbouring amenities due to noise, disturbance and a temporary loss of privacy caused by builders.

A petition with 29 signatories has also been received against the proposed development. The petition raises the following summarised points:

- i) The plot is too small for the proposed development;
- ii) The proposal is an overdevelopment of the site;
- iii) A 4th, 3 bedroom property on this plot is unacceptable;
- iv) The proposal would have an adverse impact on the local highways network, as well as pedestrian and vehicle user safety.

A general comment/query was also received from a local resident. The comment has been summarised below:

If trees are to be removed from the site's north western boundary (alongside the access road for No.172 and No.172a), can I plant new trees along the shared boundary.

It should also be noted that North Uxbridge Residents Association were consulted on the application but have not responded.

Officer Response:

Issues relating to points 1, 3 - 6, 10, 11, 13, i, ii, iii, and iv (including relating to the impact on neighbouring amenities, the amenities of future occupiers of the dwelling, the character and appearance of the area, parking provision and the development's impact on the local highways network) are considered in the main body of this report.

In relation to point 2 relating to precedent, this application has been assessed on its individual merits. Any future development would be assessed in the same manner (against relevant legislation and material considerations at the time of decision making).

Point 7 relating to refuse storage is duly noted, however it is not considered that this matter would constitute a reasonable ground to refuse planning permission. Storage provision for waste has been indicated on the submitted drawings and had the recommendation otherwise been to grant planning permission, a condition would have been recommended to secure the final details of refuse storage and any associated enclosure/screening.

With regard to point 9 (plan discrepancies), it is considered that there is adequate information in order to understand the proposal. The discrepancy noted would appear to relate to the measurements being taken from two different points (e.g. the rear wall of the proposed dwelling (site plan) and rear dormer (section plan)).

In relation to points 8 and 14, it should be noted that construction works are temporary and therefore so are the associated impacts. The Environmental Protection Act (1990) and Pollution Act (1974) are in place to ensure that construction works are carried out in an appropriate and environmentally friendly manner. Notwithstanding the above, if the recommendation had otherwise been to grant planning permission, a condition requiring a construction logistics plan and construction management plan to be agreed with the Council would have been recommended, in order to minimise the impacts of construction on neighbouring residents and the environment as far as practicable.

With regard to points 12 and 13 relating to construction of a fence and alleged commencement of development, the Borough's Enforcement Officer has been made aware. This matter is separate to the consideration of the planning application.

Internal Consultees

LANDSCAPING OFFICER:

This site is occupied by the front garden of 170 Harefield Road, which is set well back from the road on the south-east side. The land rises to the south-east and the house is accessed via a long driveway. According to aerial photographs and Google Streetview, there are mature hedges around the front garden. There are no TPO's or Conservation Area designations affecting the site. COMMENT This submission follows application ref. 23469/APP/2020/3612, for a bungalow to be sited to the rear of the main house, which was approved. The current application seeks to build a bungalow with accommodation in the roof, within the front garden of the existing house. No tree survey or assessment of existing vegetation has been submitted, however, it appears that any existing vegetation will be removed to enable the development. The proposal shows a carriageway (in and out) driveway, with planting to the front boundary only - and immediately in front of the bungalow. There is a modest area of private garden to the rear. If you are minded to approve this application, landscape conditions should be secured by condition. RECOMMENDATION If you are minded to approve this application please add pre-commencement condition RES8 and conditions RES9 (parts 1,2 and 5).

ACCESS OFFICER:

This proposal for a new three bedroom bungalow raises the following accessibility concerns. The 2021 London Plan and its contained policy D7 requires all new housing, as a minimum standard, to be designed and constructed as accessible and adaptable in accordance with M4(2) as set out in Approved Document M to the Building Regulations (2015 edition). 1. Step free access via the principal private entrance, and all other points of entry and exit, should be clearly shown on plan. 2. The entrance level W/C is too small, does not achieve the required clear access zones or otherwise meet the provisions set out in section 2.27(c) of Approved Document M, Volume 1 (2015 edition). 3. Plans should be submitted to demonstrate compliance with the spatial requirements within the bedrooms, bathrooms and kitchen areas. The floor plans should illustrate the requisite clear access zones in context to typical furniture items within the said rooms. 4. The plans need to be amended to align with all other M4(2) technical specifications (as relevant), set out in Approved Document M to the Building Regulations (2015 edition). CONCLUSION: Unacceptable. Revised plans which demonstrate that the prescribed standards referred to above can be successfully incorporated should be reviewed as a prerequisite to any approval.

HIGHWAYS OFFICER:

As mentioned at Borough Planning Committee 12 July 2022 the Highway Authority objects to the proposal to erect a new three-bedroom bungalow on land to the front of 170 Harefield Road. The proposal would include the construction of an in/out driveway with two footway vehicle crossovers. This would not be compliant with the Council's Domestic Vehicle Footway Crossover Policy April 2019 which allows only one crossover per dwelling, this is to minimise the road safety risk to pedestrians using the adjoining footway. The proposal would therefore be contrary to the published London Plan 2021 Policy T4 Assessing and Mitigating Transport Impacts which requires that "*development proposals should not increase road danger*". Furthermore, the existing crossover provides reasonable access already and the common law right of access has been met.

7. MAIN PLANNING ISSUES

7.1 The principle of the development

The NPPF (2021) supports 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. Relevant to garden development however, it should be noted that the NPPF at paragraph 71 advises that: '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.'

The Council is currently able to demonstrate a five-year supply of deliverable housing sites. As such, the 'titled balance' as set out in paragraph 11(d) of the NPPF (2021) is not engaged.

At the regional level, Policy GG4 of the London Plan (2021) seeks to ensure that more homes are delivered. This is reinforced by Policy H1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) which gives general support to housing provision to meet and exceed the Council's minimum strategic dwelling requirement, where this can be achieved in accordance with other Local Plan policies.

The application site is a residential garden. As such Policy DMH 6 'Garden and Backland Development' of the Hillingdon Local Plan Part 2: Development Management Policies is particularly relevant. This policy 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.'

It is noted that the latest version of the Hillingdon Strategic Housing Market Assessment (2018) identifies a general need for more family sized units in the borough (2/3 bedrooms and above). The application is for the erection of a 3-bedroom dwelling for which there is therefore general support. However, having regard to Policy DMH 6 (referred to above), the principle of development cannot be supported in this case.

The garden of 170 Harefield Road has both direct and indirect value and contributes to local character, supports biodiversity, helps reduce flood risk and mitigates the effects of climate change. The London Plan also recognises the contribution of gardens. Given its siting in the front garden of 170 Harefield road, the proposal would result in significant harm to the character and appearance of the area (explained in detail at section 7.07 of this report). Furthermore, the proposal raises concerns about the impact on residential amenity and privacy (discussed at 7.08 of this report), all contrary to Policy DMH 6.

7.2 Density of the proposed development

Policy D3 of the London Plan (2021) states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. In other areas, incremental densification should be actively encouraged by Boroughs to achieve a change in densities in the most appropriate way. This should be interpreted in the context of Policy H2 of the London Plan (2021) which states that Boroughs should proactively support well-designed new homes on small sites below 0.25 hectares in size.

Numerical densities are considered to be more appropriate to larger sites and are not typically used in single house schemes such as this. It is considered that what is of greater significance to the determination of this application is the local contextual factors. The key consideration is therefore whether the development would acceptably integrate with the character and appearance of the area, and would respect residential amenity considerations, rather than the consideration of the density of the proposal. Please refer to sections 7.07 and 7.08 of this report which assess these planning considerations in further detail.

7.3 Impact on the character & appearance of the area

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.'

Policies D1, D3 and D4 of the London Plan (2021) require development proposals to be of high quality and to enhance the local context by delivering buildings and spaces that positively respond to local distinctiveness.

Hillingdon Local Plan Part 1: Strategic Policies (2012) Policy BE1 states '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 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'.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states: '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, 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'.

Policy DMHB 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) re-emphasises the need for new development to be well integrated with the surrounding area and provides design criteria as to how this would be achieved.

The proposed development site is located on the south side of Harefield Road. At present the site comprises one half of a pair of two storey, semi detached dwellings. Together the pair of semi detached properties contribute positively to the character of the area, due to their symmetry, balance and stature. Furthermore, they are one of many other pairs of architecturally symmetrical semi detached dwellings within the area.

The surrounding area is predominantly residential in character. It is made up of detached and semi detached dwellings of varied design and material finish. Properties are generally two storey or lower and many of them have loft extensions with front and rear dormers. The area has a suburban appearance due to the greenery and soft landscaping which lines the frontages of most properties.

As noted in the 2016 Inspector's decision for the scheme for North Common Road (referenced in section 3.3 of this report), backland development is not uncommon in the area. '...Backland development is an integral element of this part of the designation area' and 'the existing layout of buildings to the rear has something of an "ad hoc" character rather than an orderly one where development in backland locations is absent.' In addition to this, the building line of Harefield Road is somewhat inconsistent, as some properties are close to the road and some are well set back.

Turning to the design of the proposed property, this would be similar to the recently approved scheme to the rear of the site (23469/APP/2020/3612). Its overall design as a standalone building is therefore considered to be acceptable. However, its siting, position and subsequent impact are not acceptable and would be considered harmful to the streetscene and wider character of the area.

Due to its location, the proposed dwelling would erode the greenery and openness which currently exists at the front of the site in a harmful way. These features contribute positively to the area's green suburban appearance. More significantly, due to its size, location and raised siting (when compared with the main road), the new dwelling would largely obscure the original dwelling when viewed from the street. This would be harmful to the area's appearance, as the positive contribution which the pair of semi detached dwellings make to the street scene would be lost.

The proposed parking and access arrangement is also uncommon in this area, as parking and car parks are usually set back from the main road and obscured from its view by distance or landscaping. The proposed parking arrangement would result in cars being parked close to the pedestrian footpath, encroaching on the main road and reducing any sense of space and openness to the front of this part of Harefield Road.

As the site has been divided into 3 plots over time, this would be the 4th dwelling. This further compartmentalisation and division of the site would result in a cramped and unusually small plot, which would harm the area's character as plots are generally larger, even in the adhoc setting discussed above. There are other dwellings set forward such as 174 and 174a in this cluster of houses, but there are no examples on such a small, cramped and constrained site.

Additionally, the siting of the dwelling would make the once frontage properties (No.170 and No.172) appear as backland properties (when they themselves have already been subjected to backland development), disrupting the established residential frontage of the area and subsequently harming the appearance of the road.

Due to the limited separation distance between the new dwelling and numbers 170 and 172 Harefield Road, the proposal would lead to privacy issues and poor amenity standards for the

occupiers of the properties (these Issues are explained in detail below) and add to the argument of the site being cramped and overdeveloped.

For these reasons, the proposal is considered to be harmful to the character and appearance of Harefield Road and the surrounding area and contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies, Policies DMH 6, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D3 of the London Plan (2021), and paragraphs 130 (a) and (c) of the NPPF (2021).

7.4 Impact on Neighbours

Paragraph 130 (f) of the NPPF (2021) states that new development should seek to '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'.

Hillingdon Local Plan Part 2: Development Management Policies (2020) Policy DMHB 11 sets out design guidance for all new development in the borough. Part B of the policy 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 proposed dwelling would be 10.2m wide and 7.3m high. Due to its 14m-16m separation distance from No.170 and 172 Harefield Road, as well as the fact that it would be sited on lower ground (as the site slopes downward toward Harefield Road), it is considered that the proposed dwelling would not result in a harmful impact on the outlook from these mentioned properties, or be unduly overbearing such as to warrant a refusal of planning permission on those grounds. For the same reasons (position and separation distance), it is not considered that there would be an unacceptable loss of light to numbers 170 or 172 Harefield Road as a result of the development.

Nevertheless, there are significant concerns regarding the impact of the proposed development on privacy and overlooking to No. 170 and 172 Harefield Road. It is noted that the proposed rear dormer window and rooflights in the proposed dwelling appear to be indicated as obscurely glazed (and this could be secured by condition), nonetheless, it is evident from the submitted section drawing that mutual overlooking would occur from the ground floor windows and rear amenity space serving the proposed dwelling and the existing first floor front elevation windows at numbers 170 and 172 Harefield Road. This would be at a distance of approximately 14-16m, which is well short of the standard set out in Policy DMHB 11 quoted above. As such, it is considered that the proposal would have an unacceptable impact on the residential amenity of neighbouring occupiers contrary to Hillingdon Local Plan Part 2: Development Management Policies (2020) Policy DMHB 11 and NPPF paragraph

130(f). See also section 7.09 of this report (below) for further discussion regarding the impact on the amenities of the future occupiers of the proposed development.

Notwithstanding the above, it is considered that the relationship with other neighbouring properties would be acceptable, having regard to the relative separation distances. In the event of an approval, the proposed east facing first floor side elevation window (which is a secondary bedroom window) could have been conditioned to be obscurely glazed in order to prevent overlooking towards number 174 Harefield Road. Such a condition would not be considered necessary for the proposed west facing first floor side elevation window, which would look towards the driveway of the neighbouring property (168 Harefield Road).

7.5 Living conditions for future occupiers

Policy DMHB 18: 'Private Outdoor Amenity Space' of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that applications for residential development should provide adequate levels of private, well designed and located amenity space. 81m² of private amenity space would be provided for the new 3 bedroom dwelling in line with policy guidance. Furthermore, 144sqm of private rear garden space would remain for No.170 Harefield Road. As such, both properties would have adequate external private amenity space.

Policy D6 of the London Plan (2021) advises that 3 bedroom, 5 person properties, set over two storeys should provide a minimum of 86sqm of internal floor space for future occupiers. The proposal would provide 136sqm of internal floor space, exceeding the floor space requirements. Additionally, habitable spaces and bedrooms within the dwelling would be of adequate size and have adequate access to natural light.

Notwithstanding the above (and as raised in section 7.08 above), the rear living room and kitchen windows of the proposed dwelling would be approximately 14m away from the first floor windows of No.170 Harefield Road and 16m away from the first floor windows of No.172 Harefield Road. Due to the limited separation distance, as well as the marked change in levels, occupiers of the new dwelling would have limited privacy within their rear ground floor habitable spaces.

The first floor front windows of No.170 and No. 172 would also provide direct views into the garden of the new dwelling at a distance of approximately 7m. The space would be subject to severe overlooking which would undermine its function as private amenity space, whilst also discouraging its use by future occupiers.

Whilst it is noted that landscaping is shown on the proposed plans, between the two sites, it is not considered that this could effectively mitigate the identified harm.

Taking into consideration the above, the proposal is considered to provide a poor level of amenity for future occupiers of the dwelling as their rear windows and garden would be severely overlooked contrary to Policy DMHB 11 of the Hillingdon Local Plan Part 2: Development Management Policies (2020) and the NPPF (2021).

7.6 Traffic impact, car/cycle parking, pedestrian safety

Policy DMT 2 of the Hillingdon Local Plan Part 2: Development Management Policies (2020) states:

'Development proposals must ensure that:

i) safe and efficient vehicular access to the highway network is provided to the Council's standards;

- ii) they do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents;
- iii) safe, secure and convenient access and facilities for cyclists and pedestrian are satisfactorily accommodated in the design of highway and traffic management schemes;
- iv) impacts on local amenity and congestion are minimised by routing through traffic by the most direct means to the strategic road network, avoiding local distributor and access roads; and
- v) there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing and committed roads, including along roads or through junctions which are at capacity.'

Policy DMT 5 of the Hillingdon Local Plan Part 2: Development Management Policies (2020) states:

'A) Development proposals will be required to ensure that safe, direct and inclusive access for pedestrians and cyclists is provided on the site connecting it to the wider network, including:

- i) the retention and, where appropriate, enhancement of any existing pedestrian and cycle routes;
- ii) the provision of a high quality and safe public realm or interface with the public realm, which facilitates convenient and direct access to the site for pedestrian and cyclists;
- iii) the provision of well signposted, attractive pedestrian and cycle routes separated from vehicular traffic where possible; and
- iv) the provision of cycle parking and changing facilities in accordance with Appendix C, Table 1 or, in agreement with Council.'

Policy DMT 6 of the Hillingdon Local Plan Part 2: Development Management Policies (2020) states:

'Development proposals must comply with the parking standards outlined in Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity. The Council may agree to vary these requirements when:

- i) the variance would not lead to a deleterious impact on street parking provision, congestion or local amenity; and/or
- ii) a transport appraisal and travel plan has been approved and parking provision is in accordance with its recommendations.

The Mayor of London adopted a new and revised London Plan in March 2021, consequently the car parking standards set out in the London Plan take precedence over those in the Local Development Plan, except where the Local Plan specifies lower local maximum standards.

Two off street parking spaces would be provided for the new dwelling and two would be provided for the existing dwelling. Within this area of very poor accessibility, the proposed parking provisions are considered to be adequate and in compliance with policy guidance. Two cycle parking spaces would also be provided in a secure and accessible location to the rear of the site promoting sustainable forms of transport.

Notwithstanding the above, the Council's Domestic Vehicle Footway Crossover Policy April 2019 (which does not form part of the Development Plan but is a material planning consideration) states that only one vehicular crossover should be per permitted per dwelling to minimise the road safety risk to pedestrians using the adjoining footway. Due to its design and siting, the proposed in/out parking and access arrangement (which includes two footway vehicular crossovers and the creation of a additional vehicular access point to Harefield Road) would be contrary to this guidance, increasing the chances of collisions between pedestrians, road users and the sites vehicle users. Overall, it is therefore considered that the proposal would be detrimental to both highway and pedestrian safety contrary to Policy DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020),

as well as Policy T4 of the London Plan (2021) which states that 'development proposals should not increase road danger'.

7.7 Urban design, access and security

London Plan (2021) Policy D7 states: 'To provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children, residential development must ensure that:

1) at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(3) 'wheelchair user dwellings'

2) all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

As mentioned by the Borough's Access Officer, step free access via the principal private entrance, and all other points of entry and exit, has not been clearly shown on the submitted plans. The entrance level W/C is too small and does not achieve the required clear access zones or otherwise meet the provisions set out in section 2.27(c) of Approved Document M, Volume 1 (2015 edition). Plans have not been clearly illustrated to demonstrate compliance with the spatial requirements within the bedrooms, bathrooms and kitchen areas. The submitted floor plans do not clearly illustrate the requisite clear access zones.

Taking into consideration these points, the proposed dwelling is not considered to be accessible and it is therefore contrary to Policy D7 of the London Plan (2021).

A recent appeal for residential development at 34 Acacia Avenue, Ruislip (PINS ref. APP/R5510/W/3286382, LPA ref.1788/APP/2021/3141) was dismissed by the Planning Inspectorate. One of the reasons upheld in the appeal decision was that the proposal failed to comply with Policy D7. The recent appeal decision therefore supports the Council's views that proposals should be demonstrating accessible housing in compliance with Policy D7 of the London Plan. This is a material consideration.

7.8 Trees, landscaping and ecology

TREES AND LANDSCAPING

Policy DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that:

A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.

B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.

C) Where space for ground level planting is limited, such as high rise buildings, the inclusion of living walls and roofs will be expected where feasible.

As mentioned in section 3.1 of this report, several non protected trees have been removed from the site.

The same trees would have been removed as part of this proposal. The trees which have been removed are considered to be of low visual amenity value due to their size, specimen and the fact that properties in the area have varied amounts of landscaping at their frontages. It is therefore considered that the loss of the mentioned trees, would not adversely impact

upon the character of the local area. It is also noted that the Council's Trees and Landscape Officer has raised no objection to the loss of the trees.

Full details of the hard and soft landscaping would be secured by condition, if planning permission were to be granted.

ECOLOGY:

Policy DME1 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that if development is proposed on or near to a site considered to have features of ecological or geological value, applicants must submit appropriate surveys and assessments to demonstrate that the proposed development will not have unacceptable effects. The development must provide a positive contribution to the protection and enhancement of the site or feature of ecological value.

The site forms part of the front garden at number 170 Harefield Road where the lawn is well-maintained and cut low. The site does not contain any ponds, open woodland or dense scrub and shrubbery. There are no protected sites of ecological interest adjacent to the site. It is therefore considered that the likelihood of protected species being present at the site is low.

In the event of an approval, an informative would be secured advising that should protected species be found at the site, the applicant(s) must fulfill their duties under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010.

8. CONCLUSION

The provision of 1 additional dwelling is not considered to outweigh the proposal's harm to the character and appearance of the area, neighbouring amenity, including the future amenities of the occupiers of the new dwelling and the proposal's failure to provide accessible and inclusive housing. The development would also cause harm to pedestrian and road user safety. It is therefore recommended that had an appeal against non-determination not been received, the application should be refused for the reasons set out in section 1 of this report.

9. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)
The London Plan (March 2021)
National Planning Policy Framework (NPPF) (July 2021)
National Planning Practice Guidance (NPPG)
Technical Housing Standards - Nationally Described Space Standard (2015) (as amended)

Contact Officer: Haydon Richardson **Telephone No:** 01895 250230

10. SUGGESTED CONDITIONS (should the inspector be minded to allow this appeal)

1. The development hereby permitted shall begin before the expiration of three years from the date of the permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The proposed development shall be carried out in accordance with submitted plan numbers:

110 Rev A

111 Rev B

112 Rev A

113 Rev A

114 Rev A

115 Rev A

REASON: To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020), and the London Plan (2021).

3. Prior to the construction of the relevant works, 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.
4. Prior to the construction of the hereby approved dwelling, details of all materials and external surfaces shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and retained as such. Details should include information relating to make, product/type, colour and photographs/images. REASON: To ensure that the development presents a satisfactory appearance in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).
5. Notwithstanding any of the approved plans, no development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -
 1. Details of Soft Landscaping
 - 1.a Planting plans (at not less than a scale of 1:100),
 - 1.b Written specification of planting and cultivation works to be undertaken,

- 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
- 2. Details of Hard Landscaping
 - 2.a Refuse Storage
 - 2.b Cycle Storage
 - 2.c Means of enclosure/boundary treatments
 - 2.d Car Parking Layouts (including demonstration of requisite electrical charging points in line with policy T6 of the London Plan 2021)
 - 2.e Hard Surfacing Materials
 - 2.f External Lighting
 - 2.g Other structures (such as play equipment and furniture)
- 3. Other
 - 3.a Existing and proposed functional services above and below ground
 - 3.b Proposed finishing levels or contours

Thereafter the development shall be carried out and maintained in full accordance with the approved details. REASON: To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies DMHB 11, DMHB 12, DMHB 14, DMEI 1 and DMT 2 of the Hillingdon Local Plan Part 2 (2020) and Policy G5 of the London Plan (2021).

- 6. No first floor side elevation windows shall be inserted into the walls of the hereby approved property. REASON: To prevent overlooking and a loss of privacy to adjoining properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).
- 7. Prior to development commencing, the applicant shall submit a construction management plan to the Local Planning Authority for its approval. The plan shall detail:
 - (i) The phasing of development works
 - (ii) The hours during which development works will occur
 - (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
 - (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
 - (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process

(including measures to reduce the numbers of construction vehicles accessing the site during peak hours).

(vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.

(vii) The storage of demolition/construction materials on site.

The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

REASON: To safeguard the amenity of surrounding areas in accordance with DMHB 11 of the Hillingdon Local Plan Part 2 (2020) – Development Management Policies.

8. Prior to the construction of the hereby approved dwelling, amended floor plans shall be submitted demonstrating that the new dwelling would meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015. Thereafter the dwelling shall be constructed in accordance with the approved plans and all such provisions shall remain in place for the life of the building. REASON: To provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children, in accordance with Policies D5 and D7 of the London Plan (2021).