

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

Address 72 HAREFIELD ROAD UXBRIDGE

Development: Demolition of existing dwelling and erection of building to provide 2 x 1-bed, 6 x 2-bed, 1 x 3-bed flats with associated parking and amenity space

LBH Ref Nos: 25767/APP/2022/3190

Drawing Nos: 19_01_14 Rev F
 19_01_15 Rev F
 19_01_16 Rev F
 19_01_17 Rev F
 Site Survey
 19_01_00
 190603-PD-11 - Arboricultural Report
 Location Plan
 19_01_19 Rev H
 Design and Access Statement

Date Plans Recieved: 18/10/2022 **Date(s) of Amendment(s):**

Date Application Valid: 18/10/2022

1. SUMMARY

A non-determination appeal has been lodged in relation to this application which seeks planning permission for the demolition of the existing dwelling and erection of a building to provide 2 x 1-bed, 6 x 2-bed, and 1 x 3-bed flats with associated parking and amenity space.

The planning application is a resubmission, following the refusal of two previous planning applications for similar schemes (one of which was the subject of an appeal and was dismissed).

It is considered that the current proposal fails to fully address the previous concerns and introduces new issues. The proposal would harm the visual amenities of the streetscene and wider area, would cause harm to the residential amenities of neighbouring occupiers and would fail to provide a satisfactory standard of living accommodation for its future residents. Furthermore, the application fails to satisfactorily demonstrate that the proposal would not harm trees which contribute to the verdant character and appearance of the area.

Accordingly, had an appeal not been lodged, the application would have been recommended for refusal for the reasons set out in the Recommendation in section 2 of this report (below).

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development, by reason of its excessive size, scale, bulk, design and significant site excavation would result in a cramped, unduly intrusive, visually prominent, over-development of the site. The proposal would therefore be detrimental to the

character, appearance and visual amenities of the street scene and the wider area in general. Therefore the proposal is contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D3 and D4 of the London Plan (2021) and the National Planning Policy Framework (2021).

2 NON2 Non Standard reason for refusal

The proposed development, by virtue of the design, size, scale, bulk, depth, height and proximity of the proposed building would be detrimental to the amenities of the adjoining occupiers at 74 Harefield Road and 56-60 Harefield Road by reason of overbearing, overdominance, visual intrusion, loss of outlook, privacy and light. Moreover, as a result of its location directly adjacent to the mutual boundary, the proposed vehicular access drive would cause harm to the amenities of the occupiers of no. 74 Harefield Road, through noise and disturbance arising from its use. Consequently, the proposal would be contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part Two (2020) and the National Planning Policy Framework (2021).

3 NON2 Non Standard reason for refusal

The proposed development, by virtue of its poor design and internal layout, would result in habitable rooms with a poor level of outlook for the future occupiers, thus providing them with a poor standard of living accommodation, contrary to Policy D6 of the London Plan (2021) and paragraph 130 (f) of the National Planning Policy Framework (2021).

4 NON2 Non Standard reason for refusal

In the absence of a satisfactory Arboricultural Assessment and Method Statement which considers the development being proposed, the application fails to demonstrate that it would not result in the loss of trees which make a positive contribution to the character and appearance of the area, contrary to Policies DMHB 11 and DMHB 14 of the Hillingdon Local Plan Part 2 Development Management Policies (2020), London Plan (2021) Policy G7 and the National Planning Policy Framework (2021).

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 planning policy.

DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMH 4	Residential Conversions and Redevelopment
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space

DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP GG2	(2021) Making the best use of land
LPP GG4	(2021) Delivering the homes Londoners needs
LPP H1	(2021) Increasing housing supply
LPP H2	(2021) Small sites
LPP H10	(2021) Housing size mix
LPP D2	(2021) Infrastructure requirements for sustainable densities
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP D8	(2021) Public realm
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF2	NPPF 2021 - Achieving sustainable development
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes
NPPF9	NPPF 2021 - Promoting sustainable transport

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 I74 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 site is formed of a large, sloped plot occupied by a two-storey, detached house, set back from the highway (from which the site is most apparent). This house is set within an established garden which is set back from Harefield Road on the east side, opposite Fairlight Drive.

The site is situated in a particularly verdant part of the road and its modest scale, together

with its front garden and spacing between buildings on either side, contributes to this.

Two pairs of period properties exist to the immediate north of the site. The scale and four-storey nature of these properties is something of an anomaly in this part of Harefield Road, where properties are generally consistent in their smaller plot size and two-storey height, giving the area a distinctly suburban character.

The land slopes up from the road towards the east, and the house is located in an elevated position.

The side and rear boundaries of the application site are tree-lined. There are no TPO's or Conservation Area designations affecting the site itself, however there is an area TPO (ref TPO 75) on land to the south, and North Uxbridge Area of Special Local Character is located to the east.

3.2 Proposed Scheme

Planning permission is sought for demolition of the existing dwelling and erection of a building comprising 2 x 1-bed, 6 x 2-bed, and 1 x 3-bed flats with associated parking and amenity space.

The proposal is for a 4 storey building measuring 12.2m in height. The fourth storey of accommodation would be incorporated into the roof of the building. Dormers are proposed at roof level. The proposed building has a staggered front and rear elevation, both of which include balconies.

The envelope of the building varies across all four floors, reducing in floorspace with each storey.

Parking is proposed to the rear of the site and would be accessed via a new driveway proposed adjacent to the boundary shared with no. 74 Harefield Road.

3.3 Relevant Planning History

25767/APP/2021/491 72 Harefield Road Uxbridge

Demolition of existing dwelling and erection of building to provide 6 x 2-bed and 3 x 3-bed flats with associated parking and amenity space

Decision: 04-08-2021 Refused

Appeal: 11-02-2022 Dismissed

25767/APP/2022/1400 72 Harefield Road Uxbridge

Demolition of existing dwelling and erection of building to provide 3 x 1-bed and 6 x 2-bed flats with associated parking and amenity space

Decision: 15-07-2022 Refused

Comment on Relevant Planning History

The planning history is set out in section 3.3 of this report (above).

Most recently, planning application No.25767/APP/2022/1400 sought planning permission for 'Demolition of existing dwelling and erection of building to provide 3 x 1-bed and 6 x 2-bed flats with associated parking and amenity space'. The application was refused on 15-07-22 for the following reasons:

'1) The proposed development, by reason of its excessive size, scale, bulk, design, roof form and significant site excavation would result in a cramped, unduly intrusive, visually

prominent over-development of the site. The proposal would therefore be detrimental to the character, appearance and visual amenities of the street scene and the wider area in general. Therefore the proposal is contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D3 and D4 of the London Plan (2021) and the National Planning Policy Framework (2021).

2) The proposed development, by virtue of its size, scale, bulk, depth, height and proximity, would be detrimental to the amenities of the adjoining occupiers at 74 Harefield Road and 56-60 Harefield Road by reason of overbearing, overdominance, visual intrusion and loss of outlook. Therefore the proposal would be contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part Two (2020) and the National Planning Policy Framework (2021).

3) The proposed development leads to the loss of a family sized residential unit and by reason of the proposed unit mix fails to provide any replacement family sized units, as required by the latest information on housing need in the Borough. The proposed development fails to contribute towards mixed and balanced communities and the range of housing types required within the Borough contrary to Policy DMH 2 of the Hillingdon Local Plan: Part 2 (2020), Policy H10 of the London Plan (2021) and the National Planning Policy Framework (2021).'

The current application under consideration seeks to overcome the above concerns and differs from the refused scheme. Changes now proposed include:

- The building has been reduced in height by approximately 1.5m.
- The undercroft parking arrangement has been removed and replaced with a through road running alongside the boundary shared with No.74 Harefield Road.
- The building has been partially redesigned. The 4th floor of residential accommodation has been incorporated into the roof of the building, dormers have been added and the front bays have been replaced with a staggered elevation with quoin detailing.
- The building has been moved approximately 1m -1.2m further away from the boundary shared with No.74 Harefield Road.
- A 3 bedroom flat has now been incorporated into the scheme, altering the overall mix.
- Refuse and cycle storage storage has been moved to the site entrance and southern boundary.
- Disabled parking has been moved to the front of the site.

An earlier planning decision is also of relevance. Planning application No. 25767/APP/2021/491 sought planning permission for 'Demolition of existing dwelling and erection of building to provide 6 x 2-bed and 3 x 3-bed flats with associated parking and amenity space'. The application was refused and dismissed at appeal (APP/R5510/W/21/3283640 - decision dated 11-02-22) due to its adverse impact on neighbouring amenities and the character and appearance of the area. Relevant extracts from the Inspector's report are outlined below:

'5. The ridge level of the proposed development would be increased substantially, to bring it more in line with that of No 74 and above that of Nos 56-60. The currently sloped nature of the front garden would be excavated, with a lower ground floor created and made level with the highway. The building would ultimately rise to four storeys in height, compared with the existing two storeys.

6. I acknowledge that the proposed development has taken some of its design cues from No 74. However, the scale of these features, which includes the front bays and 'stretched'

dual pitch roof arrangement which obscures the crown roof behind, is far in excess of, and out of proportion with, this neighbouring property. Taken as a whole, the proposed building would be viewed as an overly large and bulky feature within the context of the surrounding townscape. Moreover, the proposed development, which would fill substantially more of the width of the site than is currently the case, would reduce the verdancy of this part of the road. This currently provides a welcome relief from the built form further along the road.

7. I note the appellant's reference to the use of 'crown' roofs in the surrounding area, and the fact that the crown roof proposed at the appeal site would be concealed from view behind the dual pitch arrangement at the front of the property. I agree that this element would not be readily visible from any public vantage point. However, this fact does not overcome the harm that I have identified above.

8. I acknowledge the appellant's reference to several nearby development sites, including that at the former Abrook Arms and 178 Harefield Road. I note from the information I have before me that these sites have seen a significant increase in height and bulk compared with what stood before. However, the nature of existing development there, the nature of the proposed schemes, and the surrounding context to those schemes are unique to those particular sites. I note, for example, that No 178 sits in a more varied context adjacent to a substantial nursing home and that the Ambrook Arms site is substantially larger than the site before me (without built form on two sides of it). As such, although I accept intensification may be a legitimate design response to certain circumstances, they are not directly comparable with circumstances here. I have considered the effects of this appeal, including its impact on character and appearance on its own merits.

9. The fact that pre-application advice was sought prior to the submission of the planning application does not change my position and the appeal has been considered based on the plans before me. Pre-application advice is not binding and is no substitute for a formal Council decision.

10. Consequently, the proposal would have a detrimental impact upon the character and appearance of the surrounding area, contrary with the relevant provisions of policy BE1 of the Hillingdon Local Plan Part One - Strategic Policies (2012) and policies DMHB11 and DMHB12 of the Hillingdon Local Plan Part Two - Development Management Policies (2020), which in summary seek a high quality of design in new development which harmonises with the local context, including the need to take into account scale, building plot size and streetscape rhythm, consistent with the relevant provisions of paragraph 130 of the Framework.

11. The development proposed would extend much further into the plot than the existing property does. Built form on the site would increase substantially, both in terms of height and bulk, rising from two storeys to four. For these reasons the proposed development would undoubtedly change the relationship of the site with neighbouring properties.

12. Several side and rear facing windows exist at No 74. This includes on both the rear outrigger and the main building. Some of these windows are positioned at lower ground level and are therefore already compromised to an extent in terms of daylight and outlook. Whilst I acknowledge that some of these windows serve non-habitable rooms formed of bathrooms or hallways, and others may be secondary, this is clearly not the case in all areas. The proposed development would bring more substantial built form closer to this property than currently exists, to the detriment of the living conditions of the occupiers of No 74.

13. The proposed four storey mass of the main building, including its rear element, would reduce outlook from a number of flats and generally form an overbearing and oppressive feature when viewed from within No 74. This is reinforced by my reasoning in respect of the first main issue; it follows from the proposal being incongruous that it would entail effects to living conditions which are not in line with the prevailing baseline here. The development proposed would also feel overbearing to users of the areas of amenity space that exist to the side and rear of No 74 by reason of the overall height and scale of the proposed development.

14. The appellant contends that the Council's 45-degree test (the method of taking a 45-degree angle from the centre of a window and locating any extension as far from this as possible to reduce impact on occupiers) has been adhered to and as such demonstrates that the proposed development is appropriately set back in terms of outlook. However, such a method is only used as a rule of thumb and would typically be applied in the straightforward assessment of daylight impacts of development proposals (addressed below). Outlook is multifaceted and can only be properly assessed on a site-specific basis. For the foregoing reasons, in this case, outlook would be unacceptably impacted by the proposed development.

15. Although there would be a detrimental impact on the outlook of neighbouring properties, and I acknowledge that there may be some change to levels of light as a result of the proposed development, the angle and position of the development is such that it would not result in any unacceptable impact on the levels of daylight or sunlight received by the occupiers of this property.

16. The relationship between the site and Nos 56-60 would change as a result of the proposed development. However, by reason of the position of these properties and given that no side facing windows would be affected by the proposed works, I do not find that the impact here would be unacceptable in terms of natural light availability.

17. Consequently, the proposal would have a detrimental impact upon the living conditions of the neighbouring properties, contrary with the relevant provisions of policies DMHB11 of the Hillingdon Local Plan Part Two - Development Management Policies (2020), which in summary seeks to protect the amenity of adjacent properties.'

4. Planning Policies and Standards

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

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

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

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

Local Plan Designation and London Plan

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

Part 1 Policies:

- PT1.H1 (2012) Housing Growth
- PT1.BE1 (2012) Built Environment

Part 2 Policies:

- DMH 1 Safeguarding Existing Housing
- DMH 2 Housing Mix
- DMH 4 Residential Conversions and Redevelopment
- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 14 Trees and Landscaping
- DMHB 16 Housing Standards
- DMHB 17 Residential Density
- DMHB 18 Private Outdoor Amenity Space
- DMT 1 Managing Transport Impacts
- DMT 2 Highways Impacts
- DMT 6 Vehicle Parking
- LPP GG2 (2021) Making the best use of land
- LPP GG4 (2021) Delivering the homes Londoners needs
- LPP H1 (2021) Increasing housing supply
- LPP H2 (2021) Small sites
- LPP H10 (2021) Housing size mix
- LPP D2 (2021) Infrastructure requirements for sustainable densities
- LPP D3 (2021) Optimising site capacity through the design-led approach
- LPP D4 (2021) Delivering good design
- LPP D5 (2021) Inclusive design
- LPP D6 (2021) Housing quality and standards
- LPP D7 (2021) Accessible housing
- LPP D8 (2021) Public realm
- LPP T6 (2021) Car parking
- LPP T6.1 (2021) Residential parking
- NPPF11 NPPF 2021 - Making effective use of land
- NPPF12 NPPF 2021 - Achieving well-designed places
- NPPF2 NPPF 2021 - Achieving sustainable development
- NPPF5 NPPF 2021 - Delivering a sufficient supply of homes
- NPPF9 NPPF 2021 - Promoting sustainable transport

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- 30th November 2022

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

28 neighbouring properties were directly notified of the proposal on 28/10/22.

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

- 1) The proposal would represent an overdevelopment of the site;
- 2) The proposal would have an adverse impact on the local highways network, as well as pedestrian and vehicle user safety;
- 3) The proposal is oversized, out of character and it would be harmful to the appearance of the area;
- 4) Waste storage at the front of the site would be unpleasant for pedestrians passing the site;
- 5) The proposed development is for financial gain;
- 6) Inadequate garden space would be provided for future residents;
- 7) The proposal is similar to the previous application - the refusal reasons for that application still stand for this application;
- 8) The proposed construction works would cause disruption to local residents.

A petition with 50 signatures has also been received against the proposed development. The petition raises the following summarised points:

- i) The proposal would have an adverse impact on the local highways network, as well as pedestrian and vehicle user safety.
- ii) Siting of car park - 2 Cambridge Road would be subjected to high levels of pollution, parking provision also insufficient.
- iii) The proposal is an overdevelopment of the site; the site would go from being occupied by 4-5 to approximately 30 people.
- iv) Due to its height and incorporation of balconies, the proposal would cause a loss of privacy and disturbance to neighbouring properties and their gardens and would overshadow neighbouring properties.

North Uxbridge Residents' Association were consulted on the application but have not responded.

PLANNING OFFICER COMMENTS:

Issues relating to points 1-4, 6, 7, i, ii, iii, and iv are considered in the main body of the report. In addition, Members are advised to note the following:

In relation to point 5, the motivations behind the proposed development are not a material planning consideration.

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

Internal Consultees

ACCESS OFFICER:

No accessibility concerns are raised, however, 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 dwellings hereby approved shall be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions 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.

WASTE STRATEGY OFFICER:

Please ensure that there is sufficient space for food waste recycling at the bin store. There must not be more than a 10 Meter pull distance from the containers to where the collection vehicle can safely stop and there must be dropped kerbs to allow transportation of the container. Please ensure that there are provisions inside the dwelling for residents to recycle their waste and food waste.

HIGHWAYS OFFICER:

Site Characteristics & Background:

The site is located on Harefield Road (designated as 'classified') north of Uxbridge town centre. There is no existing vehicular access arrangement onto Harefield Road, but a new carriageway crossing is proposed to serve a total of 12 on-plot parking spaces (1 on the frontage with 11 to the rear). The roadway is covered extensively by waiting restrictions which include double yellow lines fronting the site together with a controlled parking zone operational from 9am to 5pm - Monday to Saturday.

Due to the relatively isolated nature of this location from public transport facilities, the site exhibits a low public transport accessibility level (PTAL) rating of 1a and therefore raises dependency on the ownership and use of private motor transport. A material planning consideration related to this new application is that earlier this year, a similar scale application for demolition and replacement with 6x2 & 3x1 bedroom flats with 12 on-plot parking spaces was refused but not on highway related grounds (25767/APP/2022/1400).

Parking Provision:

Hillingdon Local Plan: Part 2 Policy - DMT 6 requires that new development will only be permitted where it accords with the council's adopted parking standards unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network.

London Plan (2021): Policy T6.1 (Residential Parking) requires that new residential development should not exceed the maximum parking standards as set out in table 10.3.

In order to comply with the maximum Hillingdon parking standard there is a requirement for 1-1.5

on-plot spaces per unit to be provided with the exception of the 3-bedroom provision that requires up to 2 spaces which is also broadly replicated by the relevant London Plan (2021) standard. This would result in a total maximum requirement ranging between 10 to 14 spaces and 12 spaces are proposed which meets the standard. The allocation of parking space/s per flat would benefit from a parking allocation plan secured by way of condition.

Disabled Compliant Parking Provision:

In accord with the parking standard - 10% of parking spaces should be disabled compliant equating to 1 space. This level is indicated on the frontage which is therefore considered acceptable.

Electric Vehicle Charging Points (EVCP's):

In line with the London Plan (2021), within any final parking quantum there is a requirement for a minimum 20% 'active' EVCP provision with all remaining spaces being designated as 'passive' provisions which equates to 2 'active' and 10 'passive' spaces. This requirement is confirmed by the applicant which is welcomed.

Cycle Parking:

In terms of cycle parking there would be a requirement to provide 1 secure and accessible space for each 2-bedroom flat with 2 spaces for the 3-bedroom unit to accord with the council's adopted cycle parking standard. This would total a requirement of 10 new suitably located spaces. A communal cycle store is indicated to the side of the build, with the said quantum hence there are no further observations.

Vehicular Trip Generation:

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

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

Vehicular Access:

In highway impact terms, it is noted that the principle of vehicular crossing provision is well established by surrounding properties in Harefield Road and there is no objection in principle to the new single access which should conform to the council's 'Domestic Vehicle Footway Crossover' Policy (2022). As presented, the site's ground level is currently elevated in comparison with the existing adopted footway fronting the address. As the site is to be levelled, there are no anticipated issues with rainwater discharging onto the highway which is not permitted.

The crossing dimensions as shown on plan broadly comply with the above policy and should read a maximum width of 5m at the back of footway and 6.2m at the edge of kerb. Finalised detail would be arranged post-permission and it should be noted that the new crossing would need to be constructed to the relevant council standard executed under S184 of the Highways Act 1980 (or suitable alternative arrangement) at the applicant's/developer's expense.

As Harefield Road is a major thoroughfare, it is crucial that there is conformity to the relevant

mutual inter-visibility sight-line requirements, as per DfT (Manual for Streets (MfS) circa 2007) best practice for new development road and parking layouts guidance, between vehicles leaving the site and extraneous vehicles/pedestrians on Harefield Road. To assist with maintaining satisfactory sight-lines at the new site entrance for both vehicles and pedestrians entering and leaving the site envelope, it is recommended that a lower height of frontage wall is applied throughout or for at least 2.4 metres on either side of the entrance. Ideally the height would not exceed 0.6m to achieve the aim of satisfactory visibility. The applicant has confirmed this requirement.

Internal Roadway Arrangements:

There is no objection in principle to the proposed internal layout which conforms to best practice design standards and allows for passenger vehicles using the site to enter and leave the site in a forward gear which is the recommended practice on highway safety grounds and is therefore welcomed. It is noted that the previously proposed internal access road positioned within an under-croft lane has now been abandoned and a surface level roadway located adjacent to the northern flank wall of the new build is now indicated. With caveat, this arrangement is considered acceptable in principle (see next paragraph).

Access for Emergency Services:

Given the internal road widths, fire tenders may not be able to achieve fully unfettered access into and out of the site. However, in circumstances where a fire tender cannot, for whatever reason, gain access to a specific location, Building Regulations (Fire Safety: Document B) make allowance for this scenario by stipulating that fire appliances should be able to be positioned within 45m of the source of an emergency in order to execute their duty. In line with the aforementioned Building Regulations, if this distance is exceeded (unlikely in this case) then alternative solutions such as hydrants, fire detection/alarm/internal water sprinkler systems can be applied in lieu of a fire tender accessing a location thereby covering most, if not all, eventualities. There are no further observations.

Refuse Bin Store Provision:

Refuse collection will continue via the roadway (Harefield Road). The bin storage positioning should allow for conformity with the accepted 'waste distance' collection standards which encourage waste collection distances to be within 10m from the point of collection on the public highway. The store is proposed on the property frontage which is in relative proximity of the highway hence there appears to be adherence to the standard. There are no further observations.

Construction Management Plan (CMP):

The above will be a requirement given the constraints and sensitivities of the local road network to avoid/minimise potential detriment to the public realm. It will need to be secured under planning condition.

Conclusion:

The application has been reviewed by the Highway Authority who are satisfied that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns, in accordance with Local Plan: Part 2 Development Plan Policies DMT 1, DMT 2 and DMT 6 and Policies T4, T5 and T6 of the London Plan (2021).

7. MAIN PLANNING ISSUES

7.01 The principle of the development

PRINCIPLE OF DEVELOPMENT:

The NPPF has a requirement to encourage the effective use of land by re-using land. This is an existing residential unit set in a spacious plot. The site lies within an established residential area where there would be no objection in principle to the intensification of the residential use of the site, subject to all other material planning considerations being acceptable, in accordance with policies outlined in the Hillingdon Local Plan.

Importantly, the proposal includes the delivery of new housing in the Borough, with positive social and economic benefits, as well as the provision of level access where this does not currently exist. This is material and weighs into the planning balance.

The proposed development would also intensify the use of a small site and increase density in an Outer London location, as promoted by London Plan policies in broad terms.

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

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

In consideration of Policy DMH 4, the supporting text advises the redevelopment of dwellings into new blocks of flats can enable more effective use of sites to be achieved. However, this type of development must seek to enhance the local character of the area. Previously large concentrations of flats have resulted in a range of problems, including increased on-street parking, loss of front gardens, reduction in privacy, significant changes to the street scene and loss of family accommodation. These factors will be considered below however, it is noted that less than 10% of properties within Harefield Road have been converted/redeveloped.

HOUSING MIX:

Policy H10 of the London Plan (2021) states that applicants and decision-makers should have regard to the need for additional family housing. Family housing is defined within the glossary of the London Plan (2021) and advises that it must generally be of a size that has three or more bedrooms.

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

Policy DMH 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that the Council will require the provision of a mix of housing units of different sizes in schemes of residential development to reflect the Council's latest information on housing need.

The supporting text related to this policy states at paragraph 4.6 that 'The Council's current information on housing need indicates a substantial borough-wide requirement for larger affordable and private market units, particularly three bedroom properties. Applicants proposing residential schemes will be required to demonstrate that this need has been taken into account.'

In this case, the existing family home will be lost, however a 3 bedroom property is proposed at lower ground floor, within the proposed block of flats (alongside a mix of smaller flats). The proposed housing mix is therefore considered to be acceptable and this addresses refusal reason no. 3 of planning refusal reference 25767/APP/2022/1400 (referred to in section 3.3 of this report).

HOUSING SUPPLY

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

7.02 Density of the proposed development

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

Numerical densities are considered to be more appropriate to larger sites and what is considered of greater significance to the determination of this application is the local contextual factors. The key consideration is therefore whether the development would acceptably integrate with the character and appearance of the area, and would respect residential amenity considerations, rather than the consideration of the numerical density of the proposal. These issues are discussed in detail at sections 7.07 and 7.08 of this report where significant issues are raised indicating an overdevelopment of the site.

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

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

Paragraph 130 of the NPPF (2021) states 'Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community

cohesion and resilience.'

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

Hillingdon Local Plan Part 1: Strategic Policies (2012) Policy BE1 states 'The Council will require all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods, where people enjoy living and working and that serve the long-term needs of all residents. All new developments should achieve a high quality of design in all new buildings, alterations, extensions and the public realm which enhances the local distinctiveness of the area, contributes to community cohesion and a sense of place.'

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states: 'All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including: i) harmonising with the local context by taking into account the surrounding scale of development, height, mass and bulk of adjacent structures; building plot sizes and widths, plot coverage and established street patterns; building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure; architectural composition and quality of detailing; local topography, views both from and to the site; and impact on neighbouring open spaces and their environment.'

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

Planning permission was recently refused for a similar 4 storey building comprising 9 flats at the development site. In the recent refusal, concerns were raised regarding the adverse impact of the proposed development on the character and appearance of the area, summarised in the reason for refusal as follows:

'The proposed development, by reason of its excessive size, scale, bulk, design, roof form and significant site excavation would result in a cramped, unduly intrusive, visually prominent over-development of the site. The proposal would therefore be detrimental to the character, appearance and visual amenities of the street scene and the wider area in general. Therefore the proposal is contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D3 and D4 of the London Plan (2021) and the National Planning Policy Framework (2021).'

As noted in section 3.3 of this report, an earlier scheme was also refused and dismissed at appeal in relation to concerns about the impact of the development on the character and appearance of the area, the Inspector concluding: 'I acknowledge that the proposed development has taken some of its design cues from No 74. However, the scale of these features, which includes the front bays and 'stretched' dual pitch roof arrangement which obscures the crown roof behind, is far in excess of, and out of proportion with, this neighbouring property. Taken as a whole, the proposed building would be viewed as an overly large and bulky feature within the context of the surrounding townscape. Moreover, the proposed development, which would fill substantially more of the width of the site than is currently the case, would reduce the verdancy of this part of the road. This currently provides a welcome relief from the built form further along the road.'

As noted previously, this current scheme seeks to overcome the previous concerns and incorporates a number of design changes (summarised at section 3.3 of this report). However, the changes are not successful in overcoming the harm to the character and appearance of the area. The proposed development still seeks to erect a substantial 4 storey building comprising 9 flats on the development site and it is considered that the proposal represents an over development of the site. The building which has been slightly reduced in height is still oversized and bulky and bears little relation to development within the local area. As a consequence, it would appear as an incongruous, unduly prominent and harmful addition to the street scene.

It is noted that the current scheme introduces a front elevation balcony at first floor, which would be an uncharacteristic feature within the streetscene, adding to the prominence of the building. Representations received also raise concerns about the prominence of the proposed refuse storage on the site frontage and it is agreed that this would be an unwelcome addition to the streetscene.

It is concluded that the development has not overcome the previous concerns and by reason of its excessive size, scale, bulk, design and significant site excavation would result in a cramped, unduly intrusive, visually prominent, over-development of the site. The proposal would therefore be detrimental to the character, appearance and visual amenities of the street scene and the wider area in general. Therefore the proposal is contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D3 and D4 of the London Plan (2021) and the National Planning Policy Framework (2021).

7.08 Impact on neighbours

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.

As previously noted, a similar application was recently refused at the site for a 4 storey building on residential amenity grounds. The reason for refusal stated:

'The proposed development, by virtue of its size, scale, bulk, depth, height and proximity, would be detrimental to the amenities of the adjoining occupiers at 74 Harefield Road and 56-60 Harefield Road by reason of overbearing, overdominance, visual intrusion and loss of outlook. Therefore the proposal would be contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part Two (2020) and the National Planning Policy Framework (2021).'

This current proposal is for a building of slightly reduced height, similar bulk, similar size, that has been sited closer to the boundary shared with No.56-60 Harefield Road.

The proposed plans suggest that the proposed building would now dissect a line drawn at 45 degrees from the rear habitable room windows of No. 56 to 60 Harefield Road, causing a loss of light, and outlook for those occupiers. The adjacent flats to the south are sited 2.2m off the boundary with the application site. The proposed building would project a maximum of 7m beyond the rear of these flats at upper levels (first floor and above) which would have an unacceptably dominating impact, whilst contributing to the loss of outlook as explained above. Whilst it is noted that there are trees (protected by Tree Preservation Order) adjacent the shared boundary (on the neighbouring site), this does not overcome the concern about the detrimental impact of the new building on the flats at 56-60 Harefield Road. Indeed, reliance on landscaping to overcome dominance concerns relies upon maintenance and continued health of trees. The proposed development would result in a significant increase in built form closer to these properties than currently exists, to the

detriment of the occupiers' living conditions. There would be a harmful effect on the outlook from the flats rear windows as mentioned above and in addition, the proposed development would feel overbearing to users of the amenity space that exists immediately to the rear of the flats.

It is further noted that the proposed plans include a first floor front elevation balcony. The balcony could provide views into the first floor habitable front elevation windows of No. 56-60 Harefield Road, causing a loss of privacy to those neighbours, which would adversely impact on their amenities and living conditions. It is noted that trees exist on the boundary, however their existence and slight screening protection does not overcome the concern, nor should there be sole reliance on this to overcome the concerns. The side boundary trees are less dense than those at the front of 56-60 Harefield Road and it is likely that views could still be achieved.

With regard to the impact on 74 Harefield Road, it is acknowledged that several side and rear facing windows exist at No 74. This includes on both the rear outrigger and the main building. Some of these windows are positioned at lower ground level and are therefore already compromised to an extent in terms of both daylight and outlook. The proposed development brings more substantial built form closer to this property than currently exists, to the detriment of the living conditions of the occupiers of No 74. There would be a harmful effect on the outlook from no.74 and the proposal would continue to feel overbearing to users of the amenity space located to the side and rear of the property. The most recently refused scheme and the scheme which was dismissed at appeal included larger 4 storey buildings sited closer to No.74 and those applications were not considered to cause any harmful loss of light to No.74. The proposed building is smaller and further away from No.74 and is therefore not considered to cause any undue loss of light to that neighbouring property.

Notably, the current scheme differs from the previous schemes (which included undercroft access arrangements) in that a proposed driveway leading to the rear car park would now be located alongside the boundary shared with No. 74 Harefield Road. This means that cars entering and exiting the site would have to drive past No.74 and its garden. Given the scale of the development (9 residential units) and the location of the proposed drive way directly abutting the boundary, it is considered that this arrangement would give rise to noise and disturbance.

It is noted that concerns have been raised by residents of neighbouring properties that there would be a loss of privacy from the rear balconies serving the flats. The concerns are noted, however all rear balconies are proposed to have side facing screens to ensure no sideward loss of privacy. Side facing views from the rear would be at an oblique angle and properties/gardens located to the rear are a considerable distance away. Any sightlines across the side boundary would not be beyond that that would be anticipated in a residential setting.

Residents concerns regarding the location of the car park (and associated noise, disturbance and pollution) are duly noted, however this arrangement would be similar to the two previous schemes where this relationship with neighbouring properties was considered satisfactory.

Overall and when compared with the most recent refusal at the site, as well as the Inspector's recent dismissal of a similar scheme at the site, it is concluded that the proposed development, by virtue of the design, size, scale, bulk, depth, height and proximity of the proposed building would be detrimental to the amenities of the adjoining occupiers at 74 Harefield Road and 56-60 Harefield Road by reason of overbearing,

overdominance, visual intrusion, loss of outlook, privacy and light. Moreover, as a result of its location adjacent to the mutual boundary, the proposed vehicular access drive would cause harm to the amenities of the occupiers of no. 74 Harefield Road, through noise and disturbance arising from its use. Consequently, the proposal would be contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part Two (2020) and the National Planning Policy Framework (2021).

7.09 Living conditions for future occupiers

INTERNAL AMENITY:

Policy DMHB 16: 'Housing Standards' of the Hillingdon Local Plan Part 2: Development Management Policies (2020) 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. The proposed accommodation schedule is as follows:

Flat 1 - 2 bed (4 person flat) - 99 square metres
Flat 2 - 3 bed (6 person flat) - 155 square metres
Flat 3 - 2 bed (4 person flat) - 95 square metres
Flat 4 - 1 bed (2 person flat) - 57 square metres
Flat 5 - 1 bed (2 person flat) - 59 square metres
Flat 6 - 2 bed (4 person flat) - 90 square metres
Flat 7 - 2 bed (4 person flat) - 92 square metres
Flat 8 - 2 bed (4 person flat) - 75 square metres
Flat 9 - 2 bed (4 person flat) - 87 square metres

All flats exceed the minimum standards set out in Table 5.1 in accordance with the requirements of Policy DHMB 16 of the Hillingdon Local Plan and Policy D6 of the London Plan 2021. They would also have adequate access to natural light.

Notwithstanding the above, there are concerns that the development would not provide a satisfactory standard of living accommodation for its future residents, as a number of habitable rooms would not benefit from satisfactory outlook as follows:

- Bedroom 1 within flats 4 and 5 of the proposed development contains a primary and secondary window. The primary windows are larger and would be located on the sides of the building. The windows face toward neighbouring properties and are at first floor level where they would cause overlooking and privacy issues. This being the case, the primary bedroom windows would have to be obscure glazed (in the event of approval of planning permission) and as such, the windows would provide no outlook for occupiers of the rooms. The smaller secondary windows for both flats would be east facing and would provide limited views, as the flank wall of the building extends beyond them. These windows are also extremely small, again limiting views. Consequently, these bedrooms would have inadequate outlook.

- At second floor level, flats 8 and 9 have kitchen areas served by side facing dormer windows. Those windows would again have to be obscure glazed to prevent harmful overlooking to neighbouring properties. The kitchen areas would consequently have a poor level of outlook.

- At lower ground floor level, bedroom 2 (flat 2) would face the boundary treatment at close proximity, limiting the outlook from this habitable room.

The inadequate provision for outlook identified above would result in a poor standard of accommodation, which further outlines the poor design and contrived nature of the scheme; symptoms of the site's overdevelopment. Thus it is concluded that the proposal is contrary to Policy D6 of the London Plan (2021) and paragraph 130 (f) of the National Planning Policy Framework (2021) which seek to ensure a high standard of amenity/accommodation.

EXTERNAL AMENITY:

Policy DMHB 18 requires all new residential developments to provide good quality and usable private outdoor amenity space. A minimum of 20sqm should be provided for a 1 bed flat, 25sqm for a 2 bed flat and 30sqm for a 3 bed flat.

Having regard to the proposed housing mix, a total of 220sqm of amenity space would be required for the proposed development.

The proposal includes the provision of balconies and private amenity space for each of the proposed flats (equating to 70sqm of amenity space) along with communal amenity space of 137sqm to the rear of the building. 207sqm of amenity space would be provided in total, which is noted to be a slight shortfall from the 220sqm requirement. However, taking into account the degree of the shortfall and also that there is an additional area of 38sqm of landscaping proposed to the front of the site (i.e. not 'private' amenity space), on balance the shortfall of external amenity space would not justify a standalone refusal reason, however it does weigh against the scheme.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

PARKING AND TRIP GENERATION:

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

'Development proposals must ensure that:

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

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

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

- i) the retention and, where appropriate, enhancement of any existing pedestrian and cycle routes;
- ii) the provision of a high quality and safe public realm or interface with the public realm, which facilitates convenient and direct access to the site for pedestrian and cyclists;
- iii) the provision of well signposted, attractive pedestrian and cycle routes separated from vehicular traffic where possible; and

iv) the provision of cycle parking and changing facilities in accordance with Appendix C, Table 1 or, in agreement with Council.'

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

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

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

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

PARKING:

As noted by the Highway Officer, in order to comply with the maximum Hillingdon parking standard there is a requirement for 1-1.5 on-plot spaces per unit to be provided with the exception of the 3-bedroom provision that requires up to 2 spaces which is also broadly replicated by the relevant London Plan (2021) standard. This would result in a total maximum requirement ranging between 10 to 14 spaces and 12 spaces are proposed which meets the standard. The allocation of parking space/s per flat could have been secured by planning condition in the event of an approvable scheme.

In light of the above, and whilst residents concerns about inadequate parking provision are duly noted, there would be no sustainable reason for refusal on the grounds of parking.

ELECTRIC CHARGING POINTS:

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

BICYCLE PARKING:

Appendix C, Table 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires the provision of cycle parking facilities for new residential units. Cycle stores are to be provided and had this application been recommended for approval, full details of the dimensions, external finish and design of the cycle stores would have been secured by condition,

REFUSE/RECYCLING COLLECTION:

Policy DMHB 11 part (d) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals should make sufficient provision for well-designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. Refuse storage is proposed at the front of the

site and notwithstanding concerns about visual impact, it is acknowledged that this would be an accessible location.

ACCESS AND INTERNAL ARRANGEMENTS:

As mentioned by the Borough Highways Officer, the proposed access is acceptable and would cause no harm to pedestrian or road user safety. Additionally the internal car parking arrangement would allow for cars to enter, turn and leave the site in a forward gear limiting any potential adverse highways impact.

CONSTRUCTION:

Had the application been recommended for approval a condition would have been added requiring a construction management/logistics plan to ensure that the impact of constructing the building on traffic as well as pedestrian and road user safety is minimised.

Overall, subject to the aforementioned conditions, it is concluded that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns, in accordance with Local Plan: Part 2 Development Plan Policies DMT 1, DMT 2 and DMT 6 and Policies T4, T5 and T6 of the London Plan (2021).

7.11 Urban design, access and security

These issues are covered in other sections of the report.

7.12 Disabled access

Details to demonstrate that the proposal would comply with Category M4(2) of Approved Document M to the Building Regulations (2010) 2015 could be secured by planning condition in the event of approval. No objection has been raised by the Council's Access Officer.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

Policy DMHB 14: 'Trees and Landscaping' of the Hillingdon Local Plan Part 2: Development Management Policies (2020) requires:

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

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

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

D) Planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees. Where the tree survey identifies trees of merit, tree root protection areas and an arboricultural method statement will be required to show how the trees will be protected. Where trees are to be removed, proposals for replanting of new trees on-site must be provided or include contributions to offsite provision.

The side and rear boundaries of the application site are tree-lined. There are no TPO's or Conservation Area designations within the site, although TPO 75 protects trees on the neighbouring property (to the south), including T28, a mature lime on the front boundary.

The previous refused schemes were considered to be acceptable in relation to arboricultural impact. It was noted that T27, the yew in the front garden would be removed to enable the development which was considered acceptable. It was further noted that T28, the protected lime tree on third party land (front boundary) should be unaffected by the development due to the presence of a brick retaining/boundary wall between the properties.

This planning application is accompanied by an Arboricultural Report (TMA, 2020), however it is noted that this does not consider the current scheme. As previously explained in this committee report, it is now proposed to access the rear carpark via a driveway along the northern site boundary. This would appear to encroach on areas previously shown as requiring no dig protection and/or tree protection fencing.

In the absence of a satisfactory Arboricultural Assessment and Method Statement which considers the development being proposed, the application fails to demonstrate that it would not result in the loss of trees which make a positive contribution to the character and appearance of the area, contrary to Policies DMHB 11 and DMHB 14 of the Hillingdon Local Plan Part 2 Development Management Policies (2020), London Plan (2021) Policy G7 and the National Planning Policy Framework (2021).

7.15 Sustainable waste management

Discussed in other sections of this report.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

Policy SI12 of the London Plan (2021) states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Policy SI 13 of the London Plan (2021) states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.

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

The application site is located in Flood Zone 1 where there is a low probability of risk of flooding from rivers or seas. As such, all forms of development including residential development (which is classified as a 'more vulnerable use') is acceptable in this location, in terms of fluvial flood risk.

In the event of an approvable scheme, a sustainable water management scheme would be secured by condition to ensure compliance with Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policies SI 12 and SI 13 of the London Plan (2021).

7.18 Noise or Air Quality Issues

NOISE:

As has been noted, there are concerns with the proposed location of the driveway adjacent to the boundary with no. 74 Harefield Road. This issue has been included as a recommended reason for refusal in section 2 of this report.

Had the application otherwise been considered acceptable, a construction management plan condition would have been recommended, in order to ensure construction noise and disturbance during the construction phase is minimised as far as practicable.

AIR QUALITY:

As with the most recent refusal at the site, it is considered that the scale of the development would not result in an undue loss of air quality that would warrant a refusal of planning permission. As noted above, had the application otherwise been considered acceptable, a planning condition would have been imposed to require submission of and compliance with a construction management plan, in order to minimise environmental impacts including air pollution.

7.19 Comments on Public Consultations

The issues raised during the consultation process have been addressed in the sections above.

7.20 Planning obligations

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 proposal involves the erection of new dwellings and is therefore CIL liable.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

No other issues raised.

8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The

obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

Not applicable.

10. CONCLUSION

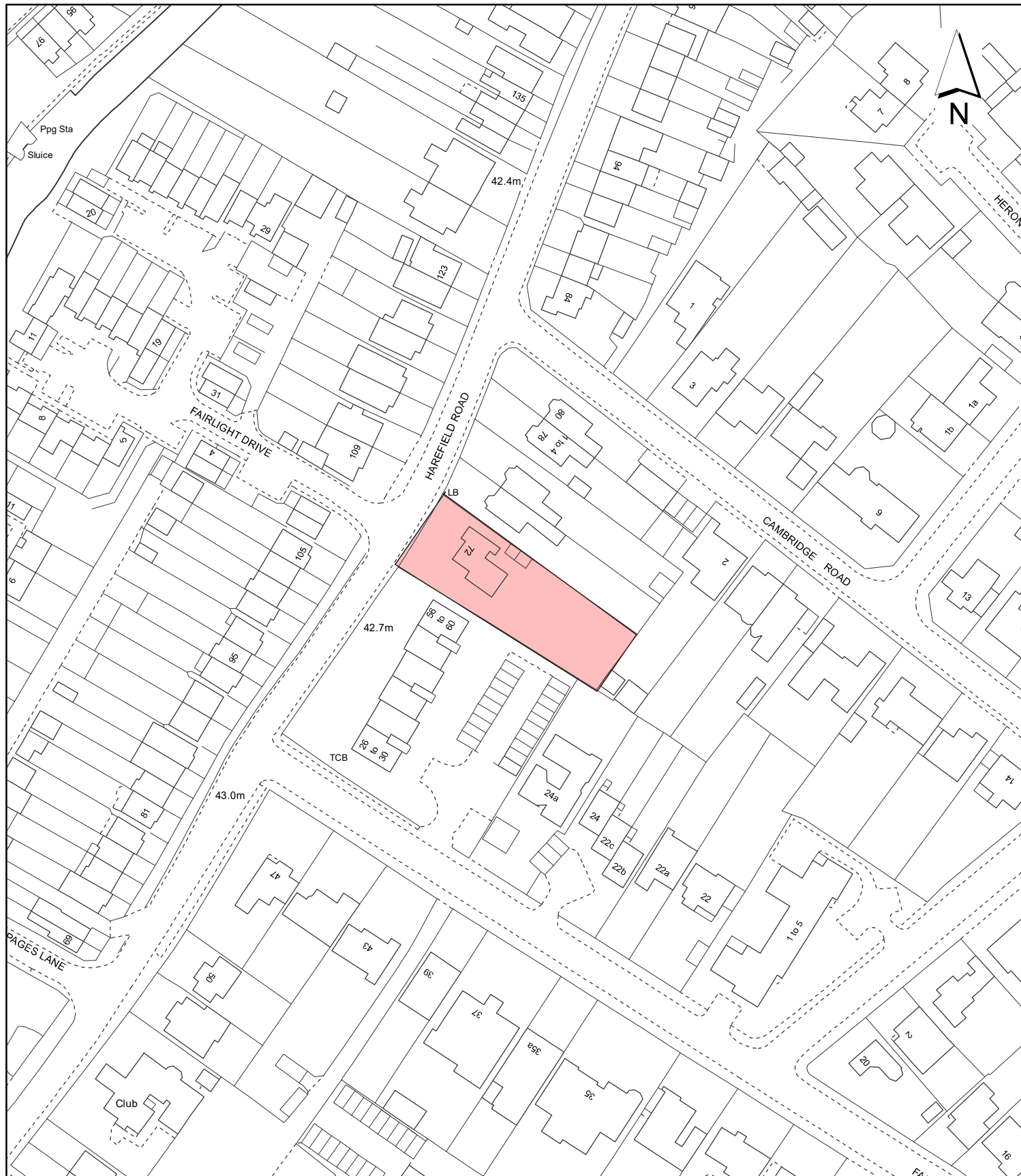
The proposed development would cause harm to the visual amenities of the streetscene and wider area, would harm the residential amenities of neighbouring occupiers, in addition to providing a poor standard of living for its future occupiers. Moreover, the application fails to satisfactorily demonstrate that the proposal would not harm trees which contribute to the verdant character and appearance of the area. Consequently, the proposal conflicts with the Development Plan and the identified harm is not outweighed by material considerations (including the contribution the development would make towards housing land supply). Had an appeal against non-determination not been received, it would have been recommended that planning permission be refused for the reasons set out in section 2 of this report.

11. 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: Haydon Richardson

Telephone No: 01895 250230



Notes:



Site boundary

For identification purposes only.

This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).

Unless the Act provides a relevant exception to copyright.

© Crown copyright and database rights 2020 Ordnance Survey 100019283

Site Address:

72 Harefield Road

Planning Application Ref:

25767/APP/2022/3190

Planning Committee:

Borough

Scale:

1:1,250

Date:

February 2023

**LONDON BOROUGH
OF HILLINGDON**
**Residents Services
Planning Section**

Civic Centre, Uxbridge, Middx. UB8 1UW
Telephone No.: Uxbridge 01895 250111

