

ATLAS

PLANNING GROUP

STATEMENT OF CASE

251 Long Lane, Hillingdon, London

OCTOBER 2022

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Appendix A: Decision Notice and Officer Report

Appendix B: 249 Long Lane Appeal Decision and Plan

Appendix C: Appeal Decision 3221731

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1. INTRODUCTION

- 1.1 Atlas Planning Group Ltd have been instructed to provide a Statement of Case to accompany an appeal submission following the decision of the London Borough of Hillingdon to refuse application 76753/APP/2021/3469.
- 1.2 In September 2021 an application seeking full planning permission was submitted with the following description of development:

“Sub-division of plot and erection of 1 x 2 bed dwelling (Use Class C3), landscaping and associated works”.



Figure 1: Visualisation of front elevation

- 1.3 The Decision Notice and Officer Report are included at **Appendix A**. The four following reasons for refusal were stated on the Decision Notice:
- 1) *The proposal by, by reason of its overall size, siting, design and proximity to the front and side boundary lines would appear at odds with the spacing and character of development in the immediate vicinity, giving rise to a cramped form of development which would intensify the residential use of the site and be detrimental to the visual amenities of the street scene and the surrounding area, all harming the*

established character and appearance of the site and surrounding area. The proposal is contrary to Policy BE1 of the Hillingdon Local Plan: Part One – Strategic Policies (November 2021), Policies DMH 6, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two – Development Management Policies (January 2020), Policies De3, D4 and D6 of the London Plan (2021), London Plan (2021) policies H4 and H8 and the NPPF (2021).

- 2) The proposed dwelling, by virtue of its scale and proximity, would result in a material loss of residential amenity to the occupants of both the host dwelling at Number 251 Long Lane and the proposed dwelling due to the number and size of the first floor rear facing windows proposed, resulting in an actual or perceived sense of overlooking, failing to provide satisfactory amenities for those properties. The proposal would therefore be in conflict with Policy DMHB11 of the Hillingdon Local Plan – Part Two (2020) and the NPPF (2021).*
- 3) The applicant has failed to demonstrate a satisfactory policy-led approach to the car parking design, layout and access which could be prejudicial to all road users safety, contrary to policy DMT2 and DMT6 of the Hillingdon Local Plan (2020) and Policy T6 the London Plan (2021).*
- 4) The proposal fails to provide amenity space of sufficient size and quality commensurate to the size and layout of the said unit and would provide a substandard form of accommodation for future residents contrary to Policy DMHB18 of the Hillingdon Local Plan – Part Two (2020).*

2. GROUNDS OF APPEAL

2.1 The application was refused on 29th April 2022 by delegated decision. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

“If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”.

2.2 Therefore, the starting point for determination must be the policies of the adopted development plan, which consists of the Local Plan Part 1 (2012), Local Plan Part 2 DM Policies (2020) and the Local Plan Part 2 Site Allocations and Designations (2020). The London Plan (2021) is also part of the Development Plan, with the NPPF being a material consideration.

2.3 Regard must also be given to other material considerations such as relevant Case Law and relevant Planning Appeal decisions which could justify a departure from the Development Plan.

2.4 The Officer did not raise an issue with the principle of development and the reasons for refusal can be summarised as follows:

- i) **Impact upon the character of the area;**
- ii) **Impact upon residential amenity; and**
- iii) **Highway safety**

2.5 This Statement of Case will outline the appellant's counter arguments to the reasons for refusal.

3. CHARACTER & APPEARANCE OF THE AREA

3.1 It is acknowledged by the Appellant that the relevant national and local planning policies require high quality design whilst responding to the character of the local area. In this case the character of Parkway is one of varying architectural styles and sizes of dwellings as shown by the various photographs below.



Figure 2: Properties along Parkway



Figure 3: Properties on the opposite side of the road (Parkway)



Figure 4: Existing view towards the site from Parkway

3.2 The Officer Report states, *“No 251 Long Lane is a post-war 2 storey semi-detached property with a long rear garden that backs on to ‘Parkway’. Due to the angle at which Parkway cuts across from Long Lane, the gardens to the properties along Long Lane progressively get deeper and deeper. From 229 Lone Lane to 247 Long Lane, these gardens have been built open with the new houses fronting Parkway. The proposed dwelling would be sited about the front boundary of the site with Parkway, resulting in a visually awkward siting along this frontage”.*

3.3 The Appellant strongly disagrees with the claim that the proposed dwelling would result in a visually awkward siting along this frontage. The appeal site forms the rear part of the garden to 251 Long Lane. The site fronts ‘Parkway’ at the rear of the property which is a residential street in itself which in the immediate vicinity has been developed by properties being built on the long gardens of the properties along Long Lane.

3.4 All of the properties sit at an angle to Parkway so there is less of a clearly defined perpendicular relationship between the front of houses and the road. Whilst the house is closer to the road than the neighbouring ones along Parkway, this ambiguity in terms of the relationship between house frontage and road helps to make the relationship and the setting of the building against the neighbouring properties seems appropriate and not incongruous. Additionally, the setback distance from the road of the properties along Parkway slowly decreases northwards from ‘Oak House’ to Gable House. Therefore, if this relationship was extrapolated to the appeal site, it suggests an appropriate position for the house is in the location it is proposed.

3.5 The Officer Report goes on to state, ***“whilst the overall gabled roof design and bulk of the proposed dwelling is considered acceptable, with a contemporary appearance, its siting alongside the boundary with***

number 249 and siting forward of the building line is considered to represent a visually incongruous and cramped form of development on this garden site, out of keeping with the established pattern and form of development in the locality". (Emphasis added in bold).

3.6 It is clear that the overall contemporary design is not disputed by the Council and their main concern is the resulting impact it would have on the pattern and form of development in the locality. As the below extracts from the street elevations show, the development would be in keeping with its surroundings in terms of its scale, design and siting. It would not be incongruous or cramped, indeed the other similar plots do not appear cramped.



Figure 5: Street scene elevation extracts showing existing and proposed

3.7 Furthermore, the ground floor is set further back from the road than the block plan suggests because the first-floor overhangs. The set back ground floor helps to create a degree of breathing space to the public highway.

3.8 With further regard to the character of the area, the plan extracts below demonstrate how the materiality is also in keeping and sympathetic to other existing properties, utilising a buff brick and a clay tile roof.



Figure 6: Proposed view along Parkway



Figure 7: Photomontage showing proposed streetscene (proposed development shown on the left)

3.9 Additionally, the Officer Report states, *"it is noted that the appeal Inspector in relation to the first appeal raised significant concerns about the dominance of the integral garage door in the front elevation. The current proposal also includes this feature and giving this decision appropriate weight, would be unacceptable in terms of its visual appearance in the streetscene"*.

3.10 However, the references to the appeal on a separate site are not considered relevant as the issue was also due to an awkwardly sited front door (extract of the proposed plan is shown below, with full plan included at Appendix B).



Figure 8: Extract of an awkward design of a nearby scheme dismissed at appeal in 2006

The design of the proposed scheme is more coherent than the above scheme, with a legible and practical design that addresses the road, with a front door leading onto an entrance hall that connects all of the spaces. Overall, the integral garage as part of this scheme is well designed and appropriate. Indeed, there is also already a garage door in this location.

- 3.11 Overall, the Appellant contends that the siting, size, design and proximity to boundaries of the proposed development is acceptable and as demonstrated above the proposal would not result in an incongruous addition to the streetscene.

4. RESIDENTIAL AMENITY

4.1 Reason 2 for refusal is concerned with residential amenity of 251 Long Lane and the proposed dwelling.

4.2 The Officer Report states, *“the submitted plans confirm that the back-to-back separation distance between the two first floor windows of the host and proposed dwelling would be just 19m. This distance falls short of the recognised 21m back-to-back separation distance. The proposed dwelling, by virtue of its scale and proximity, would result in a material loss of residential amenity to the occupants of both properties due to the number and size of the proposed first floor windows proposed, resulting in an actual or perceived sense of overlooking, failing to provide satisfactory amenities for those properties. The proposal would therefore be in conflict with Policy DMHB11 of the Hillingdon Local Plan – Part Two (2020). The impact of overlooking onto the private rear garden of this neighbour is also considerable”.*

- 4.3 With regard to the separation distances the LPP2 stipulates a minimum separation distance of 21m, this is more stringent than the Mayoral Housing SPG which stipulates 18-21m is acceptable.
- 4.4 As set out in the planning statement, the proposed house would have a separation distance of 19m level at first floor level which is in excess of the minimum standard set out in Mayoral Housing Guide (18m). Additionally, one of the proposed windows would have obscure glazing and the other is a bedroom which are mostly in use during early or late hours.
- 4.5 The ground floor is not considered to be an issue given the boundary vegetation and fencing. In a similar case, a shortfall against the 21m requirement of LPP2 was allowed in an appeal at 60 Long Lane, Ickenham. The Inspector considered that although there was a small shortfall it was mitigated by boundary planting (Appeal Reference 3221731 – Included at **Appendix C** with the proposed site plan). In this case, as shown on the site plan planting will also assist in mitigation along with the intervening fence that will be in place.
- 4.6 The Officer Report confirms that loss of light and outlook of neighbouring properties are not issues to warrant refusal and there are no side windows to the proposed property and therefore no overlooking issues.

EXTERNAL AMENITY SPACE

- 4.7 Reason four for refusal is concerned with the quality of accommodation being provided and in particular, the amount of external amenity space.
- 4.8 The Officer Report states, *“the proposal would only result in a private rear garden area measuring 37 sqm. The proposal therefore fails to provide amenity space of sufficient size and quality commensurate to the size and layout of the said unit, in conflict with this policy and having implications for the quality of accommodation on site”*.
- 4.9 It was acknowledged in the submitted Planning Statement that the outdoor space for the new dwelling fell short of the required standard. However, it is considered that owing to the proximity to Hillingdon Court Park and the quality and usability of the space being provided, it is acceptable in the overall planning balance. It will be landscaped, including a grassed area and a patio area which is considered appropriate for a 2-bedroom dwelling in an urban area.

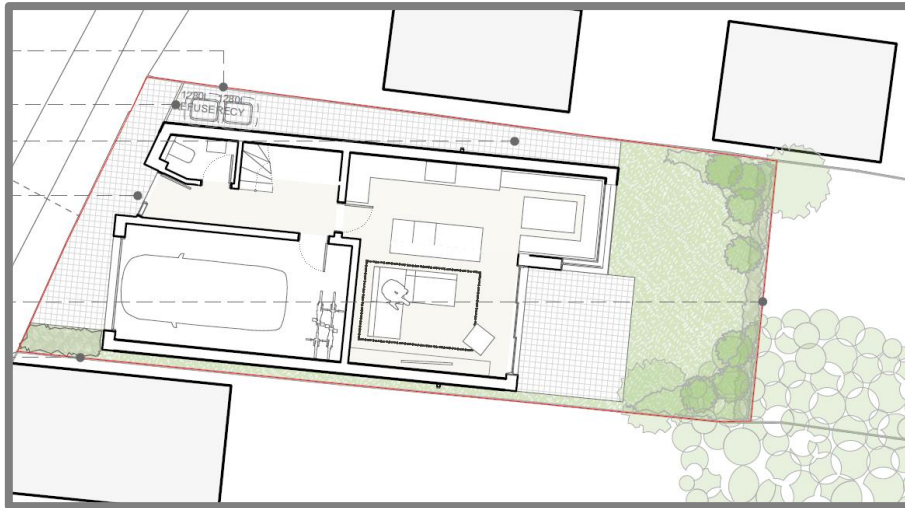


Figure 9: Extract of site plan showing landscaped garden area and patio

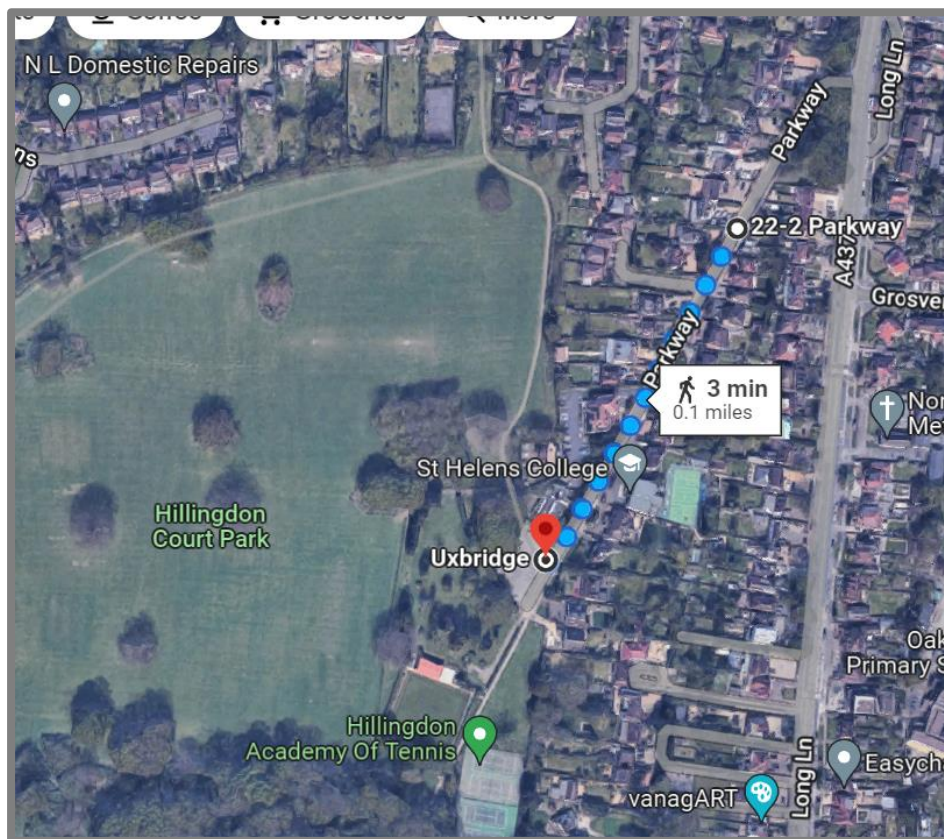


Figure 10: Proximity to Hillingdon Court Park. Source - Google Maps

4.10 There are also several other open space/parks nearby within walking distance of the site:

- Rocket Park (6-minute walk)
- Acorn Park (6-minute walk)
- Elephant Park (11-minute walk)
- Hillingdon Playing Field (16-minute walk)

- 4.11 Overall, the separation distance is considered acceptable as although there is a minor shortfall against the local policy, it exceeds the minimum distance set out in the Mayoral Housing Guide SPG. The shortfall in external amenity space is recognised but when taking account of the usability and quality of the space being provided, together with proximity to large open spaces nearby the harm and conflict with the Development Plan is limited in this regard.

5. HIGHWAY SAFETY

- 5.1 Reason 3 for refusal is concerned with car parking design, layout and access and whether this would be prejudicial to road users' safety.
- 5.2 Markides have prepared a Transport Statement to support the appeal which is include at **Appendix D**. In summary The Transport Statement sets out how the site is within an area of PTAL 2 and so the level of car parking proposed is appropriate and the garage dimensions and cycle parking provision is acceptable (as also confirmed by the Council).
- 5.3 The note details how the existing premises benefits from an existing cross over to access a garage that is not perpendicular to the highway. This arrangement remains unchanged as part of the development proposals and is also wholly consistent with the current arrangement of properties along Parkway. Figure 5.1 of the transport note shows how when the proposed development is overlaid onto the topographical survey, it ties in directly with the existing crossover.
- 5.4 It is evident that the development would not have an unacceptable impact on highway safety, nor would the residual cumulative impacts on the road network would be severe; it therefore fully accords with the guiding principles of the NPPF.

6. CONCLUSIONS

- 6.1 This Statement of Case has outlined the Appellant's grounds of appeal against the London Borough of Hillingdon's decision to refuse application 76753/APP/2021/3469 on the 29th April 2022.
- 6.2 The appeal proposal seeks permission for the subdivision of the plot and the erection of a new 2 bed dwelling, together with associated access, landscaping and associated works.
- 6.3 This Statement of Case has demonstrated why the development is fully acceptable, contrary to the reasons for refusal with regard to:

- Impact on the Character of the Area;
- Impact upon Residential Amenity; and
- Highway Safety.

6.4 In the absence of any conflict with the relevant planning policies and in the context of a national housing crisis at a time when the government is seeking to significantly boost the supply of housing, we respectfully request the Inspector allows this appeal.

A



Mrs Zoe Wilkinson
Atlas Planning Group Ltd
Bodenham House Barn, Bodenham
Salisbury
SP4 5EN

Application Ref:
76753/APP/2021/3469

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
REFUSAL OF PLANNING PERMISSION

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

Description of development:

Sub-division of plot and erection of 1 x 2-bed dwelling (Use Class C3), landscaping, and associated works

Location of development: 251 Long Lane Hillingdon

Date of application: 13 September 2021

Plan Numbers: See attached Schedule of plans

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

Head of Planning, Transportation and Regeneration

Date: 29 April 2022

NOTES: (i) Please also see the informatives included in the Schedule of Reasons.

(ii) Should you wish to appeal against this decision please read the attached sheet which explains the procedure.

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

REFUSAL OF PLANNING PERMISSION

Application Ref: 76753/APP/2021/3469

SCHEDULE OF REASONS

- 1 · The proposal, by reason of its overall size, siting, design and proximity to the front and side boundary lines would appear at odds with the spacing and character of development in the immediate vicinity, giving rise to a cramped form of development which would intensify the residential use of the site and be detrimental to the visual amenities of the street scene and the surrounding area, all harming the established character and appearance of the site and surrounding area. The proposal is contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMH 6, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies D3, D4 and D6 of the London Plan (2021), London Plan (2021) policies H4 and H8 and the NPPF (2021).
- 2 · The proposed dwelling, by virtue of its scale and proximity, would result in a material loss of residential amenity to the occupants of both the host dwelling at Number 251 Long Lane and the proposed dwelling due to the number and size of the first floor rear facing windows proposed, resulting in an actual or perceived sense of overlooking, failing to provide satisfactory amenities for those properties. The proposal would therefore be in conflict with Policy DMHB11 of the Hillingdon Local Plan - Part Two (2020) and the NPPF (2021).
- 3 · The applicant has failed to demonstrate a satisfactory policy-led approach to the car parking design, layout and access which could be prejudicial to all road users safety, contrary to policy DMT2 and DMT6 of the Hillingdon Local Plan (2020) and Policy T6 the London Plan (2021).
- 4 · The proposal fails to provide amenity space of sufficient size and quality commensurate to the size and layout of the said unit and would provide a substandard form of accommodation for future residents contrary to Policy DMHB18 of the Hillingdon Local Plan - Part Two (2020).

INFORMATIVES:

- 1 · The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
- 2 · The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan (2021) and national guidance.

Part 1 Policies:

PT1.BE1 (2012) Built Environment

SCHEDULE OF REASONS

Part 2 Policies

DMH 6	Garden and Backland Development
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP D4	(2021) Delivering good design
LPP D6	(2021) Housing quality and standards
LPP D8	(2021) Public realm
LPP T6	(2021) Car parking

3 . 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.

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

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

END OF SCHEDULE

Address:

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

REFUSAL OF PLANNING PERMISSION

Application Ref.No.: 76753/APP/2021/3469

SCHEDULE OF PLANS

LLH OBA 00 ZZ DR A 0300 Existing Site Section - received 13 Sep 2021
LLH OBA 00 ZZ DR A 0400 Existing Elevations - received 13 Sep 2021
LLH OBA 00 ZZ DR A 0450 Street Elevation - received 13 Sep 2021
LLH OBA 00 ZZ DR A 0101 Site Plan Existing - received 13 Sep 2021
LLH OBA 00 01 DR A 0252 First Floor Plan - Proposed - received 13 Sep 2021
LLH OBA 00 00 DR A 0251 Ground Floor Plan - Proposed - received 13 Sep 2021
LLH OBA 00 ZZ DR A 0102 Site Plan Proposed - received 13 Sep 2021
LLH OBA 00 02 DR A 0253 Roof Plan - Proposed - received 13 Sep 2021
251-LongLane-DAS - received 13 Sep 2021
LLH OBA 00 ZZ DR A 0452 Proposed North and South Elevation - received 13 Sep 2021
LLH OBA 00 ZZ DR A 0350 Proposed Site Section - received 13 Sep 2021
LLH OBA 00 ZZ DR A 0451 Proposed East and West Elevation - received 13 Sep 2021
LLH OBA 00 ZZ DR A 0100 Location and Block Plan - received 13 Sep 2021
LLH OBA 00 00 DR A 0201 Ground Floor - Existing - received 13 Sep 2021
LLH OBA 00 01 DR A 0202 Roof Plan - Existing - received 13 Sep 2021

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

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

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

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

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

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

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

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

Purchase Notices.

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

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

DELEGATED DECISION

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

APPROVAL RECOMMENDED: GENERAL

Select Option

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

REFUSAL RECOMMENDED: GENERAL

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

RESIDENTIAL DEVELOPMENT

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

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

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

CERTIFICATE OF LAWFULNESS

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

CERTIFICATE OF LAWFULNESS

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

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

Case Officer

Signature:

Date:

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

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

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

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

Address 251 LONG LANE HILLINGDON

Development: Sub-division of plot and erection of 1 x 2-bed dwelling (Use Class C3), landscaping, and associated works

LBH Ref Nos: **76753/APP/2021/3469**

Drawing Nos: LLH OBA 00 ZZ DR A 0300 Existing Site Section
 LLH OBA 00 ZZ DR A 0400 Existing Elevations
 LLH OBA 00 ZZ DR A 0450 Street Elevation
 LLH OBA 00 ZZ DR A 0101 Site Plan Existing
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 LLH OBA 00 ZZ DR A 0102 Site Plan Proposed
 LLH OBA 00 02 DR A 0253 Roof Plan - Proposed
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 LLH OBA 00 ZZ DR A 0350 Proposed Site Section
 LLH OBA 00 ZZ DR A 0451 Proposed East and West Elevation
 LLH OBA 00 ZZ DR A 0100 Location and Block Plan
 LLH OBA 00 00 DR A 0201 Ground Floor - Existing
 LLH OBA 00 01 DR A 0202 Roof Plan - Existing

Date Plans received : 13/09/2021

Date(s) of Amendment(s):

Date Application Valid: 13/09/2021

1. SUMMARY

The application seeks planning permission for the sub-division of plot and erection of 1 x 2-bed dwelling (Use Class C3), landscaping, and associated works.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposal, by reason of its overall size, siting, design and proximity to the front and side boundary lines would appear at odds with the spacing and character of development in the immediate vicinity, giving rise to a cramped form of development which would intensify the residential use of the site and be detrimental to the visual amenities of the street scene and the surrounding area, all harming the established character and appearance of the site and surrounding area. The proposal is contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMH 6, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies D3, D4 and D6 of the London Plan (2021), London Plan (2021) policies H4 and H8 and the NPPF (2021).

2 NON2 Non Standard reason for refusal

The proposed dwelling, by virtue of its scale and proximity, would result in a material loss of residential amenity to the occupants of both the host dwelling at Number 251 Long Lane and the proposed dwelling due to the number and size of the first floor rear facing windows proposed, resulting in an actual or perceived sense of overlooking, failing to

provide satisfactory amenities for those properties. The proposal would therefore be in conflict with Policy DMHB11 of the Hillingdon Local Plan - Part Two (2020) and the NPPF (2021).

3 NON2 Non Standard reason for refusal

The applicant has failed to demonstrate a satisfactory policy-led approach to the car parking design, layout and access which could be prejudicial to all road users safety, contrary to policy DMT2 and DMT6 of the Hillingdon Local Plan (2020) and Policy T6 the London Plan (2021).

4 NON2 Non Standard reason for refusal

The proposal fails to provide amenity space of sufficient size and quality commensurate to the size and layout of the said unit and would provide a substandard form of accommodation for future residents contrary to Policy DMHB18 of the Hillingdon Local Plan - Part Two (2020).

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

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

DMH 6 Garden and Backland Development

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 16 Housing Standards

DMHB 18 Private Outdoor Amenity Space

DMT 1 Managing Transport Impacts

DMT 2 Highways Impacts

DMT 6 Vehicle Parking

LPP D4 (2021) Delivering good design

LPP D6 (2021) Housing quality and standards

LPP D8 (2021) Public realm

LPP T6 (2021) Car parking

3 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.

4 174 Community Infrastructure Levy (CIL) (Refusing Consent)

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

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

3. CONSIDERATIONS

3.1 Site and Locality

The application site forms the rear part of the garden to No.251 Long Lane. The site fronts onto 'Parkway', a residential cul-de-sac that leads onto St. Helen's College and Hillingdon Court Park.

The site measures 130sqm and is rectangular in shape with a slight chamfer to the western corner, reflecting the angle at which 'Parkway' cuts across the rectilinear pattern of development in the area.

No. 251 Long Lane is a post-war 2 storey semi-detached property with a long rear garden that backs on to 'Parkway'. Due to the angle at which Parkway cuts across from Long Lane, the gardens to the properties along Long Lane progressively get deeper and deeper. From 229 Long Lane to 247 Long Lane, these gardens have been built upon with the new houses fronting Parkway.

The application site is currently occupied by a single storey flat roof garage which is accessed from Parkway over a dropkerb.

The neighbouring properties either side are also occupied by single storey garages to the rear of their gardens.

The site lies within the Critical Drainage Area and the Hillingdon Court ASLC Boundary runs along the opposite side of the road (Parkway).

3.2 Proposed Scheme

The application seeks planning permission for the sub-division of plot and erection of 1 x 2-bed dwelling (Use Class C3), landscaping, and associated works.

3.3 Relevant Planning History

59206/APP/2005/2951 Land Forming Part Of 249 Long Lane Hillingdon

ERECTION OF A TWO-STOREY DETACHED DWELLING WITH ASSOCIATED PARKING

Decision: 14-12-2005 Refused

Appeal: 27-06-2006 Dismissed

59206/APP/2006/2723 Land Rear Of And Forming Part Of 249 Long Lane Hillingdon
ERECTION OF A TWO STOREY DETACHED DWELLINGHOUSE.

Decision: 30-11-2006 Refused

Appeal: 22-06-2007 Dismissed

Comment on Planning History

There is no planning history relating to this plot. It should however be noted that planning permission was refused under application reference 59206/APP/2006/2723 for erection of a two storey detached dwellinghouse on the adjacent site (land to the rear of 249 Long Lane) for the following reasons:-

1. The proposal fails to provide any on-site parking and as such would be likely to cause additional on-street parking which would have a detrimental impact on pedestrian safety and vehicular flow and would be detrimental to the residential amenities of surrounding area. As such, the proposal is contrary to policies BE19, AM7 and AM14 of the Borough's adopted Unitary Development Plan and the Council's Interim Car Parking Standards (December 2001).

2. The proposed development, due to its shallow roof pitch, together with its narrow width, represents an incongruous addition to the street scene, out of keeping with the scale, proportion and architectural composition of other properties in the street which would not complement or improve the amenity and character of the area. As such, the proposal is contrary to policies BE13 and BE19 of the Borough's adopted Unitary Development Plan.

An appeal was subsequently dismissed under reference APP/R5510/A/07/2035964. The Inspector raised highway safety concerns.

Prior to that application reference 59206/APP/2005/2951 - ERECTION OF A TWO-STOREY DETACHED DWELLING WITH ASSOCIATED PARKING was refused for the following reasons:-

1. The site is not considered to be of an adequate size to accommodate a house that would be in keeping with the established character of the street. The proposal, which is situated on a prominent site, would not complement or improve the amenity and character of the area and, as such, is contrary to policies BE13 and BE19 of the Borough's adopted Unitary Development Plan.

2. The proposal, due to the first floor obscure glazed window within the rear elevation fails to provide an adequate outlook from this room. The proposal is therefore contrary to design principle 4.1 of the Council's Design Guide: "Residential Layouts and House Design".

An appeal was subsequently dismissed under appeal reference APP/R5510/A/06/2008249. The inspector raised concerns about the overdominant garage door, and awkwardly arranged front door and house being out of proportion and character with the development nearby.

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date:- Not applicable

4.2 Site Notice Expiry Date:- Not applicable

5. Comments on Public Consult

Landscape Officer -

This site is occupied by the rear garden of 251 Long Lane, which backs on to the residential street of Parkway. There is a large tree thought to be located in the rear garden of the neighbouring property, 249 Long Lane, which oversails the side / southern boundary. The site lies within the area covered by TPO 168, although the tree in the adjacent garden is not covered by it. COMMENT The response to the planning questionnaire, Q.18, states that no trees influence the site or will be affected by it. Although the approximate location of the tree is shown on plan, according to the aerial photographs, the canopy spread of the tree appears to be under-represented on plan. The third party tree on the neighbouring land to the south may overshadow much of the proposed small back garden. Otherwise, the proposal is to replace the garage fronting onto Parkway with a detached house with an integral garage, modest area of hard landscape in the front and private amenity space to the rear. RECOMMENDATION If you are minded to approve this application, please add conditions RES 9 (parts 1,2 and 5).

Highways

Highways Comments:

The proposal involves the demolition of the existing garage accessed off Parkway and erection of a 2bed dwelling with an integrated single garage inclusive of cycle parking.

The site achieves an average/fair PTAL rating of 2.

The Mayor of London adopted a new and revised London Plan in March 2021, consequently the car parking standards set out in the London Plan 2021 which are restricted in line with levels of existing and future public transport accessibility and connectivity, take precedence over those of the Local Development Plans of Local Authorities except where local Development Plans specify lower local maximum standards.

The maximum residential car parking standards set out in the London Plan Policy T6: Table 10.3 are predominately lower than the maximum parking standards set out in the Hillingdon Local Plan: Part 2 Development Management Policies (2020) and so the London Plan parking standards take precedent.

The maximum parking standards outlined in the London Plan Table 10.3: Outer London PTAL 2-3, 1-2 beds it is up to 0.75 space per dwelling and 1 cycle/bed.

Whilst achieving the London Plan 0.75 car parking space is not practically possible and under DMT6 there would have been a requirement for 2 spaces, the provision of 1 on-site car parking space is considered judicious under the site-specific conditions.

The garage dimensions have not been shown but scaling off the submitted plan the internal dimensions are approx. 6mx3m which complies with the minimum internal dimensions in policy DMT6.

The garage alignment is at an angle with the public highway and therefore substandard. All vehicles must be able to egress perpendicular to the highway.

See the following Council guidance:

https://www.hillingdon.gov.uk/media/2123/domestic-vehicle-footway-crossover-policy/pdf/VCO_Appendix_A_New_Policy_050419_4.pdf?m=1590492295747

The relevant para states:

A crossover will only be approved where a standard car parking space (2.4m wide x 4.8m

deep) at 90 degrees to the highway can be accommodated on the front garden/forecourt of the application site. In addition, a vehicle must be able to leave the parking space at right angles to the kerb (see Fig 1).

For pedestrian safety reasons in all new vehicle accesses, it is necessary to maintain within the site areas measuring 1.5m by 1.5m, with no obstruction more than 0.6m high, either side of where the vehicle accesses meet the back edge of the footway, known as pedestrian visibility splays, within which unobstructed visibility is available for drivers to see and be seen by pedestrians on a footway to avoid a potential hazard in time. The splays must be wholly within the site's curtilage and physically protected (dwarf wall/ped gate) from being driven over thereby undermining their necessity.

Given it's a new build higher standard of design, build and safety are applied to new developments, car parking access, layout and arrangement should be designed to improve safety for all road users.

Cycle parking for 2 cycles have been shown inside the garage which is acceptable.

RECOMMENDATION:

Refuse

Reasons for Refusal:

The applicant has failed to demonstrate a satisfactory policy-led approach to the car parking design and layout which could be prejudicial to all road users safety, contrary to policy DMT6 and the London Plan.

Access Officer -

Any grant of planning permission should include the following conditions: Prior to works commencing, details of step free access via the principal private entrance shall be submitted to, and approved in writing, by the Local Planning Authority. Such provision shall remain in place for the life of the building. REASON To ensure that an appropriate standard of housing stock, in accordance with the 2021 London Plan policy D7 is achieved and maintained. The dwelling(s) hereby approved shall accord with the requirements of Policy D7 of the London Plan, and shall not be occupied until certification of compliance with the technical specifications for an M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, has been submitted to, and approved in writing, by the Local Planning Authority. All such provisions must remain in place for the life of the building. REASON: To not only allow the Building Control body to require the development to comply with the optional Building Regulations standards, but to also ensure the appropriate quantity and standard of accessible and adaptable housing is constructed and maintained in accordance with policy D7 of the London Plan.

3 letters of objection have been received raising concerns about:

1. The similarities between the current proposal and those which have been previously refused and dismissed at appeal on the adjacent site.
2. Overdevelopment
3. Cramped and out of keeping with the locality / harmful addition to local character contrary to Local Plan Part 1 Policy BE1 and Local Plan Part 2 policy DMHB 11 (A) (i)
4. Inadequate car parking provision and subsequent increased demand for on street parking to the detriment of highway and pedestrian safety
5. Inadequate garden space / stated garden size misleading, contrary to Local Plan Part 2 Policy DMHB 18
6. Loss of privacy given substandard back to back separation distances
7. Contrary to Local Plan Policy DMH6 in relation to neighbour amenity, vehicular

arrangement, impact on trees

8. Loss of garden not justified

9. Application documents misleading e.g. regarding extent of neighbouring 2 storey development

10. Width of plot inhibits the ability of the contemporary appearance to successfully work / architectural approach at odds with neighbouring properties

11. Integral garage inappropriate / harms proportions of the building - similarity to appeal and relevant Inspector conclusions

12. Impact on amenity contrary to Local Plan Part 2 Policy DMHB 11 and DMH 6

13. Loss of light / overshadowing

14. Contrary to space standards / Local Plan Part 2 Policy DMHB 16 - additional room that could serve as bedroom

15. Concerns about inadequate vision splays

16. Contrary to Local Plan Part 2 Policies DMT 1 and 2

17. Absence of arboricultural assessment / impact on TPO trees cannot be determined / contrary to DMHB 14

18. Impact on Area of Special Local Character

19. Impact accessibility of neighbouring property

Planning Officer Comment:

This is a summary of the objections received and not an exhaustive list given the comprehensive and helpful notes provided. Nevertheless, all matters raised have been taken into account in this decision and have informed this decision. Many are discussed in detail in the main officer report, below.

In relation to point 9 regarding misleading / inaccurate information, the comments received have been taken into consideration in the assessment of the application. It is considered that sufficient information is available to take a decision on the application.

In relation to point 19, it is considered that if the recommendation was to approve, a construction management condition would adequately address access issues during the construction phase.

6. Local Plan Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMH 6 Garden and Backland Development

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 16 Housing Standards

DMHB 18 Private Outdoor Amenity Space

DMT 1 Managing Transport Impacts

DMT 2 Highways Impacts

DMT 6 Vehicle Parking

LPP D4 (2021) Delivering good design

LPP D6	(2021) Housing quality and standards
LPP D8	(2021) Public realm
LPP T6	(2021) Car parking

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 Two - Development Management Policies (2020) states that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

The submitted plans confirm that the back to back separation distance between the two first floor windows of the host and proposed dwelling would be just 19m. This distance falls short of the recognised 21m back to back separation distance. The proposed dwelling, by virtue of its scale and proximity, would result in a material loss of residential amenity to the occupants of both properties due to the number and size of the proposed first floor windows proposed, resulting in an actual or perceived sense of overlooking, failing to provide satisfactory amenities for those properties. The proposal would therefore be in conflict with Policy DMHB11 of the Hillingdon Local Plan - Part Two (2020). The impact of overlooking onto the private rear garden of this neighbour is also considerable.

Given the degree of separation to the properties to the rear, it is considered that the proposal would not result in an unacceptable loss of light or outlook to the occupants of these properties. There would be an impact on the extreme rear garden of either neighbour with the replacement building however, given the other built form nearby and the overall quality of these rear garden spaces, this does not form a reason for refusal in its own right. Weight has also been given to the previous appeal decisions in this regard.

No side windows are proposed to the property which resolves any overlooking issues to the neighbours either side.

7.2 Impact on Street Scene

The NPPF (2021) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that

fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

Policy D3 of the London Plan (2021) requires that development proposals should: Form and enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

Policy D4 of the London Plan (2021) states 'Development should have regard to the form, function and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establish an enhanced character for the future function of the area.'

Policy GG4 of the London Plan (March 2021) seeks to ensure that London's housing needs are met. This objective is reiterated in the Mayor of London's Supplementary Planning Guidance (SPG) on Housing, although it is noted that in achieving housing targets, full account must be given to other policy objectives. Policy H1 of The London Plan (2021) promotes the optimisation of housing output within different types of location. Policy H10 of The London Plan encourages the Council to provide a range of housing choices in order to take account of the various different groups who require different types of housing. Consideration will also be given to the accessibility of the site to services and amenities.

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

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including: i) harmonising with the local context by taking into account the surrounding: · scale of development, considering the height, mass and bulk of adjacent structures; · building plot sizes and widths, plot coverage and established street patterns; · building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure; architectural composition and quality of detailing; local topography, views both from and to the site; and impact on neighbouring open spaces and their environment. ii) ensuring the use of high quality building materials and finishes; iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities; iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

No. 251 Long Lane is a post-war 2 storey semi-detached property with a long rear garden that backs on to 'Parkway'. Due to the angle at which Parkway cuts across from Long Lane, the gardens to the properties along Long Lane progressively get deeper and deeper. From 229 Long Lane to 247 Long Lane, these gardens have been built upon with the new houses fronting Parkway. The Proposed dwelling would be sited forward of the dwellings constructed to the rear of numbers 245 and 247 such that it would abut the front boundary of the site with Parkway, resulting in a visually awkward siting along this

frontage.

Whilst the overall gabled roof design and bulk of the proposed dwelling is considered acceptable, with a contemporary appearance, its siting alongside the boundary with number 249 and siting forward of the building line is considered to represent a visually incongruous and cramped form of development on this garden site, out of keeping with the established pattern and form of development in the locality.

It is noted that the appeal Inspector in relation to the first appeal raised significant concerns about the dominance of the integral garage door in the front elevation. The current proposal also includes this feature and giving this decision appropriate weight, would be unacceptable in terms of its visual appearance in the streetscene.

Overall the proposal would have a detrimental impact on the character and appearance of the site, streetscene and residential area as a whole all contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMH 6, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies D3, D4 and D6 of the London Plan (2021), London Plan (2021) policies H4 and H8 and the NPPF (2021).

7.3 Traffic Impact/Pedestrian Safety

See below.

7.4 Carparking & Layout

Policy DMT 2: Highways Impacts states:

Development proposals must ensure that:

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

Policy DMT 6: Vehicle Parking states:

A) Development proposals must comply with the parking standards outlined in Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity.

The Council may agree to vary these requirements when:

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

B) All car parks provided for new development will be required to contain conveniently located reserved spaces for wheelchair users and those with restricted mobility in accordance with the Council's Accessible Hillingdon SPD.

The site achieves an average/fair PTAL rating of 2.

The Mayor of London adopted a new and revised London Plan in March 2021, consequently the car parking standards set out in the London Plan 2021 which are restricted in line with levels of existing and future public transport accessibility and connectivity, take precedence over those of the Local Development Plans of Local Authorities except where local Development Plans specify lower local maximum standards.

The maximum residential car parking standards set out in the London Plan Policy T6: Table 10.3 are predominately lower than the maximum parking standards set out in the Hillingdon Local Plan: Part 2 Development Management Policies (2020) and so the London Plan parking standards take precedent.

The maximum parking standards outlined in the London Plan Table 10.3: Outer London PTAL 2-3, 1-2 beds it is up to 0.75 space per dwelling and 1 cycle/bed.

Achieving the London Plan 0.75 car parking space is not practically possible and DMT6 would have sought 2no. spaces, so the provision of 1 on-site car parking space is considered an appropriate provision under the site-specific conditions. The garage dimensions have not been shown but scaling off the submitted plan the internal dimensions are approx. 6mx3m which complies with the minimum internal dimensions in policy DMT6.

However, the garage alignment is at an angle with the public highway and therefore substandard. All vehicles must be able to egress perpendicular to the highway for reasons of both highway and pedestrian safety, as identified in the Highway officers' comments.

The proposal therefore fails to provide a safe and convenient access to the property and would be prejudicial to both highway and pedestrian safety, in conflict with the above mentioned policies in the development plan.

7.5 Urban Design, Access and Security Considerations

Quality of Accommodation:

Policy DMHB 16: Housing Standards states:

All housing development should have an adequate provision of internal space in order to provide an appropriate living environment. To achieve this all residential development or conversions should:

meet or exceed the most up to date internal space standards, as set out in Table 5.1.

A two bedroom (4 person) two storey house is required to provide 79 square metres which the proposed dwelling would achieve.

It is noted that neighbours have raised concerns that the small first floor room labelled as a study could be used as a bedroom. This room has a floor area of 7 square metres and does not meet the minimum space standards for a single bedroom and therefore the application is considered as a two bedroom property with first floor non-habitable study.

Policy DMHB 18: Private Outdoor Amenity Space states: All new residential development and conversions will be required to provide good quality and useable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.2.

From this table it is confirmed that a two bedroom dwelling is required to provide 60 square metres. The proposal would only result in a private rear garden area measuring 37 square metres. The proposal therefore fails to provide amenity space of sufficient size and quality commensurate to the size and layout of the said unit, in conflict with this policy and having implications for the quality of accommodation on site.

Trees:

The site lies within the area covered by TPO 168, although the tree in the adjacent garden is not covered by it. Although the approximate location of the tree is shown on plan, according to the aerial photographs, the canopy spread of the tree appears to be under-represented on plan. The third party tree on the neighbouring land to the south may overshadow much of the proposed small back garden which would further exacerbate the quality of the outdoor amenity space. As such the proposal would provide a substandard form of accommodation for future residents contrary to Policy DMHB18 of the Hillingdon Local Plan - Part Two (2020).

Access:

In the event of an approvable scheme, the proposed dwelling would be required to provide details of a step free access which could be secured by way of condition.

7.6 Other Issues

CIL

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

The application site lies within a Critical Drainage Area. In the event of an approvable scheme, a condition requiring sustainable urban drainage measures would be imposed.

8. Reference 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)

Contact Officer: Nicola Taplin

Telephone No: 01895 250230

B



Appeal Decision

Site visit made on 17 April 2019

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 May 2019

Appeal Ref: APP/R5510/W/19/3221731

60 Long Lane, Ickenham, UB10 8SZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Greengables (Mr Rod Flood) against the decision of London Borough of Hillingdon.
 - The application Ref 70282/APP/2018/612, dated 16 February 2018, was refused by notice dated 14 December 2018.
 - The development proposed is a 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 vehicle crossover.
-

Decision

1. The appeal is allowed, and planning permission is granted for a 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 vehicle crossover front at 60 Long Lane, Ickenham, UB10 8SZ in accordance with the terms of the application, ref: 70282/APP/2018/612, dated 16 February 2018, subject to the following conditions:
 - 1) The development hereby permitted shall be begun not later than three years from the date of this decision;
 - 2) The development shall be carried out in accordance with the following approved plans: 17/3124/101, 17/3124/102B, 17/3124/105B, 17/3123/110 and 17/3124/103A.
 - 3) Notwithstanding condition 2 prior to commencement of any works above slab level place details of the screened storage of refuse bins and covered and secure cycle storage shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and no part of the development shall be occupied until the facilities have been provided and thereafter the facilities shall be permanently retained;
 - 4) Prior to commencement of any works above slab level details of a sound proofing scheme, certified or to the certifiable standards of the Association of Noise Consultants (ANC) or UK Accreditation Services (UKAS), between each floor shall be submitted to the local planning authority for approval. The development shall be carried out in accordance with the approved details;

- 5) Prior to commencement of any works above slab level a detailed scheme for hard and soft landscaping, boundary walls, fences or other means of enclosure shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to occupation of the development;
- 6) Prior to commencement of any works above slab level samples of all external facing materials have been submitted to and approved by the local planning authority in writing. The relevant works shall be carried out in accordance with the approved sample details.
- 7) The development shall be carried out in accordance with the measures outlined in the submitted Tree Survey, Arboricultural Impact Assessment and Method Statement dated September 2017 (amended January 2018).

Procedural Matters

2. The description of the proposal on the application form proposed 8 x 2 bed flats but the proposal has been amended with the number of flats reduced to 7. For the avoidance of doubt I have outlined the development proposed as per the description on the Council's refusal notice.

Main Issues

3. The main issues to be considered are (i) the impact of the proposal upon the character of Ickenham Conservation area, (ii) the impact of the proposal upon the amenity of neighbouring properties with particular regard for privacy and (iii) the standard of living accommodation provided for future occupants.

Reasons

4. The appeal site consists of a substantial detached property, which has been extended to fill the width of the large plot within which it stands. The property is set back from the road, consistent with the building line within the street scene, and has a carriage driveway with two access points. I note from my site visit that whilst the area is predominantly characterised by detached dwellings, in good sized plots, there is existing flatted development. Examples can be seen at No. 66, which appears to be nine flats, as well as further flatted development adjacent to this.

Impact upon the Character of Ickenham Conservation Area

5. In principle the Conservation Officer's concern, and thus one of the reasons for refusal, is based upon the loss of the existing dwelling.
6. From my site visit I note that there is no one overriding architectural theme in the immediate area. It is only the building line and property heights providing any real consistency. No.60 has been subjected to a number of unattractive extensions to the front and sides of the property. This has resulted in a lack of distinguishing features or style. I am not aware of any historical interest in the house itself which would warrant its retention and I concur that it has a lack of architectural merit, supported by the appellant's detailed assessment. With no up to date conservation area assessment I have no evidence before me that suggests the property makes a contribution to the overall character of the conservation area.

7. The proposed replacement building has been designed to reflect 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. Visually, it presents itself as a large residential property rather than flattened development. On the evidence before me I consider that the replacement building will make a positive contribution to the conservation area when compared to that of the existing property. The positive nature of the replacement building will justify demolition of the existing property.
8. The submitted street scene shows an overlay, via a dotted line, of the existing property on the proposed building. The existing dwelling fills the width of the plot, though this is acknowledged to be through single storey side extensions. The proposed development would bring the actual footprint of built development in and away from the boundaries to the side. This, combined with the minimal additional built form to the sides with the cat slide roof, leads me to find the proposal does maintain adequate set back from the sites side. It also maintains the open gap features at first floor level. I do not find that the proposal represents a substantial addition to the street scene.
9. The neighbouring property, No. 62, is of a comparable depth front to back albeit it is acknowledged it is not square in form. The building at No. 66 is slightly larger, though in a larger overall plot. The proposed plan is a double-pile of roughly square form. It is noted that its depth is greater than the existing single-pile plan. Despite this, given the size of the plot and the space retained to both the front and rear, I do not find the proposal to be incompatible or of a large enough contrast to warrant refusal. Whilst the side elevations are almost blank, I do not find that this is detrimental as their visibility will be limited due to neighbouring built form.
10. I find that proposed building would respect the building line and height of neighbouring properties. The design reflects an arts and crafts architectural scene and I do not find the size, scale and design would result in a cramped, intrusive and visually dominant form of development.
11. I do not find that the proposal would create a precedent given that each case should be considered on its merits. Furthermore, I do not agree with the Council's assessment that the cumulative and incremental harm that *could* arise from similar development in the future *could* adversely affect the significance, character and appearance of the conservation area resulting in substantial harm. Fear of a precedent is not sufficient to warrant refusal. It falls to consider the impact of the proposal which is the subject of this appeal.
12. The Council's report acknowledges, and I concur, that the level of harm to the appeal site itself would be less than substantial harm. I would also conclude that the harm to the conservation area itself is also less than substantial if at all. Paragraph 193 of the National Planning Policy Framework 2018 (the Framework) requires great weight to be attributed to harm regardless of the level of harm identified. Paragraph 196 of the Framework 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 securing its optimum use.

13. The development offers potential social benefits in terms of increasing housing supply and the availability of seven smaller units. It would also have economic benefits for local services and facilities once occupied, together with short term and temporary economic benefits in terms of necessary construction works associated with the development. The development also offers environmental benefits through the provision of modern housing, which will be required to meet energy standards through building regulations and offers an opportunity for environmental enhancement through landscaping and management of the on-site trees. The proposal is also located in a sustainable location with sustainable transport options available to future occupiers. I find that the great weight which should be given to the less than substantial harm to the designated heritage asset is outweighed by any public benefits.
14. Overall, I find that the proposal would be consistent with LP1¹ Policy BE1 which seeks to secure a high quality of design and to improve and maintain the quality of the built environment, LP2² Policy BE13 due to the layout and appearance harmonising with the street scene and LP2 Policy BE19 which seeks to ensure new development complements the amenity and character of the area. The proposal would also be consistent with LP2 Policy BE4 due to the building being demolished not having been found to make a positive contribution to the area.
15. In addition, the proposal would be consistent with London Plan 2016 Policy 7.4 which seeks to ensure development has regard for the street and scale, mass and orientation of surrounding buildings and is informed by the surrounding historic environment. The proposal would also be consistent with London Plan Policy 7.8 which requires development affecting heritage assets and their settings to be sympathetic to form, scale, materials and architectural detail.

Amenity of Neighbouring Properties

16. The proposal would exceed the Council's minimum separation distances between the proposed building and habitable windows to neighbouring properties. The Residential Layout Supplementary Planning Document (SPD)³ does, however, require this distance to be applied to private garden area or patio area normally taken to be the 3m depth of rear garden immediately adjoining the rear elevation of a residential property.
17. The distance from the windows in the rear elevation of the proposal, to the private garden area 1 Neela Close, will fall just short of the 21m provided as a guide in the SPD. The orientation of 1 Milton Close means that a large proportion of private garden area will be beyond 21m away and the area immediately behind 1 Milton Close, closest to the appeal proposal, would be largely screened from view by an existing garage structure as noted when fulfilling a request to view from this property.
18. In the case of both 1 Neela Close and 1 Milton Close the existing mature tree and hedge screening along the rear boundary of the site would be retained, as outlined in the submitted tree protection plan and noted on the site layout plans, and there are additional trees and hedging in neighbouring gardens.

¹ Saved Policies of the Hillingdon Local Plan: Part 1 Strategic Policies 2012

² London Borough of Hillingdon Unitary Development Plan (adopted 1998) Saved Policies (2007)

³ Hillingdon Design and Accessibility Statement (HDAS) Residential Layouts Supplementary Planning Document (2006)

The trees are noted as low quality, but the submissions do state that they have an estimated life expectancy of at least ten years. A condition requiring the measures outlined in the arboricultural report can be applied and the submitted plans clearly show their retention. I am of the opinion that the retention and management of the trees would, in this case, prevent loss of privacy and compensate for the very small shortfall in separation distance between the rear elevation windows and neighbouring private garden areas.

19. There are three rooflights proposed in each of the side elevations. Amended plans 17/3124/105B (proposed elevations) show the rooflights to have been moved up and a sectional drawing (17/3124/10) provided demonstrating the cill level for the rooflights at 1.8m above floor level. This would, therefore, preclude overlooking and loss of privacy to neighbouring properties.
20. I do not find that the proposal would result in any harmful impact in relation to loss of privacy to occupiers of neighbouring properties. The proposal fulfils the objectives of the design guidance in the Residential Layout SPD which seeks to ensure privacy for occupants and that of the adjoining residential properties.
21. The proposal would be consistent with LP2 Policy BE20 which seeks to safeguard the amenity of existing houses, LP2 Policy BE21 which seeks to prevent significant loss of residential amenity and LP2 Policy BE24 which requires that the design of new buildings should protect the privacy of occupiers and their neighbours.

Standard of living accommodation for future occupiers

22. The housing standards⁴ set out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for future occupiers. The Council's delegated report fails to take account of amended plans 17/3124/103A and 17/3124/105A which are understood to have been submitted prior to determination of the application. These amended plans address the previous failure to meet space standards as the first-floor flats are now two, two-bedroom/four person units and one two-bedroom/three-person unit. They meet the required standards of 70 sq/m and 61sq/m respectively.
23. The proposal would be consistent with London Plan⁵ Policy 3.5 which seeks to implement minimum space standards for new dwellings to ensure an appropriate standard of living for future occupiers.

Other Matters

24. I note there are a number of objections to the proposal which are summarised within the Council's delegated report. A number of issues raised within these objections have already been discussed above. I have no evidence before me to suggest that the site does not provide adequate parking and note that the Highway Authority have responded to say they are satisfied that the proposal would not exacerbate congestion or parking stress and would not raise any highway safety concerns in accordance with adopted policy. Similarly, they have raised no concerns relating to pedestrian, highway safety or access for emergency vehicles.

⁴ The Housing Standards (Minor Alterations to the London Plan) March 2016

⁵ London Plan 2016

25. I have no evidence before me which suggests that the area requires more family housing or that the proposal would lead to a loss of wildlife or habitat. The Council have not raised any concerns relating to loss of light or being overbearing and found the proposal would not significantly impact upon the amenity of neighbouring occupiers. I have no evidence before me to suggest that the proposal will lead to localised flooding, nor have the Council raised this as a potential issue within their submissions. A condition relating to screened refuse bin storage can be applied to the consent granted to ensure adequate storage facilities as well as an appropriate location for such facilities.
26. The number of trees lost is small and a full tree survey has been supplied with the submissions with clear plans as to trees to be removed as part of the proposal. The document also outlines protection for trees as a result of the development. The submissions demonstrate retention of the trees along the rear boundary. Conditions requiring compliance with the plans and submitted arboricultural report can be applied. Any trees which are subject to a Tree Preservation Order could not be removed without consent from the Local Planning Authority.

Conditions

27. I have undertaken some minor amendments to the Council's suggested conditions to ensure that they are consistent with paragraphs 55 and 56 of the Framework.
28. A condition requiring the development to commence within three years is required to comply with Section 91 of The Town and Country Planning Act 1990. A plan condition is required to define the development. A condition relating to external materials is required to ensure a satisfactory finish which is appropriate within the conservation area. A condition relating to refuse bin storage facilities is required to protect the amenities of neighbouring properties and ensure adequate facilities for future occupiers.
29. A condition relating to a sound proofing scheme is required to protect the living conditions of future occupiers and a condition relating to cycle storage required to encourage sustainable transport methods in accordance with both local plans and the Framework. A condition relating to boundary walls, fencing, enclosure and a landscaping scheme is required to ensure a satisfactory appearance within the conservation area. Finally, a condition requiring compliance with the submitted arboricultural survey, which demonstrates retention of trees to the rear boundary, is required to protect the privacy of nearby properties.

Conclusion

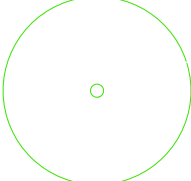
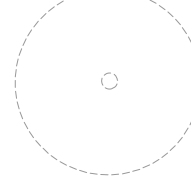
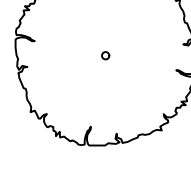
30. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be allowed subject to the conditions outlined at the start of this decision.

Eleni Randle

INSPECTOR



AMENDMENTS	
A	No 58 and 62 amended 19/09/17
B	Parking layout amended 30/10/18

- KEY**
-  = Existing trees retained
 -  = Existing trees removed
 -  = proposed trees

60 LONG LANE, ICKENHAM, UB10 8SZ

Scale Bar

0 1 2 3 4 5 6 7 8 9 10 Metres

1:200 @ A1



THE GILLETT MACLEOD PARTNERSHIP
Chartered Architects & Town Planning Consultants
1 High Road Old Eastcote Pinner Middlesex HA5 2EW tel. 0208 868 1333

Drg. No. 17/3124/102B
Scale 1:200
Date 19/09/17
Drawn by SB

REVISION	
B	
C	drawer

PROPOSED
SITE PLAN

C



Appeal Decision

Site visit made on 17 April 2019

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 May 2019

Appeal Ref: APP/R5510/W/19/3221731

60 Long Lane, Ickenham, UB10 8SZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Greengables (Mr Rod Flood) against the decision of London Borough of Hillingdon.
 - The application Ref 70282/APP/2018/612, dated 16 February 2018, was refused by notice dated 14 December 2018.
 - The development proposed is a 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 vehicle crossover.
-

Decision

1. The appeal is allowed, and planning permission is granted for a 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 vehicle crossover front at 60 Long Lane, Ickenham, UB10 8SZ in accordance with the terms of the application, ref: 70282/APP/2018/612, dated 16 February 2018, subject to the following conditions:
 - 1) The development hereby permitted shall be begun not later than three years from the date of this decision;
 - 2) The development shall be carried out in accordance with the following approved plans: 17/3124/101, 17/3124/102B, 17/3124/105B, 17/3123/110 and 17/3124/103A.
 - 3) Notwithstanding condition 2 prior to commencement of any works above slab level place details of the screened storage of refuse bins and covered and secure cycle storage shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and no part of the development shall be occupied until the facilities have been provided and thereafter the facilities shall be permanently retained;
 - 4) Prior to commencement of any works above slab level details of a sound proofing scheme, certified or to the certifiable standards of the Association of Noise Consultants (ANC) or UK Accreditation Services (UKAS), between each floor shall be submitted to the local planning authority for approval. The development shall be carried out in accordance with the approved details;

- 5) Prior to commencement of any works above slab level a detailed scheme for hard and soft landscaping, boundary walls, fences or other means of enclosure shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to occupation of the development;
- 6) Prior to commencement of any works above slab level samples of all external facing materials have been submitted to and approved by the local planning authority in writing. The relevant works shall be carried out in accordance with the approved sample details.
- 7) The development shall be carried out in accordance with the measures outlined in the submitted Tree Survey, Arboricultural Impact Assessment and Method Statement dated September 2017 (amended January 2018).

Procedural Matters

2. The description of the proposal on the application form proposed 8 x 2 bed flats but the proposal has been amended with the number of flats reduced to 7. For the avoidance of doubt I have outlined the development proposed as per the description on the Council's refusal notice.

Main Issues

3. The main issues to be considered are (i) the impact of the proposal upon the character of Ickenham Conservation area, (ii) the impact of the proposal upon the amenity of neighbouring properties with particular regard for privacy and (iii) the standard of living accommodation provided for future occupants.

Reasons

4. The appeal site consists of a substantial detached property, which has been extended to fill the width of the large plot within which it stands. The property is set back from the road, consistent with the building line within the street scene, and has a carriage driveway with two access points. I note from my site visit that whilst the area is predominantly characterised by detached dwellings, in good sized plots, there is existing flatted development. Examples can be seen at No. 66, which appears to be nine flats, as well as further flatted development adjacent to this.

Impact upon the Character of Ickenham Conservation Area

5. In principle the Conservation Officer's concern, and thus one of the reasons for refusal, is based upon the loss of the existing dwelling.
6. From my site visit I note that there is no one overriding architectural theme in the immediate area. It is only the building line and property heights providing any real consistency. No.60 has been subjected to a number of unattractive extensions to the front and sides of the property. This has resulted in a lack of distinguishing features or style. I am not aware of any historical interest in the house itself which would warrant its retention and I concur that it has a lack of architectural merit, supported by the appellant's detailed assessment. With no up to date conservation area assessment I have no evidence before me that suggests the property makes a contribution to the overall character of the conservation area.

7. The proposed replacement building has been designed to reflect 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. Visually, it presents itself as a large residential property rather than flattened development. On the evidence before me I consider that the replacement building will make a positive contribution to the conservation area when compared to that of the existing property. The positive nature of the replacement building will justify demolition of the existing property.
8. The submitted street scene shows an overlay, via a dotted line, of the existing property on the proposed building. The existing dwelling fills the width of the plot, though this is acknowledged to be through single storey side extensions. The proposed development would bring the actual footprint of built development in and away from the boundaries to the side. This, combined with the minimal additional built form to the sides with the cat slide roof, leads me to find the proposal does maintain adequate set back from the sites side. It also maintains the open gap features at first floor level. I do not find that the proposal represents a substantial addition to the street scene.
9. The neighbouring property, No. 62, is of a comparable depth front to back albeit it is acknowledged it is not square in form. The building at No. 66 is slightly larger, though in a larger overall plot. The proposed plan is a double-pile of roughly square form. It is noted that its depth is greater than the existing single-pile plan. Despite this, given the size of the plot and the space retained to both the front and rear, I do not find the proposal to be incompatible or of a large enough contrast to warrant refusal. Whilst the side elevations are almost blank, I do not find that this is detrimental as their visibility will be limited due to neighbouring built form.
10. I find that proposed building would respect the building line and height of neighbouring properties. The design reflects an arts and crafts architectural scene and I do not find the size, scale and design would result in a cramped, intrusive and visually dominant form of development.
11. I do not find that the proposal would create a precedent given that each case should be considered on its merits. Furthermore, I do not agree with the Council's assessment that the cumulative and incremental harm that *could* arise from similar development in the future *could* adversely affect the significance, character and appearance of the conservation area resulting in substantial harm. Fear of a precedent is not sufficient to warrant refusal. It falls to consider the impact of the proposal which is the subject of this appeal.
12. The Council's report acknowledges, and I concur, that the level of harm to the appeal site itself would be less than substantial harm. I would also conclude that the harm to the conservation area itself is also less than substantial if at all. Paragraph 193 of the National Planning Policy Framework 2018 (the Framework) requires great weight to be attributed to harm regardless of the level of harm identified. Paragraph 196 of the Framework 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 securing its optimum use.

13. The development offers potential social benefits in terms of increasing housing supply and the availability of seven smaller units. It would also have economic benefits for local services and facilities once occupied, together with short term and temporary economic benefits in terms of necessary construction works associated with the development. The development also offers environmental benefits through the provision of modern housing, which will be required to meet energy standards through building regulations and offers an opportunity for environmental enhancement through landscaping and management of the on-site trees. The proposal is also located in a sustainable location with sustainable transport options available to future occupiers. I find that the great weight which should be given to the less than substantial harm to the designated heritage asset is outweighed by any public benefits.
14. Overall, I find that the proposal would be consistent with LP1¹ Policy BE1 which seeks to secure a high quality of design and to improve and maintain the quality of the built environment, LP2² Policy BE13 due to the layout and appearance harmonising with the street scene and LP2 Policy BE19 which seeks to ensure new development complements the amenity and character of the area. The proposal would also be consistent with LP2 Policy BE4 due to the building being demolished not having been found to make a positive contribution to the area.
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16. The proposal would exceed the Council's minimum separation distances between the proposed building and habitable windows to neighbouring properties. The Residential Layout Supplementary Planning Document (SPD)³ does, however, require this distance to be applied to private garden area or patio area normally taken to be the 3m depth of rear garden immediately adjoining the rear elevation of a residential property.
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The trees are noted as low quality, but the submissions do state that they have an estimated life expectancy of at least ten years. A condition requiring the measures outlined in the arboricultural report can be applied and the submitted plans clearly show their retention. I am of the opinion that the retention and management of the trees would, in this case, prevent loss of privacy and compensate for the very small shortfall in separation distance between the rear elevation windows and neighbouring private garden areas.

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Other Matters

24. I note there are a number of objections to the proposal which are summarised within the Council's delegated report. A number of issues raised within these objections have already been discussed above. I have no evidence before me to suggest that the site does not provide adequate parking and note that the Highway Authority have responded to say they are satisfied that the proposal would not exacerbate congestion or parking stress and would not raise any highway safety concerns in accordance with adopted policy. Similarly, they have raised no concerns relating to pedestrian, highway safety or access for emergency vehicles.

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25. I have no evidence before me which suggests that the area requires more family housing or that the proposal would lead to a loss of wildlife or habitat. The Council have not raised any concerns relating to loss of light or being overbearing and found the proposal would not significantly impact upon the amenity of neighbouring occupiers. I have no evidence before me to suggest that the proposal will lead to localised flooding, nor have the Council raised this as a potential issue within their submissions. A condition relating to screened refuse bin storage can be applied to the consent granted to ensure adequate storage facilities as well as an appropriate location for such facilities.
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Conditions

27. I have undertaken some minor amendments to the Council's suggested conditions to ensure that they are consistent with paragraphs 55 and 56 of the Framework.
28. A condition requiring the development to commence within three years is required to comply with Section 91 of The Town and Country Planning Act 1990. A plan condition is required to define the development. A condition relating to external materials is required to ensure a satisfactory finish which is appropriate within the conservation area. A condition relating to refuse bin storage facilities is required to protect the amenities of neighbouring properties and ensure adequate facilities for future occupiers.
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Conclusion

30. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be allowed subject to the conditions outlined at the start of this decision.

Eleni Randle

INSPECTOR

D

Appeal Statement – Transport Matters

Application Number 76753/APP/2021/3469

251 Long Lane Hillingdon

Project Number: 21311-01
Doc Number: TN01

6 July 2022

Rev	Issue Purpose	Author	Checked	Reviewed	Approved	Date
A	Final	DJT	EG	DJT	DJT	6/7/22

1. Introduction

- 1.1 My name is Damian Tungatt. I am a Director at Markides Associates Ltd (MA), a transport planning consultancy established in October 2016. I am a member of the Chartered Institution of Highways and Transportation (CIHT). I have a Bachelor of Science degree in Geography and Economics from Kingston University.
- 1.2 I have worked in the transport planning industry for approximately 20 years. During that time, I have primarily dealt with transport and highway issues relating to development proposals.
- 1.3 The Appellant has instructed me to prepare this statement relating to matters of transport pertinent to the refusal of an application for the sub-division of plot and erection of 1 x 2-bed dwelling (Use Class C3) landscaping, and associated works at 251 Long Lane by the London Borough of Hillingdon.
- 1.4 I have examined the site and its surroundings, and I am familiar with the plans and documents relevant to this Appeal. The opinions expressed are my true and professional opinions. In providing evidence, I am fully aware that my duty is to provide my honestly held professional view, irrespective of by whom I am employed.
- 1.5 This Statement addresses Reason 3 of the refusal notice which states that:
- 1.6 *The applicant has failed to demonstrate a satisfactory policy-led approach to the car parking design, layout and access which could be prejudicial to all road user's safety, contrary to policy DMT2 and DMT6 of the Hillingdon Local Plan (2020) and Policy T6 the London Plan (2021).*

2. Relevant Policy

2.1 As stated in the reason for refusal, pertinent to this Appeal are Policy DMT2 and DMT6 of the Hillingdon Local Plan 2020 and Policy T6 of the London Plan 2021.

2.2 The policies are summarised accordingly below along with their relevance to the appeal.

Hillingdon Local Plan 2020

2.3 Policy DMT2 of the Local Plan relates to highways impacts and states that Development Proposals must ensure that:

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

2.4 This statement will demonstrate that safe and suitable access can be provided to the proposed development and that the proposals will not give rise to the deterioration of air or noise quality or local amenity.

2.5 Policy DMT 6 relates to vehicle parking and states that:

- Development proposals must comply with the parking standards outlined in Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity. The Council may agree to vary these requirements when:
 - the variance would not lead to a deleterious impact on street parking provision, congestion, or local amenity; and/or
 - ii) a transport appraisal and travel plan has been approved and parking provision is in accordance with its recommendations.

- 2.1 This statement will demonstrate that the proposed development fully accords with the identified parking standards and that the proposals would not lead to parking congestion in the local area.

London Plan 2021

- 2.2 Policy T6 of the London Plan deals with car parking. It states that car parking should be restricted in line with levels of existing and future public transport connectivity, that car free development should be the starting point for all new development proposals that are in places that are well connected by public transport and that an absence of local on-street parking controls should not be a barrier to new development, and boroughs should look to implement these controls wherever necessary to allow existing residents to maintain safe and efficient use of their streets.
- 2.3 This statement will demonstrate how the development proposals are fully in accordance with the aspirations of the London Plan.

3. Site Description

- 3.1 The application site forms the rear part of the garden to No.251 Long Lane. The site fronts onto 'Parkway', a residential cul-de-sac that leads onto St. Helen's College and Hillingdon Court Park. The site measures 130sqm and is rectangular in shape with a slight chamfer to the western corner, reflecting the angle at which 'Parkway' cuts across the rectilinear pattern of development in the area. Parkway junctions with Long Lane at its northern end.
- 3.2 Parkway is single yellow lined along its length and no on street parking generally occurs owing to its relatively narrow width. Parkway has sufficient pavements along both sides of the carriageway and is well lit along its length. Parkway has a reasonable level of footfall being a route to the park and educational facilities located to the south.
- 3.3 The application site is currently occupied by a single storey flat roof garage which is accessed from Parkway via an existing dropped kerb / crossover. The neighbouring properties either side are also occupied by single storey garages to the rear of their gardens. Consistent with the appeal site, a number of these garages and driveway accesses are also not perpendicular to the carriageway, yet this does not appear to cause any issues with access or egress.
- 3.4 The existing garage and dropped kerb are shown in Figure 3.1 overleaf.

Figure 3.1 – Existing garage and dropped kerb



4. Accessibility by sustainable modes

- 4.1 Whilst the proposed development is to be located within an existing residential area, it is important to summarise the accessibility of the site by sustainable modes of transport for context and their relevance to parking provision.

PTAL

- 4.2 Public Transport Accessibility Levels (PTALs) are a theoretical measure of accessibility of a given point to the public transport network, considering walk access time and service accessibility. All bus routes within 640m and underground/rail stations within 960m are considered within the calculation; any transport services beyond this distance are disregarded.
- 4.3 A PTAL score ranges between 1a and 6b, where 1a represents a poor level of accessibility and 6b an excellent level. The PTAL Rating of the site has been assessed using the TfL land use planning PTAL assessment tool WebCAT. The WEBCAT assessment of the site location identifies PTAL ratings of 2. Therefore, this identifies that the site has 'poor' public transport connections.

Bus accessibility

- 4.4 The nearest bus stops to the site are situated along Long Lane to the east of the site, which is less than a 350m walk. The bus stops are served by bus routes 278,697 and 698 with destinations including Hillingdon Station, Ickenham Station, and Hayes.

Rail accessibility

- 4.5 The nearest Station the site is Hillingdon which is located less than 1km walk distance from the site. It is within travel zone 6. It is the penultimate station on the Uxbridge branch of both the Metropolitan line and the Piccadilly line which provide frequent services into central London.

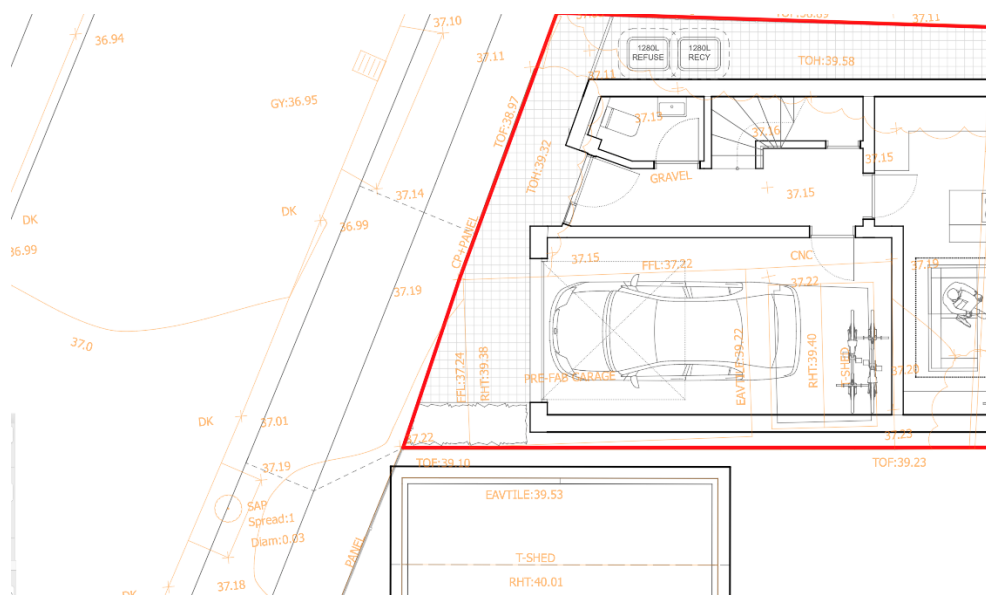
Summary

- 4.1 Based on the above, it is evident that whilst the site has a relatively low PTAL, the site is accessible by bus, rail, walk and cycle networks. It is easily accessible to a number of destinations including Central London.

5. Proposed Parking & Access

- 5.1 The maximum residential car parking standards set out in the London Plan Policy T6, as referenced in the reason for refusal are predominately lower than the maximum parking standards set out in the Hillingdon Local Plan.
- 5.2 The maximum parking standards outlined in the London Plan for a site within a PTAL 2-3 area for 1-2 beds dwelling it is up to 0.75 space per dwelling. Clearly, this standard is typically applied to a greater number of dwellings than that proposed as achieving 0.75 car parking spaces is not practically possible for one unit. Under Hillingdon Policy DMT6, there would have been a requirement for 2 spaces. The provision of 1 on-site car parking space is therefore considered to be acceptable to LB Hillingdon as confirmed in the Officers Report.
- 5.3 Similarly, it is confirmed by LB Hillingdon that the proposed garage dimensions are acceptable and in accordance with policy DMT6 and that the cycle parking provision is suitably accommodated.
- 5.4 It would appear from the officer's report that the main issue in relation to access and parking is therefore that the garage alignment is at an angle to the public highway. The report goes on to incorrectly assume that a new crossover is required and states that a crossover will only be approved where a standard car parking space (2.4m wide x 4.8m) at 90 degrees to the highway can be accommodated on the front garden/forecourt of the application site.
- 5.5 However, as is evidenced in Figure 3.1, the site benefits from an existing cross over and the existing garage is not perpendicular to the highway; therefore, no new cross over is required and the fundamentals of the existing access arrangement remain unchanged as part of the proposals. This is further evidenced in Figure 5.1 that shows the proposed development overlaid onto the topographical survey and demonstrates that the garage ties in with the existing cross over.

Figure 5.1 – proposed Development overlay on topographical survey



6. Trip generation and highway impact

- 6.1 Whilst it is recognised that the main reason for refusal appears to be the incorrect assertion relating to the crossover; for the avoidance of doubt, I also address matters relating to air and noise quality and impact on kerbside street parking as these issues are included within DMT2 and DMT 6 of the Local Plan which are referenced in the refusal notice.
- 6.2 As would be expected, one dwelling will give rise to a minimal increase in traffic on the adjacent road network. Indeed, a review of the Industry Standard TRICS database confirms this to be a total of 4 vehicle trips (2 in 2 out) per day which will be imperceptible along Parkway or Long Lane. It is not considered that this would be a material reason for refusal.
- 6.3 Similarly, a review of car ownership data derived from the 2011 census for the local area confirms that residents of dwellings of this type, own, on average, less than one vehicle per household. This would be accommodated in the garage and would not give rise to any increase in parking stress. It is not considered that this would be a material reason for refusal.

7. Conclusion

- 7.1 I have considered the transport related reasons for refusal within the context of the most relevant provisions of the Hillingdon Local Plan 2020 and the London Plan 2021.
- 7.2 The existing conditions with respect to the local highway network, bus, pedestrian, and cycle routes have been discussed within this Proof in order to provide background information and context to the proposed development, it is evident that the site is located in an accessible location where visitors could travel by sustainable modes.
- 7.3 It has however been demonstrated that the site is located in an area of PTAL 2, and the level of car parking proposed is therefore appropriate. This has been confirmed by LB Hillingdon as being in accordance with the London Plan.
- 7.4 Similarly, the Officers report has confirmed that the garage dimensions are acceptable and in accordance with policy DMT6 and that the cycle parking provision is acceptable.
- 7.5 It has been demonstrated that the existing premises benefits from an existing cross over to access a garage that is not perpendicular to the highway. This arrangement remains unchanged as part of the development proposals; it is also wholly consistent with the current arrangement of properties along Parkway.
- 7.6 As well as demonstrating that the proposals accord with the relevant LB Hillingdon policies, it is also evident that the development would not have an unacceptable impact on highway safety, nor would the residual cumulative impacts on the road network would be severe; it therefore fully accords with the guiding principles of NPPF.
- 7.7 It is my respectful opinion that the reason 3 of the refusal Notice is not well-founded and that there should be no transport objections to the scheme on the grounds of highway impact, trip generation or parking.