

## DELEGATED DECISION

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

**APPROVAL RECOMMENDED: GENERAL**

Select Option

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

**REFUSAL RECOMMENDED: GENERAL**

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

**RESIDENTIAL DEVELOPMENT**

- |                                                                                      |                          |
|--------------------------------------------------------------------------------------|--------------------------|
| 10. Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha | <input type="checkbox"/> |
| 11. Householder application in the Green Belt                                        | <input type="checkbox"/> |

**COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT**

- |                                                                                                                                      |                          |
|--------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| 12. Change of use of retail units on site less than 1 ha or with less than 1000 sq m other than a change involving a loss of A1 uses | <input type="checkbox"/> |
| 13. Refusal of change of use from retail class A1 to any other use                                                                   | <input type="checkbox"/> |
| 14. Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use.  | <input type="checkbox"/> |

**CERTIFICATE OF LAWFULNESS**

- |                                                                 |                          |
|-----------------------------------------------------------------|--------------------------|
| 15. Certificate of Lawfulness (for proposed use or Development) | <input type="checkbox"/> |
| 16. Certificate of Lawfulness (for existing use or Development) | <input type="checkbox"/> |
| 17. Certificate of Appropriate Alternative Development          | <input type="checkbox"/> |

**CERTIFICATE OF LAWFULNESS**

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

The delegation powers schedule has been checked. Interim Director of Planning, Regeneration & Public Realm can determine this application.

**Case Officer**

**Signature:**

**Date:**

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

**Team Manager:**

**Signature:**

**Date:**

The decision notice for this application can be issued.

**Director / Member of Senior Management Team:**

**Signature:**

**Date:**

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

**Item No.**                      **Report of the Interim Director of Planning, Regeneration & Public Realm**

**Address**                      60 LONG LANE ICKENHAM MIDDLESEX

**Development:**              Demolition of existing dwelling and erection of two storey detached building with habitable roof space to provide 8 x 2-bed flats and 1 studio flat with associated amenity space and parking.

**LBH Ref Nos:**                **70282/APP/2022/1143**

**Drawing Nos:**              Heritage Statement & Impact Assessment dated February 2018  
                                          17/3124/305  
                                          17/3124/101  
                                          17/3124/106A Rev. A  
                                          17/3124/107  
                                          17/3124/109  
                                          17/3124/303  
                                          17/3124/302  
                                          Design and Access Statement dated 1st April 2022  
                                          17/3124/108  
                                          BS5837 Tree Survey, Arboricultural Impact Assessment and Method Statement dated September 2017 and as amended January 2018

**Date Plans received :**    05/04/2022

**Date(s) of Amendment(s):**

**Date Application Valid:** 05/04/2022

## 1. SUMMARY

The application proposes the demolition of the existing dwelling and erection of a two-storey detached building with habitable roof space to provide 8 x 2-bedroom flats and 1 studio flat with associated amenity space and parking. This application is a re-submission following the refusal of application (ref: 70282/APP/2020/2522), which was subsequently dismissed at Appeal.

The proposed development would be detrimental to the character, appearance and visual amenities of the existing street scene and the surrounding Ickenham Village Conservation Area. Notwithstanding the changes made to the scheme, it is considered that the proposal has failed to adequately address the concerns raised by the Inspector in dismissed Appeal Decision in respect to the incongruous and unacceptable appearance of the proposed crown roof profile (Appeal ref: APP/R5510/W/20/3261227). The proposed development would provide substandard forms of internal accommodation for the future occupiers of Flats 1, 2, 5 and 6, due to the insufficient floor space serving the single bedrooms within these units. Furthermore, the outlook afforded to the future occupiers of Flat 9 (located within the loft space) would be unacceptably poor. In the absence of an updated Arboricultural Impact Assessment, Method Statement and Tree Protection Plan, the proposal fails to demonstrate that no harm would be caused to the protected trees and adjoining the site.

It is therefore recommended that this application is refused for the reasons set out in this delegated report.

## 2. RECOMMENDATION

**REFUSAL** for the following reasons:

**1**            NON2            Non Standard reason for refusal

The proposed development, by reason of its size, scale, massing and design (including its uncharacteristic crown roof profile and lack of detail in respect to the height of the proposed sky lights) , would fail to harmonise with the character and architectural composition of the surrounding properties, appearing as a visually dominant, incongruous and bulky form of development which would be detrimental to the visual amenity of the street scene and would neither preserve or enhance but harm the character and appearance of the surrounding Conservation Area. The proposal therefore conflicts with Policies BE1 and HE1 of the Hillingdon Local Plan: Part One- Strategic Policies (2012) and Policies DMHB 1, DMHB 4, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policies HC1, D3 and D4 of the London Plan (2021) and the National Planning Policy Framework (2021).

**2**            NONSC            Non Standard Condition

The proposed development, by virtue of the substandard internal floor area of the single bedrooms, would result in substandard forms of residential accommodation to the detriment of future occupants of Flats 1, 2, 5 and 6. The proposal would therefore result in substandard forms of residential accommodation to the detriment of the amenity of future occupants of the proposed development, contrary to Policy DMHB 16 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D6 of the London Plan (2021) and the National Planning Policy Framework (2021).

**3**            NON2            Non Standard reason for refusal

The proposed development, by virtue of the internal layout of the loft space and position of the proposed rear dormer, skylights and roof lights, would result in poor outlook and an oppressive living environment for the future occupiers of Flat 9. The proposal would therefore result in substandard forms of residential accommodation to the detriment of the amenity of future occupants of the proposed development, contrary to Policy DMHB 16 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D6 of the London Plan (2021) and the National Planning Policy Framework (2021).

**4**            NON2            Non Standard reason for refusal

In the absence of an updated Arboricultural Impact Assessment, Method Statement and Tree Protection Plan, the application has failed to demonstrate that the proposed development could be constructed without undue harm to the trees at and adjoining the site which are protected by Tree Preservation Order number 5. The potential harm caused to the protected trees would undermine the verdant character and visual amenity of the surrounding Conservation Area. The proposal therefore conflicts with Policies BE1 and HE1 of the Hillingdon Local Plan: Part One- Strategic Policies (2012) and Policies DMHB 1, DMHB 4, DMHB 11 DMHB 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policies HC1, D3, D4 and G7 of the London Plan (2021) and the National Planning Policy Framework (2021).

## **INFORMATIVES**

**1**            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.

a) We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and

negotiation could not overcome the reasons for refusal.

## **2            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](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

### **3.            CONSIDERATIONS**

#### **3.1            Site and Locality**

The application site is located on the eastern side of Long Lane and comprises a large detached dwelling on a generously sized plot. The existing property has been extended to the side in the past, which has resulted in it spanning the entire width of the site at ground floor. It also benefits from a porch addition to the front. It is characterised by a projecting gable to the front finished with waney edge timber cladding to the gable end. The gable feature runs through the house to allow for a projecting rear gable element. The entire property has a painted render external finish with mock-Tudor timber detailing at first floor and is set beneath a clay tiled hipped roof.

The existing dwelling is set- back from the main road, which maintains the existing building line within the street scene. The site benefits an existing carriage driveway with two access points. The existing front boundary treatment comprises a brick wall.

The area is characterised primarily by two detached storey houses on reasonably sized plots of land which are set back from the road frontage, although some redevelopment and infill buildings have been constructed.

The site is located with the Ickenham Village Conservation Area, as identified in the Hillingdon Local Plan Part 2 Saved Policies (November 2012). The site is also covered by TPO 5.

#### **3.2            Proposed Scheme**

The application proposes the demolition of the existing dwelling and erection of a two-storey detached building with habitable roof space to provide 8 x 2-bedroom flats and 1 studio flat with associated amenity space and parking.

It should be noted that this application is a re-submission following the refusal of application (ref: 70282/APP/2020/2522), which was subsequently dismissed at Appeal. Refer to the planning history section below for further details.

#### **3.3            Relevant Planning History**

70282/APP/2017/3656 60 Long Lane Ickenham Middlesex

Two storey detached building with habitable roof space to create 8 x 2-bed flats with associated amenity space, parking and installation of vehicular crossover, involving demolition of existing dwelling house.

**Decision:** 11-12-2017 Refused

70282/APP/2018/612 60 Long Lane Ickenham Middlesex

Two storey detached building with habitable roof space for use as 7 x 2-bed flats with associated amenity space and parking, involving demolition of existing dwelling and installation of vehicular crossover.

**Decision:** 04-12-2018 Refused **Appeal:** 07-05-2019 Allowed

70282/APP/2019/1883 60 Long Lane Ickenham Middlesex

Two storey side extension and part two storey, part single storey side extension

**Decision:** 31-07-2019 Approved

70282/APP/2019/2600 60 Long Lane Ickenham Middlesex

Two storey detached building with habitable roof space for use as 7 x 2-bed flats with associated amenity space and parking, involving demolition of existing dwelling and installation of vehicular crossover. APP/R5510/W/19/3221731 Conditions(s) Condition no 2

**Decision:** 28-08-2019 NFA

70282/APP/2019/2773 60 Long Lane Ickenham Middlesex

Demolition of existing dwelling and erection of two storey detached building with habitable roof space to provide 8 x 2-bed flats with associated amenity space and parking and installation of vehicular crossover.

**Decision:** 20-02-2020 Approved

70282/APP/2020/2522 60 Long Lane Ickenham Middlesex

Demolition of existing dwelling and erection of two storey detached building with habitable roof space to provide 9 x 2-bed flats with associated amenity space and parking.

**Decision:** 29-09-2020 Refused **Appeal:** 01-03-2021 Dismissed

70282/APP/2020/4133 60 Long Lane Ickenham Middlesex

Variation of conditions 2 (Approved Plans) of planning permission Ref: 70282/APP/2019/2773 dated 20/02/2020 (Demolition of existing dwelling and erection of two storey detached building with habitable roof space to provide 8 x 2-bed flats with associated amenity space and parking and installation of vehicular crossover) to allow for removal of lift

**Decision:** 02-03-2021 Approved

#### **Comment on Planning History**

The relevant planning history attached to this site is referenced above.

The most recent full planning application 70282/APP/2020/2522 proposed the demolition of the existing dwelling and erection of a two-storey detached building with habitable roof space to provide 9 x 2-bed flats with associated amenity space and parking.

1. The proposed development, by reason of its siting, size, scale and design, including a crown roof form, would fail to harmonise with the character and architectural composition of surrounding properties, appearing as an awkward, incongruous and bulky form of

development which would be detrimental to the visual amenity of the street scene and harmful to the character and appearance of the surrounding Conservation Area, contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 4, DMHB 11 and DMHB 12 of the adopted Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and Policies 3.5 and 7.4 of the London Plan (2016).

2. The proposed development by virtue of its size, layout, height of the windows (in particular the rear dormer windows) and its proximity to neighbouring properties (in particular 1 Neela Close and 19 Milton Road) would be detrimental to the amenities of the adjoining occupiers by reason of loss of privacy. It is not considered that landscape retention could overcome these concerns. Therefore the proposal would be contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies.

An Appeal was lodged against the refusal of application application 70282/APP/2020/2522 which was dismissed by the Secretary of State (Appeal ref: APP/R5510/W/20/3261227). The Inspector upheld ground for refusal 1, but did not uphold ground for refusal 2.

#### **4. Advertisement and Site Notice**

**4.1** Advertisement Expiry Date:- 25th May 2022

**4.2** Site Notice Expiry Date:- Not applicable

#### **5. Comments on Public Consult**

##### **EXTERNAL CONSULTEES:**

24 neighbouring properties were consulted on 20th April 2022. The consultation period expired on 12th May 2022. 11 representations against the application were received, and these comments are summarised as follows:

Representations received relating to harm to the character and appearance of the area:

- A cramped form of development
- Overdevelopment of the site
- The proposal creates a dense unsightly, double fronted overbearing structure.
- · The proposed development remains imposing, its proximity of only 1m is intrusive resulting in an increased visual and physical density of the area.
- Out of keeping with the character of the area, including the surrounding Conservation Area
- The latest Appeal was refused due to the unattractive appearance of the large crown roof and its bulky nature. ·
- The roof in this current application is similar to that design with little improvement to its appearance, despite being reduced slightly in size.
- The applicant is attempting to revert back to the higher density scheme originally refused in 2017
- The applicant refers to No.66 Long Lane as a precedent, but this is wholly wrong as this neighbouring site is almost twice the size
- Several trees have been felled, so the submitted Tree Report is out of date
- The Heritage Statement & Impact Assessment is from February 2018

Representations received relating to harm to residential amenity, for both the neighbouring and future occupiers:

- The size of the proposed building is significantly larger than the current building and brings it closer to both neighbours on each side.
- The habitable roof space will affect the privacy of neighbouring properties to the rear on Neela Close
- The Tree Report makes it clear that the height of the laurel screening will be reduced by approximately half. Therefore, when a site inspection is made little weight should be attached to the appearance of the existing screening.
- Loss of privacy and overlooking issues for the adjoining properties on Long Lane
- Increase noise from the density levels being proposed
- The proposed garden space is very limited
- There is no lift provision which discriminates against people with disabilities/ restricted mobility
- The bin store is not of a sufficient size to accommodate the number of future occupiers at the site
- The bin store would attract vermin and should be re-located to the other side of the property
- Flats with 2 bedrooms suitable for disabled people are required to have a floor space in excess of the minimum 61m<sup>2</sup> according to the national minimum floor space standards.

Representations received relating to parking and highway safety issues:

- Shoehorning in nine parking spaces makes the parking extremely tight. This means future occupiers and visitors will park on Milton Road and Neela Close, thus exacerbating the existing street parking issues
- Traffic implications
- The on-site car parking spaces are tight for manoeuvring
- There is no on-site visitor car parking spaces and no provision for electric vehicle charging points

Representations concerning the accuracy of the submitted details and other matters:

- The Design and Access Statement does not refer to the full number of previous applications at the site
- If this application is approved, it will be followed by a further application to increase the size and number of flats in the roof
- The application form states that the proposed works will commence in August 2022, which is at odds to the fact that extensive refurbishment of the property has been underway since January.
- The application form states that the site was last used as a dwelling on 11th August 2022, which is incorrect as it was last inhabited in August 2017.
- The Tree Report and Heritage Statement are dated 8th April 2022. However, the tree report was actually written in September 2017 and had minor amendments in January 2018. The tree report is almost five years old.
- The Heritage Report is outdated and refers to the dwelling in its previous condition as support for re-development. It does not reflect enhancements made recently.
- The developer seems to be following a strategy of making incremental gains after each application has been approved.
- The proposed development must be subject to a party wall agreement between number 60 and 58 Long Lane

A letter dated 17th May 2022 from a local MP states that: "A number of constituents have contacted me with their concerns, and I would ask please that you take these objections into consideration when reaching a decision."

Ickenham Residents Association:

As mentioned before, the above property is sited within the Ickenham Village Conservation Area and goes comfortably within the street scene of similar proportions to its neighbours. The houses in that part of Long Lane contribute to the special character of the area which was deemed worthy of protection.

The object had been since 2017 to demolish this property and rebuild to provide 8 or 9 x 2-bed flats with associated amenity space and parking, i.e.

2017/3656- Letter of objection and petition 21.11.17- Refused 11.12.17

2018/612 + amendment - Letter of objection 14.03.18 + 01.06.18 -Refusal 14.12.18, Appeal LBH 8769 Allowed 07.05.19

2019/1883- This was for 2 storey side extension - no mention of flats - Letter of observation 16.06.19 Approved 31.07.19

2019/2773 - This was based on 2019/1883 but including 8 x 2-bed flats with associated amenity space - Letter of objection 13.10.19 -Approved 20.02.20

2020/2522 - Letter of objection 31 08 .20 - Refused 29.09.20, Dismissed on appeal 01.03.21

This application has only minor changes to the refused 2020/2522 in that 2 No. dormers in the roof space have been replaced with roof lights.

The Association objects again and we trust that you will take our points into consideration to arrive at the correct decision.

Ickenham Residents Association have re-submitted their previous objection letters in respect to application references 70282/APP/2018/612, 70282/APP/2019/1883, 70282/APP/2019/2773, 70282/APP/2020/2522 . The Ickenham Residents Association objection letter in respect to application reference 70282/APP/2020/2522 contains similar contents to the objection letter submitted against this current application, albeit the planning history section has been updated to reflect the most recent planning applications. It has therefore not been included. The contents contained in the objections letter in respect to 70282/APP/2018/612, 70282/APP/2019/1883, 70282/APP/2019/2773 are noted below.

Planning application reference 70282/APP/2018/612- Two storey detached building with habitable roof space for use as 7 x 2-bed flats with associated amenity space and parking, involving demolition of existing dwelling and installation of vehicular crossover.

"This Association objects most strongly to this second amended application to convert a prestige detached house with substantial amenity space surrounding it, sitting in Ickenham's Conservation Area, in to a block of Flats.

Further to our letter of 14th March 2018, which we attach for your convenience, in objection to this proposed development and which we still uphold, we would like to add the following comments on the amended drawings submitted in May 2018.

Firstly with reference to paragraphs 4 and 7 in connection with the removal of the 2nd floor roof accommodation and the improvement of design, which we acknowledge, we are however concerned that should you be minded to approve this application then a

Condition be placed on the development such that 2nd floor roof accommodation and dormer windows etc., should not be allowed retrospectively.

Secondly, despite the improvement in the roof design, the developer has instead made the already huge proposed footprint even larger . He is bringing the building out at the sides, particularly next to No.62 where it will be only 80cm or so away from the boundary. The other very disappointing thing is that he has not reduced the depth of the block at all . The proposed block will still have a depth of 15m which would be 250% deeper than the existing property and is greater than the depth of the rear amenity area which would be 12.5m.

Other properties close by in the Conservation Area have house footprints that occupy approximately 30% of the rear garden depth. The proposed development would equate to a footprint of more than 120% of the remaining rear garden, a significant increase in density. The depth of the block also raises concerns to us of overlooking as it will be only 19m from the patio of 1, Neela Close and 1 , Milton Road which will then be overlooked from the first floor windows.

We would query the amended existing site plans in which the neighbouring houses appear to have a much larger footprint than in the last two applications. The accuracy of these is in question as for example the footprint of No.62 is more than half made up of ground floor garages which are not overbearing to any neighbours. There also seems to be a plan to remove at least two ( if not more ) trees to squeeze in the bigger footprint but there is no updated tree report.

Whilst the improvements to the design are noted the changes have resulted in the amended building being crammed into the site with the rear element of the side elevation of the building adjacent to No.62 being less than 0.5m to the boundary. This would be out of keeping with the more spacious layout of the area and contrary to policies BE13 and BE19 of the Local Plan and the NPPF.

- The bin stores have been indicated as being placed into a gap of less than 1m and would not enable practical access for the occupiers of the 7 proposed flats. The tandem layout of the bins as shown would not allow ease of access and be likely to result in issues of bins being visible from the site frontage which would appear unsightly. The cycle store would also not be conveniently located particularly given the limited access on the left side of the building. In our opinion a greater gap to the boundary of No.62 of at least 1.5m would address both the cramped layout and the impractical bin storage and access to the cycle storage.

- 1 Neela Close has a private rear patio which is not currently overlooked. Whilst there is currently a fragmented tree screen between the properties this would not represent permanent protection and as such cannot be taken into account in considering separation distances. The proposal would still result in the windows serving the living room and 2 bedrooms of Flat 1 all overlooking the private amenity area of 1 Neela Close at a distance of 19m This is having regard to the requirement for a distance of 21m (taking account of a 3m private amenity area to the rear of the property) as set out in the Councils own Design Guidance SPD (fig 4.2). Similarly the distance to the private rear patio of 1 Milton Road would also be 19m and therefore undue loss of privacy to that property would also result. On the basis of the above, the proposal would be contrary to policies BE20, BE21 and BE24 of the Local Plan and the Councils Design Guidance. "

Planning application 70282/APP/2019/1883- Two storey side extension and part two storey, part single storey side extension.

"The previous application 2018/612 : Two storey detached building with habitable roof

space for use as 8 x 2 bed flats with associated amenity space and parking, involving demolition of existing dwelling and installation of vehicular crossover (Resubmission) had been refused on 14.12.18, went to Appeal (LBH 8769) and was allowed to great general disappointment on 07.05.19 (the Association cannot find a report on the LBH website clarifying the reasons for allowing this application).

The above new proposal now asks for two side extensions which would create a massive building along the street scene with a 1000 mm gap to boundaries on either side. There is no mention of demolishing the building and replace it with flats as under 2018/612.

We find it difficult to figure out what the applicant is trying to achieve and we are completely in the hands of your Planning Team with their greater expertise and facilities, and trust they will take our points into consideration to arrive at the correct decision."

Planning application 70282/APP/2019/2773- Demolition of existing dwelling and erection of two storey detached building with habitable roof space to provide 8 x 2-bed flats with associated amenity space and parking and installation of vehicular crossover

"Further to the Association's previous comments in respect of the planning application APP/2018/612 - copy of our letter 2018/612 dt. 14.03.18 enclosed, we express our skepticism at the approval decision for 2019/1883 to allow the construction of two 2-storey side extension, which would be completely out of character in that designated part of the Ickenham Village Conservation Area and to the amenity of neighbouring properties.

The Appeal proceedings under APP/R5510/W/19/3221731 - LBH 8769 - were allowed on 07.05.19 before this year's p/a 2019/1883 (two side extensions) was approved on 31.07.19.

As mentioned before, the appeal property is an attractive 1930's house which is sited within the Conservation Area. It is a shallow dwelling with a fully hipped pitched roof. The house sits comfortably within the street scene of similar proportions to its neighbours, benefiting from boundary screening and a landscaped front garden.

The Conservation Area is characterised by individually designed properties set within spacious plots with large rear gardens. The houses within the locality, individually and as a group, contribute to the special character of the area upon which the built form was deemed worthy of protection. Long Lane itself is characterised by two storey detached and semi detached dwellings of modest depths and with traditional pitched roofs.

We were sent a copy of the objection letter addressed to Liz Arnold from Mark Spragg dt. 27.09.19 on behalf of neighbouring residents, with which we fully concur. (Copy also enclosed).

There is one other thing to which we seek clarification and that is whether the new proposed roof line will actually be the same height as the neighbours' roof lines. Not very clear from the drawing submitted.

No doubt, your Planning Team is aware that this new proposal appears to be a form of gaming the system, and the Association objects trusting that you will take our points into consideration to arrive at the correct decision."

Planning application 70282/PA/2017/3656

"This Association objects most strongly to this application to convert a prestige detached house with substantial amenity space surrounding it and sitting in Ickenham's Conservation Area.

The drawings supplied unfortunately do not include any 'existing' elevations of the dwelling house to be demolished so a proper assessment of the impact this will have on the street scene is not wholly possible. Based upon our local knowledge we would claim this new massive frontage as suggested by the 'new' elevations would be totally out of keeping with the neighbouring properties, and, the Conservation Area. For this reason, we believe the application does not comply with Policy BE 4 of the Saved Policies of the Unitary Development Plan (UDP).

It is our understanding that the demolition of a dwelling within the Conservation Area requires a separate application for such permission to be granted. We cannot see such a request with this application."

Ickenham Conservation Area Panel: No comments received.

PLANNING OFFICER RESPONSE: The representations received have been duly noted. Material planning considerations will be discussed in the main body of this report. Party Wall issues is not a planning consideration.

INTERNAL CONSULTEES:

COUNCIL'S CONSERVATION OFFICER:

1. Summary: Objection

2. Historic Environment Designation(s)  
· Ickenham Village Conservation Area

3. Assessment - background/significance

3.1. The existing building is a mid-1930s detached dwelling, forming part of the Metroland expansion of Ickenham. It is two storeys in height. As existing the building is in keeping with the suburban character of Ickenham, however, has been neglected in the past by previous owners hence its current condition.

3.2. The property has been extended to the side in the past, which has resulted in the width of the built form spanning across the full width of the site at ground floor. It also benefits from a large porch addition to the front. The property is characterised by a projecting gable to the front finished with waney edge timber cladding to the gable end. The gable feature runs through the house to allow for a projecting rear gable element. The entire property has a painted render external finish with mock Tudor timber detailing at first floor and is topped with a hipped plain clay tiled roof form.

3.3. The building is set well back from the main road allowing for a front driveway with two access points. The original building line follows that of neighbouring properties. The existing front boundary treatment comprises of a brick wall, in keeping with the character and appearance of the street scene.

3.4. The property is set on a modest sized plot. The former brick boundary wall has been demolished exposing the site within the street scene. The original site extended to the side boundary of No5 Milton Road however this was reduced following the development of No1 Milton Road and Neela Close. The site as existing does relate to the urban grain of the area, maintaining a substantial plot.

3.5. Ickenham's historic origins are evident throughout the area and include the village centre (at the junction of Swakeleys Road, Ickenham High Road and Long Lane), Swakeleys House and its remaining grounds and Ickenham Manor.

3.6. The character of the conservation area is not purely defined by or limited by its origins, hence its mixed character and appearance, which contributes to the special interest of the designated heritage asset. The Conservation Area is made up of various character areas, not too dissimilar to the neighbouring Ruislip village Conservation Area and can be described as suburban in character. Ickenham as an area extends out to semi-rural environments which have allowed it to retain its village-like appearance.

3.7. The site is located on land which formed part of the Swakeleys House Estate. Development in Ickenham was encouraged by the extension of the Metropolitan Line and the sale of part of the Swakeleys House Estate. Properties along this stretch of Long Lane were developed within the principles of plot -based construction, comprising of detached, single family dwellings set within individual plots, set well back from the main road allowing for green, verdant frontages and driveways. Many of the buildings have been influenced by the Arts and Crafts style, and include traditional features such as mock Tudor timber framing, hung tiles or timber boarding, chimney stacks, asymmetrical built forms, steeply pitch roofs, front projecting gables and many other features.

3.8. While no conservation area appraisal exists for Ickenham village this does not in any way mean that the existing building holds no value. The Council has clearly previously stated its view that the existing property makes a positive impact on the conservation area. This view remains unchanged. The existing house is a good example of an early 20th century Metroland development of individually designed detached houses with large gardens and mature planting, positively contributing to the character of the Conservation area.

#### 4. Assessment - impact & harm

4.1. The demolition and replacement of the existing building has been established by the Allowed Appeal (ref: APP/R5510/W/19/3221731) relating to application reference 70282/APP/2018/612. Paragraph 7 of the Appeal decision notes that in that instance the proposed development which comprised of 7 x 2-bed units was justified as the design reflected 'the prevailing architectural values and themes of the conservation area, such as arts and crafts style, hipped rooflines, chimneys, projecting gables, adherence to building height and gaps between built development.' Therefore, it was considered to be a positive contributor to the designated area.

4.2. However, the current proposed development is similar to the scheme most recently dismissed at appeal (ref: APP/R5510/W/20/3261227), and deviates from the original design ethos resulting in a much wider development and an unsightly crown roof element to the rear. This would result in a bulkier built form to the rear similar to the initial refused scheme (ref: 70282/APP/2017/3656).

4.3. The proposed development would look a lot less like a single detached dwelling which was a point made by the Appeals Inspector in allowing the previous development (paragraph 7, appeal reference: APP/R5510/W/19/3221731). The appearance of the built form would be similar to a block of flats rather than a detached dwelling, particularly to the rear. It would diminish the original design quality of the allowed development by the unjustified additional unit, which would further intensify the occupation of the site.

4.4. Conservation Areas are not designated as a series of street scene, private spaces and viewpoints contribute to how the heritage asset is experienced and its setting. Therefore, lack of public visibility should not diminish the requirement for high quality design and the statutory duty to enhance or preserve the conservation area (section 72, Planning (Listed Buildings and Conservation Areas) Act 1990).

4.5. Crown roof elements are not an established feature in the conservation area and tend

to indicate that the development is too deep. Well-designed new builds should be able to avoid the need for crown roof elements.

4.6. There would be significant concerns in terms of the quality of the Flat 9 within the roof space, with outlook limited to 2 rooflights and a dormer window.

4.7. No details have been submitted in relation to the front boundary treatment. The existing wall has been demolished and it is not clear what the proposed boundary treatment shall be. This would have a significant impact on the character and appearance of the street scene and the predominant boundary treatment tends to be brick walls or mature vegetation along Long Lane. Further details would be required to ascertain the harm caused by the proposal.

4.8. Taking into account the NPPF's (2021) clear statement to create high quality buildings and places, further supported by the Ministry of Housing, Communities and Local Government National Design Guide (Oct 2019), we should be striving for high quality, sustainable new developments built to a high standard, with good internal spaces for residents.

4.9. The original application allowed for 7 units, since such time the applicants have increased the number and are now proposed 9 units. There would be serious concerns whether further units on this site would go beyond its optimum viable use contrary to paragraph 202 of the National Planning Policy Framework (NPPF, 2021). There is little enhancement to the historic or natural environment from the additional unit. It would result in further hard landscaping to the front due to parking requirements further urbanising the appearance of the site.

4.10. The proposed development would fail to preserve or enhance the character and appearance of the conservation. It would set an unwelcome precedent for similar developments which would erode the character of the conservation area. It fails to respect or relate to its historic context and would be considered a harmful addition to the area.

4.11. The extent of harm caused would be less than substantial in this instance therefore paragraph 202 of the NPPF (2021) would need to be considered. The design quality of the proposed new development would fail to meet the standard set by the allowed scheme which was a key contributing factor in allowing the development highlighted by the Appeals Inspector in their Decision.

5. Conclusion: Objection- Less than substantial harm

COUNCIL'S HIGHWAYS OFFICER:

Site Characteristics & Background:

The site is located on Long Lane (designated as 'classified') in Ickenham within a residential catchment. The roadways are comprehensively covered by parking controls and address exhibits a relatively low public transport accessibility level (PTAL) rating of 2 which encourages ownership and use of private motor transport.

There is an existing detached dwelling which is to be demolished with a proposed replacement build that would consist of a single building containing 8 flatted two-bedroom flats plus 1 studio unit with 9 on-plot parking spaces. Two existing carriageway crossings that serve the site envelope will be extinguished and a new 'centralised' crossing/access will be provided to serve the new build.

A similar application for 7 two-bedroom flats (70282/APP/2018/612) was previously

refused and subsequently allowed on appeal however there was no original refusal reason applied or defended on highway grounds. More recently in 2020, planning permission was approved for a new block consisting of 8x2 bedroom units with 8 on-plot parking spaces (70282/APP/2019/2773) with a subsequent refusal for 9x2 bedroom flats (70282/APP/2020/2522) but not on highway related grounds.

#### Parking Provision & Internal Road Layout:

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.

It is proposed to provide 8 two-bedroom residential flats and a studio unit. The maximum standard requires up to 1.5 spaces per unit with 0.5 of a space for the studio hence a quantum of up to 13 spaces would be required to comply with the adopted parking standard. The proposed quantum is below this maximum with a provision of 9 spaces (including 1 disabled compliant) within the site envelope.

However, the London Plan (2021) parking standard recommends up to 0.75 spaces per unit which equates to a lesser quantum of 7 spaces. Therefore, given the precedent set by the previous 2020 consent, with an accepted parking ratio of 1 space per unit, and the fact that the proposed provision sits between the local and regional standard, the level of proposed parking is considered acceptable.

If recommended for grant, the allocation of parking space/s per flat would benefit from a parking allocation plan secured by way of planning condition.

#### Electric Vehicle Charging Points (EVCP's):

In line with the London Plan (2021), within the final parking quantum there is a requirement for a minimum 20% 'active' EVCP provision with all remaining spaces being designated as 'passive' provisions. In this case it is recommended that 2 'active' & 7 'passive' spaces are provided in order to future proof for anticipated demand. This requirement has not been acknowledged by the applicant but can be secured via a 'Landscape scheme' planning condition.

#### Cycle Parking:

In terms of cycle parking there should be a provision of 1 secure and accessible space for each unit to conform to the adopted borough cycle parking standard equating to 9 spaces. The applicant has indicated 8 cycle spaces located to the rear of the build hence this should be uplifted accordingly by amendment or via planning condition.

#### New Vehicular Access:

The two existing carriageway crossings (c.c's) would be made redundant and the new site layout would demand a new 'central' access and carriageway crossing on Long Lane. This is accepted in principle, but it is highlighted that once the existing access points are extinguished it will be necessary to reinstate raised kerbing and grass verges on the public footway in order to maintain footway/roadway continuity.

The new access (including extinguishment of old and any necessary relocation of street furniture such as the street light column fronting the site) will need to be constructed to an appropriate council standard executed under S184 of the Highways Act 1980 (or suitable alternative arrangement) and at the applicant's expense. The creation of the new

carriageway crossing should conform to the council's 'Domestic Vehicle Footway Crossover' (DVFC) 2019 Policy i.e. with a maximum width of 3.6m at the back of footway and 4.8m at the edge of kerb. As no relevant detail has been submitted, this aspect should be secured via planning condition.

Satisfactory highway visibility splays at the new access point are also considered deliverable and should be applied. It is therefore recommended that, on safety grounds, there should be conformity to the relevant mutual inter-visibility sight-line requirements, as per DfT (Manual for Streets (MfS) circa 2007) best practice for new development road and parking layouts guidance, between vehicles leaving the site and extraneous vehicles/pedestrians on Long Lane. To assist with maintaining satisfactory sight-lines at the new site entrance for both vehicles and pedestrians entering and leaving the site, it is therefore recommended that a low height of frontage boundary treatment is applied throughout. Ideally the height would not exceed 0.6m to achieve the aim of satisfactory visibility.

#### Vehicular Trip Generation:

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

The proposal would marginally increase traffic generation from the site as compared to the existing single dwelling unit. However peak period traffic movement into and out of the site is expected to rise by up to 2-3 additional vehicle movements during the most sensitive and therefore crucial peak morning and late afternoon/evening hours hence this uplift is considered marginal in generation terms and therefore can be absorbed within the local road network without notable detriment to traffic congestion and road safety.

#### Operational Refuse Requirements:

Refuse collection will continue to be conducted via Long lane. A specific bin store location is depicted to the side of the build however a site management regime would ensure that waste collection distances do not exceed 10m from the point of collection in order to conform to good practice therefore a suitable on-site management planning condition should be sought. There are no further observations.

#### Construction/Demolition Logistics Plan (CLP):

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

#### Conclusion:

The application has been reviewed by the Highway Authority who are satisfied that the proposal would not discernibly exacerbate congestion or parking stress and would not raise any measurable highway safety/environmental concerns, in accordance with Local Plan: Part 2 Development Plan Policies DMT 1, DMT 2 & DMT 6 and Policies T4 and T6 of the London Plan (2021).

#### COUNCIL'S ACCESS OFFICER:

This proposal for a flatted development comprising 8 flats has been reviewed with reference to London Plan policy D7 and H2. No objection is raised subject to the following condition attached to any grant of planning permission:

The ground floor dwellings hereby approved must be constructed to meet the standards for a Category 2, M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015

Reason: To ensure that an appropriate standard of housing stock, in accordance with London Plan policy D7 and H2, is achieved and maintained.

COUNCIL'S TREES AND LANDSCAPE OFFICER: No comments received.

## **6. Local Plan Designation and London Plan**

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

Part 1 Policies:

Part 2 Policies:

|          |                                                                 |
|----------|-----------------------------------------------------------------|
| DMEI 10  | Water Management, Efficiency and Quality                        |
| DMEI 2   | Reducing Carbon Emissions                                       |
| DMEI 7   | Biodiversity Protection and Enhancement                         |
| DMEI 9   | Management of Flood Risk                                        |
| DMH 1    | Safeguarding Existing Housing                                   |
| DMH 2    | Housing Mix                                                     |
| DMH 4    | Residential Conversions and Redevelopment                       |
| DMHB 1   | Heritage Assets                                                 |
| DMHB 11  | Design of New Development                                       |
| DMHB 12  | Streets and Public Realm                                        |
| DMHB 14  | Trees and Landscaping                                           |
| DMHB 15  | Planning for Safer Places                                       |
| DMHB 16  | Housing Standards                                               |
| DMHB 17  | Residential Density                                             |
| DMHB 4   | Conservation Areas                                              |
| DMT 1    | Managing Transport Impacts                                      |
| DMT 2    | Highways Impacts                                                |
| DMT 5    | Pedestrians and Cyclists                                        |
| DMT 6    | Vehicle Parking                                                 |
| LPP D1   | (2021) London's form, character and capacity for growth         |
| LPP D3   | (2021) Optimising site capacity through the design-led approach |
| LPP D4   | (2021) Delivering good design                                   |
| LPP D5   | (2021) Inclusive design                                         |
| LPP D6   | (2021) Housing quality and standards                            |
| LPP D7   | (2021) Accessible housing                                       |
| LPP G6   | (2021) Biodiversity and access to nature                        |
| LPP G7   | (2021) Trees and woodlands                                      |
| LPP HC1  | (2021) Heritage conservation and growth                         |
| LPP SI12 | (2021) Flood risk management                                    |
| LPP SI13 | (2021) Sustainable drainage                                     |

|          |                                                              |
|----------|--------------------------------------------------------------|
| LPP SI2  | (2021) Minimising greenhouse gas emissions                   |
| LPP T5   | (2021) Cycling                                               |
| LPP T6   | (2021) Car parking                                           |
| LPP T6.1 | (2021) Residential parking                                   |
| NPPF12   | NPPF 2021 - Achieving well-designed places                   |
| NPPF14   | NPPF 2021 - Meeting the challenge of climate change flooding |
| NPPF15   | NPPF 2021 - Conserving and enhancing the natural environment |
| NPPF16   | NPPF 2021 - Conserving & enhancing the historic environment  |
| NPPF2    | NPPF 2021 - Achieving sustainable development                |
| NPPF4    | NPPF 2021 - Decision-Making                                  |
| NPPF5    | NPPF 2021 - Delivering a sufficient supply of homes          |
| NPPF8    | NPPF 2021 - Promoting healthy and safe communities           |
| NPPF9    | NPPF 2021 - Promoting sustainable transport                  |

In addition: Development Plan:

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

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

The Local Plan: Part 1 - Strategic Policies (2012)

The Local Plan: Part 2 - Development Management Policies (2020)

The Local Plan: Part 2 - Site Allocations and Designations (2020)

The West London Waste Plan (2015)

The London Plan (2021)

Material Considerations:

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

## **7. MAIN PLANNING ISSUES**

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

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that: B) Development proposals should 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 (2020) states that: "The Council will aim to ensure that there is sufficient privacy for residents, and it will resist proposals where there is an unreasonable level of overlooking between habitable rooms of adjacent residential properties, schools or onto private open spaces. A minimum of 21 metres separation distance between windows of habitable rooms will be required to maintain levels of privacy and to prevent the possibility of overlooking. In some locations where there is a significant difference in ground levels between dwellings, a greater separation distance may be necessary."

Paragraph 5.40 of the Hillingdon Local Plan: Part 2 - Development Management Policies

(2020) 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."

The proposed building has a staggered front building line, which would not project beyond the line of the existing dwelling and broadly maintains a front building line with both the adjacent properties at the nearest point. To the rear, the proposed building line is also staggered. The proposed rear building line would project approximately 2.5 metres beyond the rear of No.58, where it is adjacent to the shared boundary, but would be set-in from rear wall of this neighbour by approximately 2.8 metres. The proposed rear building line increases to 5 metres in depth (when measured from the rear of No.56). However, this deeper aspect of the building envelope is centrally positioned and is set-in from No. 56 by approximately 6 metres. It is therefore considered that the proposal would not result in an unreasonable loss of outlook or overbearing impact for the occupiers of No.56.

In terms of No.62, the proposed rear building line (at its closest point) would be set-behind this neighbour's rear conservatory by approximately 1.7 metres. The proposed rear building line (at its deepest point) would extend beyond No.62's conservatory by 0.8 metres. However, this particular element of the proposed building would be set-in approximately 3.4 metres from No.62, which helps to mitigate its overall bulk. It is observed that No.62 contains two side bedroom windows which faces onto the application site, but these windows are secondary windows serving the bedrooms which have principle windows fitted in the front and rear elevation. Taking these factors into account, it is considered that the proposal would not result in an unreasonable loss of outlook or overbearing impact for the occupiers at No.62.

Whilst it is noted that the proposed building would be larger and closer than the existing dwelling, it would not compromise the 45-degree line of sight taken from the nearest first floor habitable room windows at Nos. 56 and 62. Bearing this in mind, and noting the aforementioned separation distances, it is considered that the proposed development would not have a harmful effect on the living conditions of the occupiers at Nos. 56 and 62, in terms of loss of daylight.

To the rear the proposed building would be set back 12.5m from the rear boundary with 1 Neela Close and the side boundary of 1 Milton Road. Although it is noted that a separation of 22.75 m would be maintained between the windows of the habitable rooms, the proposal would have direct views over the rear garden and private patio areas to the rear of both 1 Neela Close and 1 Milton Road in close proximity at less than 21 m. This issue was considered in the previous application where the Inspectors advised that with regard to potential loss of privacy to the properties to the rear, the retention and management of the trees would in this case prevent a loss of privacy (Appeal references APP/R5510/W/19/3221731 & APP/R5510/W/20/3261227). Whilst it is recognised that the submitted Tree Report is out of date (refer to section 7.6 of this report), the proposed site plan clearly shows that the existing Laurels to the rear of the site would be retained. It would therefore be unreasonable to refuse this current application on this basis.

Whilst there would be some potential for increased levels of on-site activity to generate noise and disturbance, the site would nevertheless continue to be used in an exclusively residential capacity. The provision of proposed flats is not considered to lead to such a significant change in the local noise environment to warrant a refusal on this basis. As such, it is considered that the proposal would not cause harm to neighbouring living

conditions, in terms of noise and disturbance.

It is important to note that the proposed building would have a similar relationship with adjoining properties as the scheme determined under application 70282/APP/2020/2522. Whilst this previous application was refused and subsequently dismissed at Appeal, none of the grounds for refusal related to the proposal's impact on neighbouring residential amenity.

The representations received have been duly noted. However, having regard to the above, it is considered that the proposal would not cause undue harm to the residential amenities of neighbouring occupiers. The proposal would therefore comply with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020). Notwithstanding, this would not outweigh the proposal's harm to the character and appearance of the Ickenham Village Conservation Area (refer to the following section of this report for further details).

## **7.2 Impact on Street Scene**

**IMPACT ON THE CHARACTER AND APPEARANCE OF THE AREA, INCLUDING THE SURROUNDING CONSERVATION AREA:**

In considering development affecting a Conservation Area, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that local authorities shall pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area when considering applications relating to land or buildings within that Area.

Paragraph 199 of the NPPF (2021) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 201 of the NPPF (2021) states:

Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 202 of the NPPF (2021) states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

This is reinforced at a regional level, where Policy HC1 of the London Plan (2021) states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within

their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed.

Policy BE1 of the Hillingdon Local Plan: Part One- Strategic Policies (2012) states that all new developments should achieve a high quality of design in all new buildings and the public realm contributes to community cohesion and a sense of place. Policy HE1 of the Hillingdon Local Plan: Part One- Strategic Policies (2012) states that the Council will conserve and enhance Hillingdon's distinct and varied environment, its settings and the wider historic landscape.

Policy DMHB 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that the Council will expect development proposals to avoid harm to the historic environment. Policy DMHB 4 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that new development within a Conservation Area will be expected to preserve or enhance the character or appearance of the area. It should sustain and enhance its significance and make a positive contribution to local character and distinctiveness.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that all development will be required to be designed to the highest standards and incorporate principles of good design. Policy DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development should be well integrated with the surrounding area.

It is considered that this current proposal has failed to adequately address the issues raised by the Inspector in the dismissed Appeal Decision APP/R5510/W/20/3261227. The following extracts from the dismissed Appeal Decision assesses the effect the previous scheme would have on the character and appearance of the Ickenham Village Conservation Area.

"8. The main alteration in respect of the current proposal relates to the design of the rear elevation. The previous planning permissions showed that the pitched main roof would slope down to a low eaves line at the rear, with 2no 2-storey hipped rear projections and 2no centrally positioned first floor dormer windows. This would provide a well-articulated elevation and appropriate massing, with hipped rooflines and projecting elements. It would provide an acceptable appearance and respect the form and massing of neighbouring buildings.

9. The current appeal scheme proposes a very wide 2 storey rear element with a large crown roof and 3no second floor rear dormer windows, which would create a bulky and dominant feature to the rear of the building. The crude form of this element would not reflect the considered design approach of the front elevation, and it would appear out of keeping with the pitched roof forms and massing of neighbouring dwellings. I note that the block of flats at No 66 Long Lane features a crown roof, however, this is anomalous in the area as the dwellings generally have modest ridge apex roofs. Whilst there would be limited views of the rear elevation in the street scene, it would nevertheless be visible from neighbouring dwellings and gardens within the CA. Furthermore, the lack of visibility from the public realm does not obviate the need to achieve good design.

10. Given the small-scale nature of the proposed development, I find that the degree of harm to the CA would be less than substantial. In accordance with paragraph 196 of the National Planning Policy Framework (the Framework), any harm should be weighed against the public benefits.

11. Small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly, as indicated in paragraph 68 of the Framework. The proposal would deliver public benefits in terms of adding to the overall provision of housing in an accessible location. Modest economic advantages would arise from the construction and occupation of the proposed dwellings. Compliance with resource efficiency standards such as energy and water would help offset the environmental impacts of the development, which would provide a limited benefit. There would also be opportunities for limited ecological enhancement through the provision of additional landscaping.

12. Paragraph 193 of the Framework states that "great weight should be given to the [designated heritage] asset's conservation". I find that the public benefits would not outweigh the harm to the designated heritage asset. The proposal would therefore be contrary to the historic environment policies contained within the Framework.

13. For these reasons, I conclude that the proposed development would fail to preserve or enhance the character and appearance of the Ickenham Village Conservation Area. It would therefore conflict with Policies BE1 and HE1 of the Hillingdon Local Plan: Part 1 Strategic Policies adopted November 2012, Policies DMHB 4, DMHB 11 and DMHB 12 of the Hillingdon Local Plan Part 2 Development Management Policies adopted January 2020 (the Local Plan Part 2) and Policies 3.5 and 7.4 of the London Plan 2016. Amongst other things, these policies seek to achieve a high quality of design in all new buildings and preserve or enhance the character or appearance of conservation areas.

Whilst the crown roof profile has been reduced since the dismissed Appeal, it would nevertheless continue to appear excessive in size and would represent an incongruous feature. The Conservation Officer has commented that crown roofs are not a characteristic feature of the Ickenham Village Conservation Area. In addition to this, the Conservation Officer has commented that whilst the crown roof profile would not be widely visible from the street scene, Conservation Areas are not designated as a series of street scenes. Private spaces and view points contribute to how the heritage asset is experienced and its setting. Therefore, lack of public visibility should not diminish the requirement for high quality design and the statutory duty to enhance or preserve the conservation area. This position is supported by the Inspector in the above Appeal Decision.

The proposed loft plan shows that sky lights would be fitted in the flat roof section of the crown roof profile. However, these skylights are not shown on the proposed site plan drawing. Furthermore, a section drawing of the roof profile has not been provided, which means Officers are unable to assess whether these proposed skylights would project above the ridge height of the proposed building. If this is the case, it is considered that the proposed skylights would appear as visually obtrusive and unsympathetic features that would detract from the public realm and the surrounding Conservation Area.

It is noted that an earlier 2019 Appeal was allowed and a subsequent planning for the erection of a two-storey building with habitable roof space for use as 7 x 2 bed flats (refs: 70282/APP/2018/612 and 70282/APP/2019/2773). However, as highlighted by the Inspector for the most recent dismissed Appeal: "The previous planning permissions showed that the pitched main roof would slope down to a low eaves line at the rear, with 2no 2-storey hipped rear projections and 2no centrally positioned first floor dormer windows. This would provide a well-articulated elevation and appropriate massing, with hipped rooflines and projecting elements. It would provide an acceptable appearance and respect the form and massing of neighbouring buildings." It is therefore considered that these previous approvals do not set a precedent for the current proposal.

In light of the above, it is considered that proposed development would cause significant harm to the character, appearance and visual amenities of the street scene and would fail to either preserve or enhance the significance of the Ickenham Village Conservation Area. The proposal therefore conflicts with Policies BE1 and HE1 of the Hillingdon Local Plan: Part One- Strategic Policies (2012), Policies DMHB 1, DMHB 4, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy HC1, D3 and D4 of the London Plan (2021) and the NPPF (2021).

The harm arising from the proposed development is considered to be less than substantial. In line with paragraph 202 of the NPPF (2021), the public benefit of the proposal must be weighed against the harm. (Please refer to the last section of this report for the 'planning balance' assessment).

### **7.3 Traffic Impact/Pedestrian Safety**

Covered in the following section of this report.

### **7.4 Carparking & Layout**

Paragraph 111 of the NPPF (2021) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Policy DMT 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals will be required to meet the transport needs of the development and address its transport impacts in a sustainable manner.

Policy DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that proposals must ensure that safe and efficient vehicular access to the highway network is provided, schemes do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents. Also, that impacts on local amenity and congestion are minimised and there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing roads.

Policy DMT 5 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that 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 the provision of cycle parking in accordance with Appendix C, Table 1 or, in agreement with the Council.

Policy DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires that proposals comply with the Council's parking standards in order to facilitate sustainable development and address issues relating to congestion and amenity.

#### **PARKING PROVISION:**

The site has a PTAL rating of 2 (poor) which therefore raises dependency on the ownership and use of private motor vehicle as a means of transport. Appendix C, Table 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that 1- and 2-bedroom flats should be provided with 1 to 1.5 spaces and studio flats should be provided with 1 space per 2 units. Based on this, the proposal for 8 x 2-bedroom flats and studio flats would require a maximum of 8.5 to 12.5 parking spaces, (i.e. 9 to 13 parking spaces). However, the London Plan (2021) parking standard recommends up to 0.75 spaces per unit which equates to a lesser quantum of 7 spaces.

The proposal includes the provision of 9 off-street car parking spaces on the site frontage. The proposal therefore fall short of the maximum car parking standards required by the

Hillingdon Local Plan: Part 2 - Development Management Policies (2020). However, the proposed on-site car parking provision would accord with the London Plan (2021) car parking standards, which is considered to carry greater weight as it was published after the adopted Local Plan Part 2. Furthermore, weight has been given to the scheme approved under application ref: 70282/APP/2019/2773, which had an accepted parking ratio of 1 space per unit (albeit this approved scheme was for eight units and had eight car parking spaces).

If this current application had been recommended for approval, a condition would have been secured requiring a parking allocation plan to be submitted to the Council. Also, a Construction Logistic Plan would have been secured by condition to minimise/avoid potential detriment to the public realm and local highway network.

On the above basis, it is considered that the proposal would not exacerbate the demand for street parking to such a significant extent that its effects would result in harm to highway safety or the efficient working of the local highway network.

#### ELECTRIC VEHICLE CHARGING POINTS:

Part G) of Policy T6 and part C) of Policy T6.1 of the London Plan (2021) states that all residential car parking spaces must provide infrastructure for electric or Ultra-Low Emission vehicles. At least 20 per cent of spaces should have active charging facilities, with passive provision for all remaining spaces. Accordingly, two car parking spaces should be provided with an active electric vehicle charging point and the remaining seven car parking spaces should be provided with passive electric vehicle charging infrastructure. If planning permission were to be granted, this would have been secured by condition.

#### ACCESSIBLE PARKING:

In accordance with the Accessible Hillingdon SPD, 10% of car parking spaces must be for blue badge holders (disabled users) which equates to 1 car parking space. The proposed site plan indicates 1 disabled parking space. Although the required 1.2 transfer zones required to enable sufficient access for wheelchair users has not been shown, this matter could have been resolved through the imposition had this application been recommended for approval.

#### VEHICLE ACCESS:

The proposed development would remove the two existing vehicle crossovers serving the site and these would be replaced by a new 'central' vehicle crossover on Long Lane. The Council's Highways Officer has raised no objection to the principle of the new vehicle crossover which allows for passenger vehicles using the site to enter and leave the site in forward gear. The Council's Highways Officer has commented that the proposed vehicle crossover should conform to the council's 'Domestic Vehicle Footway Crossover' 2019 Policy i.e. with a maximum width of 3.6m at the back of footway and 4.8m at the edge of kerb. This matter would have been resolved by way of a condition, if this application had been recommended for approval.

The Highways Officer has requested for visibility splays on both sides of the proposed vehicle crossover with no obstructions exceeding 0.6 metres in this area. This is to provide inter-visibility sight-line requirements between vehicles leaving the site and vehicle and pedestrian road users on Long Lane. Again, this matter would have been resolved by way of a condition, if this application had been

recommended for approval.

#### TRIP GENERATION:

The Council's Highways Officer has commented that the proposal would marginally increase traffic generation from the site as compared to the existing single dwelling unit. However, peak period traffic movement into and out of the site is expected to rise by up to 2-3 additional vehicle movements during the most sensitive and therefore crucial peak morning and late afternoon/evening hours. This uplift is considered marginal in generation terms, and therefore can be absorbed within the local road network without notable detriment to traffic congestion and road safety.

#### BICYCLE PARKING:

Appendix C, Table 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires 1 cycle space per studio, 1 or 2 bed unit. For the proposed development, this would equate to 9 spaces. The proposed site plan shows a cycle store in the communal rear garden with sufficient capacity to accommodate 8 cycles. Whilst there is no objection, in principle, to the siting of the cycle store, its capacity size would need to be increased to accommodate 9 cycles to comply with the Council's minimum standards. However, full details of the dimensions, cycle capacity, external finish and design of the cycle store would have been secured by condition, in the event of an approval.

#### REFUSE/RECYCLING COLLECTION:

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

The Highways Officer has commented that the Council's 'waste collection' maximum distance collection parameter is 10 metres, i.e., the distance from a refuse vehicle to the point of collection. The proposed site plan indicates that the refuse and recycling bins would be located to the side of the building. This location would exceed the '10 metre waste collection parameter'. It cannot be expected for future occupiers to move 1100 litre Eurobins to the kerbside on collection days, which is the standard size of communal bins for flatted developments. The refuse/recycle store would therefore need to be re-located within the '10 metre waste collection parameter'. Alternatively, a refuse and management plan would need to be submitted to confirm that a private servicing company would move the bins within the 10 metre parameter on collection days. Both of these options could have been resolved by the imposition of a condition, if this application had been recommended for approval.

## **7.5 Urban Design, Access and Security Considerations**

#### INTERNAL AMENITY SPACE PROVISION:

Policy DMHB 15 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development will be required to comprise good design and create inclusive environments whilst improving safety and security by incorporating specific measures, which includes ensuring adequate defensible space is provided.

Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all housing development should have an adequate provision of internal

space in order to provide an appropriate living environment. The space standards set out in Table 5.1 of the Hillingdon Local Plan: Part 2 - Development Management Policies(2020) are the same as those found in Table 3.1 of the London Plan (2021).

Policy D6 of the London Plan (2021) sets out the minimum internal floor space standards required for residential developments in order to ensure that there is an adequate level of amenity for future occupants. Table 3.1 of Policy D6 of the London Plan (2021) states that:

- A studio flat should provide a GIA of at least 39 square metres
- A one storey dwelling with 2 bedrooms, 3 person occupancy should provide a GIA of at least 61 square metres;

The proposed development would provide the following:

Ground floor level:

- Flat 1 - 2 bedroom, 3 person occupancy - 61 square metres
- Flat 2 - 2 bedroom, 3 person occupancy - 61 square metres
- Flat 3- 2 bedroom, 3 person occupancy - 61 square metres
- Flat 4- 2 bedroom, 3 person occupancy - 61 square metres

First floor level:

- Flat 5 - 2 bedroom, 3 person occupancy - 61 square metres
- Flat 6 - 2 bedroom, 3 person occupancy - 61 square metres
- Flat 7- 2 bedroom, 3 person occupancy - 61 square metres
- Flat 8 - 2 bedroom, 3 person occupancy - 61 square metres

Second floor level:

- Flat 9- Studio flat- 68 square metres

As demonstrated above, all the proposed flats would meet the minimum gross internal area requirements set out in Policy D6 of the London Plan (2021). However, the single bedrooms within proposed flats 1, 2, 5 and 6 all fail to meet the minimum 7.5 square metre requirement set out in Policy D6 (3) of the London Plan (2021). Given the figures in Table 3.1 of the London Plan are minimum standards which are intended to act as a benchmark for high quality design, the shortfall in the floor space for the proposed single bedrooms is not appropriate. The future occupiers of the single bedrooms of flats 1, 2, 5 and 6 would therefore not be provided with satisfactory living conditions.

Policy D6 (5) of the London Plan states that any area with a headroom of less than 1.5m is not counted within the Gross Internal Area (GIA) unless used solely for storage. A section drawing has not been submitted to demonstrate that the gross internal floor area within the loft space would have sufficient head roof height, noting the pitch of the proposed roof. In the absence of such details, Officers are unable to confirm whether Flat 9 would comply with the required 39 square metre GIA required by Policy D6 of the London Plan, despite the annotation stating that this flat would have an internal area of 68 square metres.

The only available outlook for Flat 9, beyond the limited views of the sky through the proposed skylights and roof lights, would be from a rear dormer. Bearing this in mind, and noting the position of the bedroom and kitchen/living area within Flat 9, it is considered that the future occupiers of this unit would be provided with unacceptable poor outlook and an oppressive living environment.

The proposed site plan shows that defensible space in the form of soft landscaping would be provided adjacent to the front habitable windows of the proposed ground floor flats and the on-site car park. At its narrowest point, the defensible space would measure 0.6 metres in depth, which is the same depth deemed acceptable for the scheme granted permission under application ref: 70282/APP/2019/2773. In light of this previous approval, it is considered that the defensible space being proposed as part of this current application is an appropriate design response, which would help to mitigate the loss of privacy and disturbance to the future occupants of the proposed ground floor flats.

As discussed in the following section of this report, full details of the soft landscaping and boundary treatment dividing the dedicated garden spaces of flats 3 and 4 would have been secured by condition, if this application had been recommended for approval. It is also important to note that the proposed site layout where future occupiers would walk pass the single bedrooms of Flat 4 to access the communal garden was deemed acceptable under application reference 70282/APP/2019/2773. It is therefore considered, on balance, and subject to a landscape plan being secured by condition, that the future occupiers of flats 3 and 4 would have reasonable level of privacy.

Having regard to the above, it is considered that the proposed development would fail to provide satisfactory internal living conditions for the future occupiers of flats 1, 2, 5, 6 and 9. The proposal would therefore conflict Policies DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy D6 of the London Plan (2021).

#### EXTERNAL AMENITY SPACE PROVISION:

Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all new residential development and conversions will be required to provide good quality and usable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.3. Balconies should have a depth of not less than 1.5 metres and a width of not less than 2 metres. Table 5.3 states that:

- Studio and 1 bedroom flats should be provided with at least 20 square metres of private amenity space; and
- 2 bedroom flats should be provided with at least 25 square metres of private amenity space.

Paragraph 5.70 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states:

"Dwellings on upper floors should all have access to a private balcony or terrace, where this is consistent with the overall design of the building. Houses and ground floor flats should have private gardens. The Council is keen to improve the quality of housing in the Borough and therefore communal provision of private outdoor space is generally not supported unless there are strong planning reasons and the proposed scheme is of high quality with clear planning merits."

The proposed development would provide 8 x 2-bedroom flats and 1 studio flat, requiring 220 square metres of private external amenity space in total to comply with Table 5.3. In total, the proposal would provide 295 square metres, albeit this space in the form of a communal garden and dedicated gardens for proposed flats 3 and 4.

It is noted that the flats 3 and 4 would not have any direct access to their dedicated garden, which means the future occupiers of these units would have to exit the building

and walk down the side passageway. However, this access arrangement would be similar to that deemed acceptable under application reference 70282/APP/2019/2773. It is recognised that the dedicated garden areas for flats 3 and 4 are not completely privately as they would be visible by future occupiers using the communal amenity space. However, the defensible space around the proposed gardens, which is demarcated by soft landscaping treatment, would help to ensure that an appropriate degree of separation is retained between private and communal spaces. Full details of the boundary treatment would be secured by condition, in the event of an approval. It is therefore considered, on balance, that the proposed garden spaces for flats 3 and 3 are adequate in terms of their size, usability and function.

The remaining flats would be served by communal amenity space measuring approximately 248 square metres (although Flats 3 and 4 would also have access to this community space). In total, the proposal would provide 295 square metres of external amenity space. It is acknowledged that the upper floor units would not be afforded with any private amenity space provision which means that the proposed development would not be fully compliant with the requirements of Table 5.3 of the the Hillingdon Local Plan: Part 2 - Development Management Policies (2020). However, it is considered that an, on balance, assessment should be applied as per the recommendations of Paragraph 5.70 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

The provision of balconies or terraces on the upper floors would not be appropriate on amenity grounds. As such, the provision of external amenity space in the form of a communal garden to the rear of the site is considered to be acceptable solution. The proposed communal garden, coupled with the dedicated gardens for Flats 3 and 4, would exceed the total requirement of private amenity space set out in Table 5.3 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020). Thus, providing ample outdoor space for future occupiers health and well-being.

Accordingly, the proposed development would provide sufficient quantity and quality of external amenity space to serve the flats proposed, in accordance with the objectives of Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

#### INCLUSIVE DESIGN:

Policy D5 of the London Plan (2021) states that development proposals should achieve the highest standards of accessible and inclusive design. Policy D7 of the London Plan (2021) states that residential developments 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' and 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'.

If this application has been recommended for approval, a condition would have been secured requiring the ground floor flats to meet Building Regulation M4(2), in line with the Council Access Officer's comments. Also, a condition would have been secured requiring the concrete ramp leading to the main entrance door to be installed prior to the first occupation of the development. The proposed flats on the first and second floor would meet the mandatory building regulations requirements of M4(1) via the Building Control process.

It should be noted that A S.73 application to vary Condition 2 was approved in 2021 to allow for the removal of a lift originally shown on the plans approved under application reference 70282/APP/2019/2773 (the S.73 application reference is 70282/APP/2020/4133). As a result of this approval, the upper floor flats approved under application reference 70282/APP/2019/2773 would meet building regulations requirements of M4(1) building regulation requirements of M4(1), which is a similar arrangement to this current application.

It is acknowledged that the proposal fails to fully comply with Policy D7 of the London Plan (2021). However, paragraph 3.7.7 of the London Plan (2021) does allow Local Authorities to apply a flexible approach in exceptional circumstances. In light of the approved S.73 application, it is considered, on balance and subject to the above condition, that the proposed development being considered under this current application is acceptable in relation to inclusive access.

## **7.6 Other Issues**

### **PRINCIPLE OF DEVELOPMENT:**

Policy H1 of the London Plan (2021) states that in order to ensure that ten-year housing targets are achieved, boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions, especially on sites with PTAL ratings of 3-6.

Policy H2 of the London Plan (2021) states that Boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making in order to:

- 1) significantly increase the contribution of small sites to meeting London's housing needs
- 2) diversify the sources, locations, type and mix of housing supply
- 3) support small and medium-sized housebuilders
- 4) support those wishing to bring forward custom, self-build and community-led housing
- 5) achieve the minimum targets for small sites set out in Table 4.2 as a component of the overall housing targets set out in Table 4.1.

Policy DMH 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that the net loss of existing self-contained housing will be resisted unless the housing is replaced with at least equivalent residential floorspace.

Policy DMH 4 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that residential conversions and the redevelopment of dwellings into new blocks of flats will only be permitted where:

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

Paragraph 4.11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that the redevelopment of dwellings into new blocks of flats can enable more effective use of sites to be achieved. However, this type of development must seek to enhance the local character of the area. In recent years, large concentrations of flats have resulted in a range of problems, including increased on-street parking and resultant congestion on roads, the loss of front gardens, reductions in privacy, significant changes

to the street scene, and loss of family accommodation.

The principle of demolishing the existing single dwelling house to erect a flatted development has already been established through the granting of planning permission reference 70282/APP/2019/2773. There is therefore no objection, in principle, to the creation of additional units in this location in land use terms. However, this would be subject to an appropriate design, residential amenity, adequate parking provision, and the proposal being in accordance with all of the relevant planning policies and guidance set out in the Development Plan.

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

#### HOUSING MIX:

Policy H10 of the London Plan (2021) states that new development should consist of a range of unit sizes.

Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that 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 Council's current information on housing need indicates a substantial borough-wide requirement for larger affordable and private market units, particularly 3 bedroom properties, as identified in the Strategic Housing Market Assessment 2016.

The proposal would involve the demolition of a five-bedroom dwelling, thus resulting in a net loss of a family sized unit (defined as a dwelling with three bedrooms or more in the London Plan). The proposed development would provide 8 x two-bedroom flats and 1 studio flat. Although no three-bedroom units are being proposed, this would be no different to the scheme approved under application reference 70282/APP/2019/2773. Officers have afforded significant weight to this previous approval when considered the housing mix being proposed under this current application. In light of the previous approval, it is considered that refusing this current application on the grounds of the absence of family sized units would not be defensible, in the event that an appeal is lodged.

#### DENSITY:

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.

Policy DMHB 17 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all new residential development should take account of the Residential Density Matrix contained in Table 5.2, which recommends a density range of 105-175 habitable rooms/hectare and 35-50 units/hectare for sites within 800m of a town centre with a PTAL rating of 2.

Notwithstanding the above, 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 surrounding Conservation Area, and would respect residential amenity considerations, rather than the consideration of the density of the proposal. Please refer to the other sections of this delegated report which assesses these planning considerations in further detail.

#### TREES AND LANDSCAPING:

Policy G7 of the London Plan (2021) states that development proposals should ensure that, wherever possible, existing trees of value are retained.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires development proposals to protect features of positive value within and adjacent to the site and for landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

DMHB14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees. Where the tree survey identifies trees of merit, tree root protection areas and an arboricultural method statement will be required to show how the trees will be protected. Where trees are to be removed, proposals for replanting of new trees on-site must be provided or include contributions to offsite provision.

The site lies within the area covered by Tree Preservation Order No. 5 and the Ickenham Village Conservation which is characterised by its garden suburb nature.

An Tree survey, Arboricultural Impact Assessment and Method Statement report dated September 2017 and last amended in January 2018 was accompanied with this current application. The contents of this report are considered to be no longer valid due to the substantial period of time that has lapsed since the report was produced (four years since its last amendment). Trees are living organisms which develop positively over time, but can also go into decline. In the absence of a valid tree report, to BS 5837: 2012, the proposal has failed to demonstrate that protected trees would not be harmed by the proposed development. Furthermore, no provision has not made provision for their long-term protection. The proposal therefore conflicts with Policies DMHB 11 and DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy G7 of the London Plan (2021).

#### ECOLOGY/PROTECTED SPECIES:

Policy G6 of the London Plan (2021) states that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.

Policy DMEI 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 is located in within habitat that matches that where bat roosts have previously been found in the Borough, noting the site's proximity to Ickenham Marsh and Park Wood (both of which are designated Nature Conservation Sites). It is acknowledged that this current application was not accompanied by a Preliminary Ecology Report. However, planning permission has already been granted under application reference 70282/APP/2019/2773, to demolish the existing property at the site and erect a building comprising 8 flats (without the submission of an ecology report). This permission has not lapsed and could therefore be implemented by the applicant. Given substantial weight to this particular circumstance, it is considered that it would be unjustifiable to refuse this current application on the grounds of harm to protected species.

#### FLOODING AND DRAINAGE:

Policy SI 12 of the London Plan (2021) states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Policy SI 13 of the London Plan (2021) states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.

Policy DMEI 9 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that proposals that fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused. Policy DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development within areas identified at risk from surface water flooding which fail to make adequate provision for the control and reduction of surface water runoff rates will be refused.

The site lies within Flood Zone 1 of the Environment Agency's Flood Risk Map. This means the site is classified as being at low risk and defined as having a less than 1 in 1,000 probability of fluvial and tidal flooding. As such, there are no restrictions on development, including more vulnerable uses such as Use Class C3 (dwellinghouses), in this location, in terms of fluvial and tidal flood risk.

The highway fronting the site is partially identified as being in an area of surface water flood risk. If this application had been recommended for approval, a condition would have been secured requiring the submission of a sustainable water management scheme, that incorporates sustainable urban drainage systems (SuDs), to be submitted to the Council for consideration. Also, the landscaping condition would have been worded in such a manner to ensure that permeable hard surfacing is used for the on-site parking area.

Subject to such conditions, it is considered that the proposed development would not increase the risk of flooding on the site or elsewhere in accordance with Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policies SI 12 and SI 13 of the London Plan (2021).

#### SUSTAINABILITY:

Policy SI 2 of the London Plan (2021) states that residential development should achieve at least a 10% improvement beyond Building Regulations 2013.

Policy DMEI 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires all developments to make the fullest contribution to minimising carbon

dioxide emissions in accordance with the London Plan targets.

If this application had been recommended for approval, a condition would have been secured requiring the proposed building to achieve at least a 10% improvement beyond Building Regulations 2013. Also, a condition would have been secured requiring the proposed dwellings to achieve as a minimum, a water efficiency standard of no more than 105 litres per person per day maximum water consumption.

Subject to the above conditions, the proposal would be compliant with Policies DMEI 2 and DMEI 10 of the Hillingdon Local Plan: Part 2- Development Management Policies (2020) and Policy SI 2 of the London Plan (2021).

#### SECURE BY DESIGN:

Policy DMHB 15 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that the Council will require all new development to ensure safe and attractive public and private spaces by referring to the Council's latest guidance on Secured by Design principles.

If this application had been recommended for approval, a condition would have been secured requiring security measure details to be submitted to the Council. Subject to such a condition, the proposal would accord with Policy DMHB 15 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

#### COMMUNITY INFRASTRUCTURE LEVY:

The Council adopted its own Community Infrastructure Levy (CIL) on 1st August 2014. The Hillingdon CIL charge for residential developments is £95 per square metre of additional floor space. This is in addition to the Mayoral CIL charge of £60 per square metre. CIL rates are index linked. The proposal involves the erection of new dwellings and is therefore CIL liable if planning permission were to be granted.

#### PLANNING BALANCE:

Paragraph 202 of the NPPF (2021) states that "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

The proposal would contribute to the Council's delivery of housing and provide some economic benefits during the construction stages. However, the scheme is only for 9 private market flats, with four of the units afforded future occupiers with substandard internal living conditions. Furthermore, the Council is currently able to demonstrate a five-year supply of deliverable housing sites. It is therefore considered that limited weight should be given to the proposals social and economic contribution. The significance of the setting of the Conservation Area would be greatly diminished as a result of the proposed development. Overall, the public benefits would not outweigh the 'less than substantial harm' to the designated heritage asset under the NPPF (2021).

## 8. Reference Documents

National Planning Policy Framework (July 2021)

The London Plan (March 2021)

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)  
Hillingdon Local Plan Accessible Hillingdon Supplementary Planning Document  
(September 2017)  
Hillingdon Planning Obligations Supplementary Planning Document (July 2014)  
Technical Housing Standards - Nationally Described Space Standard (March 2015)

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