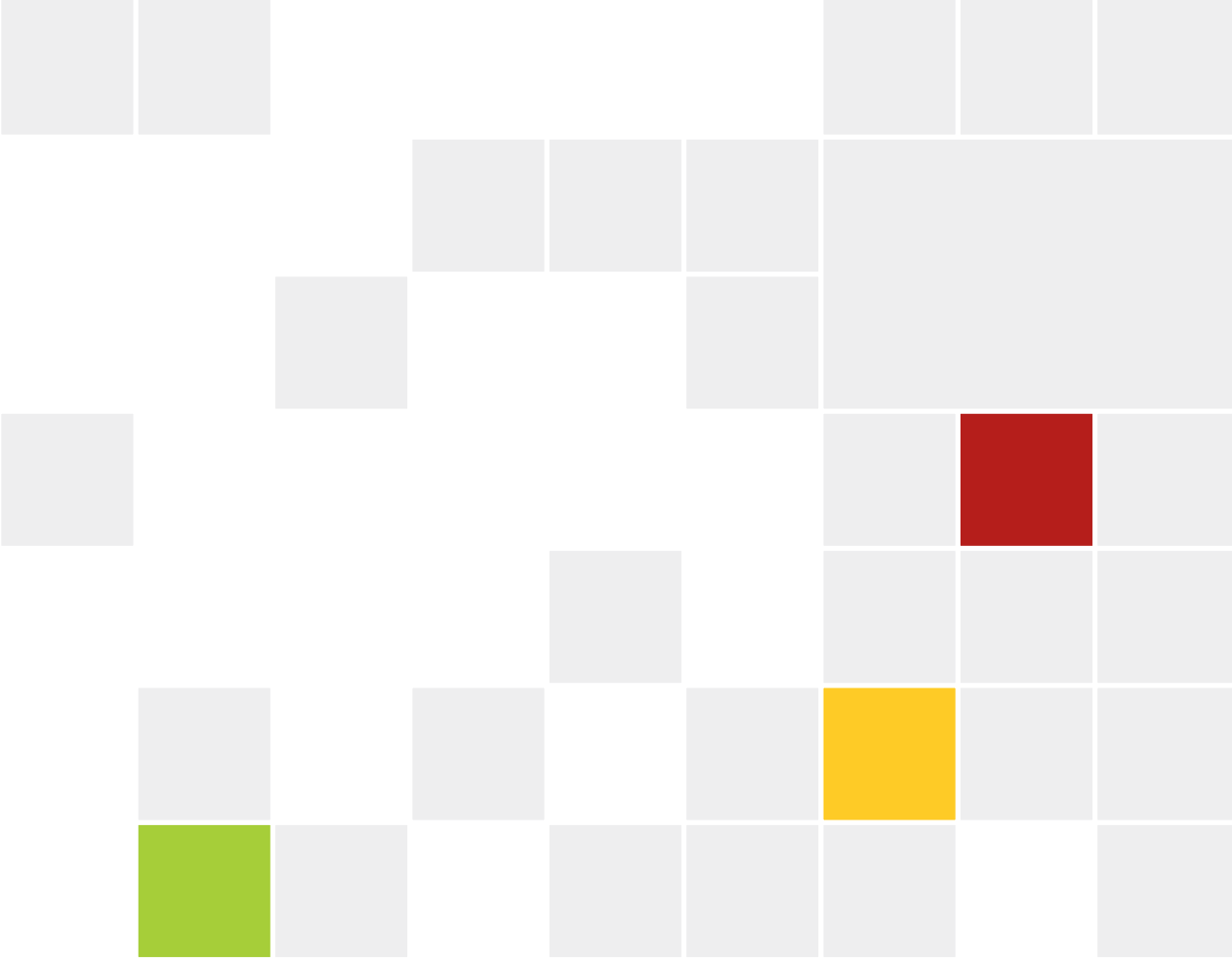
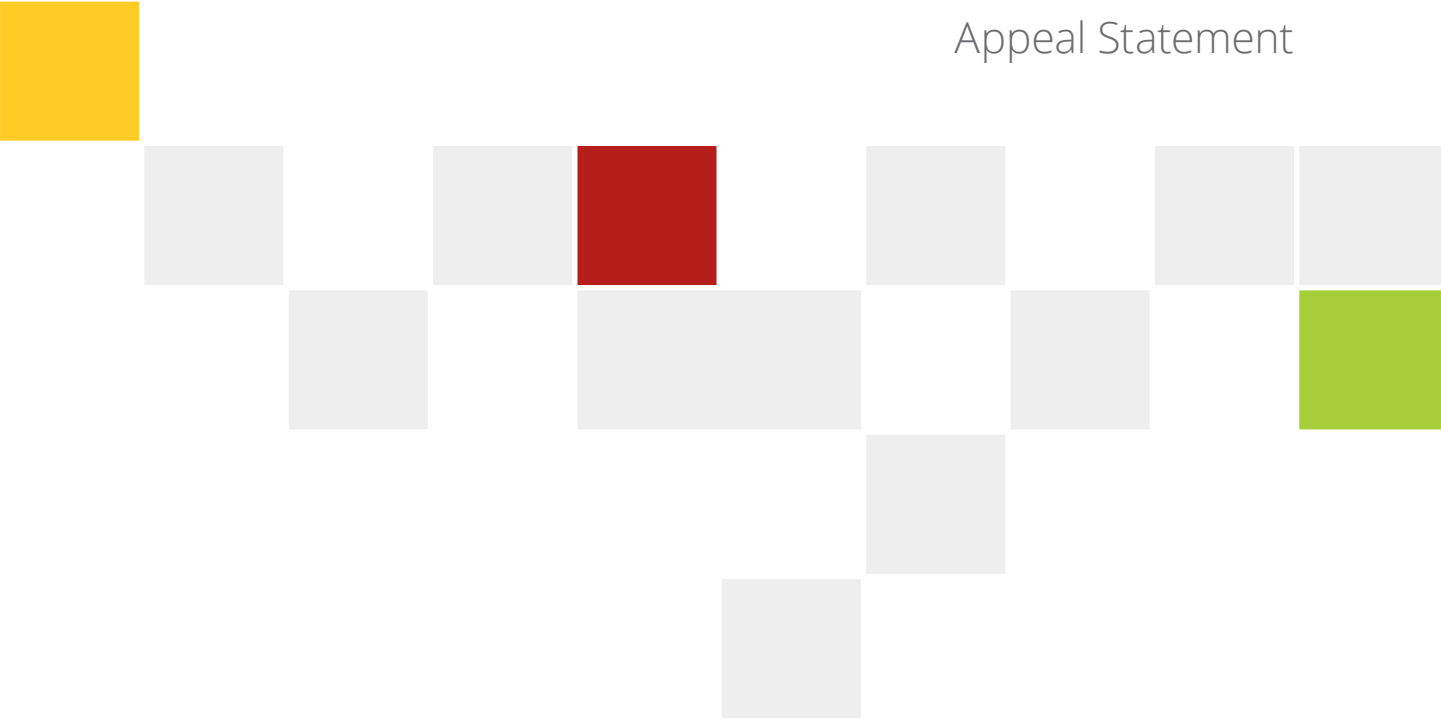




139 Belmont Road, Uxbridge

Appeal Statement



Boyer

Prepared on behalf of NAARD Ltd | January 2023

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

BY

NAARD LTD

139 BELMONT ROAD

UXBRIDGE

LONDON

UB9 1QZ

APPEAL AGAINST REFUSAL OF A PLANNING APPLICATION FOR:

Redevelopment of existing two storey dwelling on site, and the erection of 3no. terrace properties with associated private amenity space, 3no. car parking spaces, bike and refuse storage.

LONDON BOROUGH OF HILLINGDON REF: 17175/APP/2022/1989

STATEMENT OF CASE

January 2023

22.5161

Report Control

Project:	139 Belmont Road
Client:	NAARD Ltd
Reference:	21.5161
File Origin:	
Primary Author	OD
Checked By:	JD

<i>Issue</i>	<i>Date</i>	<i>Status</i>	<i>Checked By</i>
1	12/01/2023	DRAFT	JD

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APPENDIX

Appendix One – Decision Notice

Appendix Two – Officers Report

1. INTRODUCTION

- 1.1 We have been instructed by our client, NAARD Ltd, to prepare and submit an appeal to be determined via the written representations procedure, against Hillingdon Council's decision to refuse application reference: 17175/APP/2022/1989 on the 2nd November 2022.
- 1.2 The appeal relates to development proposals at 139 Belmont Road, Uxbridge, UB9 1QZ ('Site'). The planning application was validated on June 23rd, 2022, with the following formal description of development:
- 1.3 "Redevelopment of existing two storey dwelling on site, and the erection of 3no. terrace properties with associated private amenity space, 3no. car parking spaces, bike and refuse storage".
- 1.4 The proposals seek to make effective use of this underutilised brownfield Site (comprising 1 residential unit) to provide three high-quality, family homes. This will be facilitated through the demolition of the existing detached chalet bungalow. A full description of the proposed development is provided in Section 4 of this Appeal Statement.
- 1.5 Overall, the development will comprise a well-designed, sustainable building which will provide a high-quality standard of accommodation for future residents, whilst respecting the neighbouring context and making a positive contribution to the character of the area. The modest uplift in the number of residential units will make a valuable contribution towards the demand for family housing in Hillingdon.
- 1.6 In refusing planning permission, the Council identified only one reason for refusal which relates to concerns around the design of the development and the impact on the surrounding area. This reason for refusal is set out in full in Section 5 of this Statement of Case. A copy of the Decision Notice is provided at **Appendix 1** and a copy of the Officers Report is provided at **Appendix 2**.
- 1.7 This Statement of Case provides the primary basis of the Appellant's grounds of appeal and sets out the case for policy compliance in respect of the one principal matter identified on the decision notice.
- 1.8 This Statement does not seek to rehearse the contents of the documents and reports that were submitted to accompany the planning application. As such, this Statement should be read alongside the originally submitted reports, in particular:
 - Planning Statement (2022).
 - Design and Access Statement (2022)
 - Daylight and Sunlight Report (2022)
- 1.9 The Appeal Statement is structured as follows:
 - Section 2– details the Site and the surroundings;
 - Section 3- summarises the relevant planning history of the Site and surrounding area;
 - Section 4- describes the proposed development;

- Section 5- provides a summary of the reasons for refusal;
- Section 6–provides an overview of the planning policy and guidance relevant to the Appeal Scheme;
- Section 7–details the Appellant’s case; and
- Section 8–provides a summary and conclusion.

2. SITE AND SURROUNDINGS

- 2.1 The Site comprises a deep plot of land (1,000 sqm) containing a one and a half storey dwelling with two separate accesses to Belmont Road.
- 2.2 The Site is located on the northern side of Belmont Road, close to its junction with Park Road. Belmont Road comprises detached villas (1930's-1950's) in a suburban context.
- 2.3 The surrounding area is in a primarily residential, close to Uxbridge town centre and underground station, with both being accessible on foot within approximately 10 minutes.
- 2.4 The property is within Flood Zone 1 (lowest risk) and is not within a Conservation Area however is located adjacent to an Area of Special Local Character. The building is not listed or locally listed.
- 2.5 The Site is in an accessible location, being in close proximity to Uxbridge underground station and has a bus stop located directly to the front of the Site. Whilst the Site has a PTAL score of 3, it is in extremely close proximity to an area with a PTAL score of 5.

3. PLANNING HISTORY

- 3.1 A desktop review of the London Borough (LB) of Hillingdon's planning records has been undertaken to establish the planning history for the Site. The most relevant planning applications are detailed in the table below.

Reference	Proposal	Decision
17175/APP/2006/2552	Erection of a two-storey (within accommodation in roofspace) building comprising five two-bedroom and two one-bedroom self-contained flats with associated parking and landscaping (involving demolition of existing buildings) (outline application).	Refused (30/10/06)
17175/APP/2007/817	Erection of a two storey (with accommodation in roofspace) building containing 6 flats comprising 2 three- bedroom, 2 two bedroom and 2 one-bedroom self-contained flats with associated parking and landscaping (involving demolition of an existing building) (outline application for layout, scale, appearance and access).	Appeal Allowed (28-04-08)
17175/APP/2007/817	Erection of a two storey (with accommodation in roofspace) building containing 6 flats comprising 2 three-bedroom, 2 two bedroom and 2 one-bedroom self-contained flats and associated parking and landscaping (involving demolition of an existing building) (outline application for layout, scale, appearance and access).	Granted (29/04/08)
17175/APP/2022/1989	Redevelopment of existing two storey dwelling, and the erection of 3 no. dwellings with associated private amenity space, car parking, bike and refuse storage.	Refused (02/11/22)

Pre-application response

- 3.2 A request for pre-application advice (17175/ PRC/2021/280) was submitted to the Council on 22nd December 2021 and a meeting was held with the LPA on 23rd February 2022 however due to the Council's workload the applicant did not receive a written response despite this being requested.
- 3.3 The main matters discussed at the meeting was the principle of development, design, neighbour amenities and highways. The original proposal which was discussed at pre-application stages comprised the demolition of the existing building at 139 Belmont Road and the construction of a new building with 9 flats. However, following the pre- application advice the proposals have been redesigned; the number of dwellings has been reduced from 9 to 3.
- 3.4 The principle of the redevelopment of the Site was considered acceptable subject to a high standard of detailing and materials.
- 3.5 The design of the proposal was considered to be overdevelopment and was considered out of keeping with character and appearance of the area. However, as mentioned the quantum of development has now been reduced to 3 dwellings, reflecting the previous allowed appeal scheme (17175/APP/2007/817). Regarding the roof, a hipped roof is proposed which is in keeping with the local area which is outlined in detail within the Design and Access Statement.
- 3.6 Officers raised concerns with the impact on the amenity of neighbouring residents. However, the proposals have been redesigned in order to reduce the bulk and massing and a daylight/sunlight report has been submitted which demonstrates there would be no significant harm to the amenity of neighbouring residents.
- 3.7 The parking layout was considered detrimental to existing and future residents and has therefore been revised to retain the existing access and provide 3 parking bays in line with the London Plan 2021 parking standards and Local Plan Part 2 Policy DMT 6 (Vehicle Parking).

4. PROPOSED DEVELOPMENT

- 4.1 The proposals comprise the demolition of the existing detached two-storey dwelling and the construction of a three-storey residential development. This comprises 3no. 4-bedroom (7 person) properties to help address the Borough's need for family homes.
- 4.2 The proposals have been guided by the previous pre-application advice provided by the LB Hillingdon in relation to previous proposals for the Site.
- 4.3 The proposal will retain the existing accesses, using the west access as an entrance and the east as an exist for all vehicles.
- 4.4 The design of the building comprises a singular three storey building which seeks to harmonise with its residential suburban setting, whilst allowing the building to constitute a more contemporary addition to the street. The building is organised into two wings with the central house set back, giving it the impression of a detached house. The roof is hipped to mirror the neighbouring properties.
- 4.5 The properties benefit from private amenity space in the form of gardens at the rear.
- 4.6 The building is set on a limestone plinth with brickwork over. The plinth organises the facades of the building and continues into the landscaped elements of limestone & cobblestone paving, kerbs and vegetation beds.
- 4.7 The development will provide 3 car parking spaces (1 per dwelling). A total of 6 cycle parking spaces will be provided (2 per dwelling) in a secured bicycle shed in the rear of the garden.
- 4.8 Refuse and servicing is to continue as per the existing situation, with refuse collections from Belmont Road.

5. DECISION NOTICE

- 5.1 There is only reason for refusal outlined in the decision notice. This is as follows:
- 5.2 “Due to its excessive width, height, bulk, massing and overall design, the proposed building would form an oversized, uncharacteristic and visually incongruous form of development, which would fail to harmonise with the established character and appearance of the street scene. The proposal would therefore be detrimental to the visual amenities of the streetscene and character of the surrounding area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D3 of the London Plan (2021) and paragraph 130 of the National Planning Policy Framework (2021)”.
- 5.3 As set out within the following Section, this reason for refusal is considered unjustified and unreasonable. The proposal is considered policy compliant and in particular is acceptable in terms of highways, parking, access, residential amenity, environmental impact and trees and landscaping. This is confirmed in Section 7 of the Officer's Report.

6. PLANNING POLICY CONTEXT

6.1 Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. The development plan for the Site comprises:

- London Plan (2021)
- Local Plan: Part 1- Strategic Policies (2012)
- Local Plan: Part 2- Development Management Policies (2020)

6.2 Other policy documents that are material considerations in the determination of planning applications include the National Planning Policy Framework (2021), National Planning Policy Guidance (NPPG) and the Council's Supplementary Planning Documents (SPDs).

6.3 In the Council's refusal of the original application, they determined that the proposals did not comply with the policies outlined below. This Appeal Statement does not seek to rehearse the policies which the Council considered to be acceptable; it focuses solely on the policies set out in the Officers Report.

London Plan (2021)

6.4 Policy D3, Optimising site capacity through the design-led approach, states that development must be of the most appropriate form and land use for the site. This Policy sets out that higher density developments are generally promoted in locations that are well connected to amenities, services and jobs by walking, cycling and public transport. It requires development to be of high quality, responding to and improving the existing character of the area and encouraging active travel. It also sets out that development should:

- Achieve safe, secure and inclusive environments
- Provide active frontages and positive reciprocal relationships between what happens inside the buildings and outside in the public realm to generate liveliness and interest
- Deliver appropriate outlook, privacy and amenity
- Provide conveniently located green and open spaces for social interaction, play, relaxation and physical activity
- Help prevent or mitigate the impacts of noise and poor air quality
- Achieve indoor and outdoor environments that are comfortable and inviting for people to use

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

6.5 Policy BE1, The Built Environment, requires all new development to enhance and maintain the quality of the built environment. It states that all developments must be of high-quality design which contributes to the sense of place, complementing the neighbouring area and making a positive contribution to the local context.

Hillingdon's Local Plan: Part Two- Development Management Policies (2020)

- 6.6 Policy DMHB 11, Design of New Development, states that all development must be designed to the highest standards, upholding the principles of good design. This includes ensuring that development is sympathetic to the local context taking into account the following:
- Scale, height and massing of development
 - Building plot sizes, existing building patterns and building lines
 - Architectural composition
 - Local topography
 - Impact on neighbouring open space and neighbouring amenity, including ensuring proposals do not adversely impact daylight and sunlight of adjacent properties.
- 6.7 This Policy also requires development to use the highest quality materials, maximise sustainability, protect features of positive value within and nearby the site and make sufficient provision for waste facilities, landscaping and tree planting.
- 6.8 Policy DMHB 12, Streets and Public Realm, requires development to be in harmony with the surrounding area and to be accessible. This includes enhancing routes between the development and local amenities, including the provision of safe and direct pedestrian and cycle movement. It also sets out that the public realm design must comply with the character of the area, using landscaping treatment which is suitable for the location.

The National Planning Policy Framework (2021)

- 6.9 Paragraph 130 requires developments to enhance the overall quality of the area over the lifetime of the development. This sets out the need for development to harmonise with the local character of the area, creating a place which is safe, inclusive, and accessible and which contributes towards or establishes a strong sense of place. It also requires development to be visually attractive and to support local facilities and transport networks.

7. PLANNING JUSTIFICATION

- 7.1 This section begins by outlining the principle of development, which was supported within the Officers Report. It then provides a response to the reason for refusal in light of the planning policy context and other material considerations.

Principle of Development

- 7.2 As stated in Section 7.01 of the Officers Report the principle of developing additional residential units is considered acceptable. The proposals would make an efficient use of brownfield land and would provide an uplift of 3 high quality residential, family units. It is considered that this utilisation of land is efficient and sustainable, in line with the aspirations set out in the NPPF, the London Plan and Hillingdon's Local Plan.
- 7.3 London Plan Policy H2 Small Sites outlines how Boroughs should pro-actively support well-designed new homes on small sites and has set a ten-year housing target of 2,590 for small sites in Hillingdon. This Site comprises a valuable small site, which has been shown to be appropriate for residential development, making an efficient and sustainable use of the Site.
- 7.4 The proposal would create 3 residential units consisting of 4 bed 7 person dwellings. As stated in the Officers Report the proposal will therefore make an important and positive contribution towards the delivery of family-sized dwellings in accordance with London Plan Policy H10 (Housing Size Mix) and Local Plan Part 2 Policy DMH 2.

Reason for Refusal- Design and Impact on Surrounding Area

- 7.5 The reason for refusal raises concerns that the proposed development is excessive in its width, height, bulk, massing and overall design. The Council considers that the proposed development will be detrimental to the visual amenities of the street scene and that it does not harmonise with the local character of the area. For the reasons outlined below, we consider this view to be unjustified and unreasonable and the substantial planning benefits of the proposal far outweigh any perceived harm.

Size and Scale

- 7.6 The Officers Report states that the proposed development is of 'excessive size', referencing the streetscene drawing No. 0159-KLA-01-XX-DR-20 003, Rev P02. However, following pre-application advice, the quantum of development was reduced from 9 to 3 dwellings. As such, the current proposals reflect the previous allowed appeal scheme in 2008 (17175/APP/2007/817). The Officers Report for this previous appeal stated that the increase in the overall bulk on the Site does not constitute 'evidence of any harm'. This highlights that the proposed height and massing is appropriate and acceptable for the Site. Whilst it is acknowledged that the Local Plan has now changed, we do not consider the Local Plan to have changed that significantly to now warrant the proposed design as unacceptable.

- 7.7 As set out in Paragraph 6.8 of the original Planning Statement, the design approach has been led by the need to integrate successfully with the surrounding properties and streetscene. As such, the height of the proposed development is comparable to the ridge height of the neighbouring properties, complying with the surrounding built form. Contrary to the Officer's comments, the streetscene drawing (No. 0159-KLA-01-XX-DR-20 003, Rev P02) illustrates that the proposed development is a very similar height to its neighbouring properties and, as such, would assimilate successfully with the existing streetscene.
- 7.8 The Officer's Report, states that Belmont Road is "*made up of uniquely designed, two storey, detached dwellings on spacious plots.*" This statement is not disputed by the Appellant. However, as can clearly be seen on the streetscene and elevation drawings, the proposal has been designed to positively reflect the surrounding properties and has, as far as possible, been designed to appear as a two-storey development with the third storey built into the roof.
- 7.9 In regard to the size, width and scale of the proposal, the Officer's Report considers that the proposal would appear oversized and unduly dominant. This is strongly contested. The width of the proposal is not significantly greater than the existing building. Indeed, this can clearly be seen on the existing scheme vs. proposed scheme drawing (Ref: 0159-KLA-00-GF-DR-16 001) which has been produced to accompany this appeal and shows an overlay of the proposed scheme on the existing scheme and demonstrates that there is no significant increase in the width.
- 7.10 As acknowledged within the Officer's Report, Belmont Road is made up of uniquely designed dwellings on spacious plots. The proposal still benefits from a spacious plot and whilst being somewhat unique, it mirrors the existing building in terms of size and better reflects the surrounding properties.
- 7.11 The Officer's Report comments on the crown roof being 'oversized' and 'incongruous' in the context of the traditional pitched roof dwellings. However, the Officer follows this remark by stating "it would be located at the rear of the property where it would cause no harm to the appearance of the streetscene". As stated by the Officer themselves, the crown roof will not have an adverse impact on the surrounding area. As such this does not contradict with any of the policies outlined in Section 6 and should not be seen as a reason for refusal.
- 7.12 Overall, the proposals have been heavily influenced by the local context and streetscene to ensure that the scale and size of the development are in keeping with the neighbouring properties. The proposal should be considered acceptable in terms of size as it reflects that of the existing property and is sympathetic to the adjacent and surrounding properties in accordance with Policy BE1, Policies DMHB 11 and DMHB 12 of the Local Plan, Policy D3 of the London Plan and the National Planning Policy Framework.

- 7.13 As can clearly be seen on the streetscene drawings, the proposal makes a positive contribution to the local area, offering a high-quality building that both positively reflects and enhances the unique character of Belmont Road. As such the height, scale and mass of the proposal are considered reasonable and justified within the existing context and this should not be cited as a reason for refusal.

Design Approach

- 7.14 The proposals comprise a terraced block, the Officers report stated that this is uncharacteristic of the local area which is primarily dominated by detached houses. However, the design of the proposed development has been sensitively designed to ensure that the appearance is similar to that of a detached house and indeed, mirrors the existing building to a degree. As discussed within the Design and Access Statement (page 26), the proposal is structured into two wings with the central house set back, in order to give the impression of a detached house. To ensure accordance with the building line the proposals are set back in line with adjacent properties, 137 and 141 Belmont Road. Regarding the roof of the proposal, a hipped roof is proposed to ensure compliance with the local area and the surrounding buildings.
- 7.15 The design seeks to reflect the existing building in terms of scale and size, whilst ensuring that the quality of the building is enhanced. A visually attractive, high- quality building will take the place of the existing outdated building; this will complement the streetscene and make a positive contribution to the surrounding area. The proposed accommodation exceeds space standards and provides generous private amenity space provision for each unit.
- 7.16 Overall, the proposals constitute a high-quality building which has been carefully designed to ensure compliance with Policy BE1, Policies DMHB 11 and DMHB 12 of the Local Plan, Policy D3 of the London Plan and the National Planning Policy Framework. The development is in character with the style and form of dwellings which currently characterise Belmont Road.

Materials

- 7.17 The materials have been carefully selected to harmonise with neighbouring properties on Belmont Road. The Officer's Report raises concerns that the cream-coloured brickwork will make the building stand out amongst the neighbouring properties which have 'darker finishes'. However, there is a white property next door at 137 and the existing bungalow is white, therefore the neutral cream-coloured brickwork will conform with the appearance of the properties along the street, reflecting the appearance of the existing building.
- 7.18 Additionally, the Officer's Report considers the proposals as uncharacteristic of the local area in terms of materials, but later contradicts this by stating that "the material finishes of properties vary between brick, render, pebble dash and mixtures of the mentioned materials". As stated within the Officer's Report, there is not a uniform appearance along Belmont Road in terms of materials, therefore the proposed cream coloured building cannot reasonably be considered as uncharacteristic of the local area.

- 7.19 In light of the above, the proposed development consists of a cream-coloured brickwork which accords with the variable appearance of the surrounding properties, complying with Policy BE1, Policy DMHB 11 and DMHB 12 of the Local Plan, Policy D3 of the London Plan and Paragraph 130 of the NPPF.

Summary

- 7.20 It is important to take into consideration that whilst the proposed scheme has been carefully and sensitively designed to respect and reflect both the existing building and surrounding properties, the Council themselves within the Officer's Report confirm that Belmont Road is made up of uniquely designed buildings and therefore there is no established style.
- 7.21 As is clearly demonstrated on the submitted plans as well as drawing 0159-KLA-00-GF-DR-16 001, which has been produced specifically for this appeal, the proposal makes a positive contribution to, and sits well within the existing streetscene. It cannot reasonably be considered as oversized, uncharacteristic or a visually incongruous form of development.
- 7.22 Notwithstanding this, it is also important to consider the very significant planning benefits that the proposal will deliver, namely the provision of 3no. high-quality family-sized units which will make an important contribution to family sized housing within the Borough.
- 7.23 Therefore, in light of the reasons presented above, the Inspector is respectfully requested to allow this appeal.

8. CONCLUSION

- 8.1 This Appeal Statement of Case has been prepared in response to the decision of LB Hillingdon to refuse planning permission for a development comprising:
- 8.2 “Redevelopment of existing two storey dwelling on site, and the erection of 3no. terrace properties with associated private amenity space, 3no. car parking spaces, bike and refuse storage”.
- 8.3 It has been demonstrated that the development will sit comfortably within the Site and positively reflects and corresponds with the character of the surrounding area. Contrary to the reasons for refusal, this Appeal Statement demonstrates that the proposal is entirely in accordance with Local Plan Policies BE1, DMHB 11 and DMHB 12, Policy D3 of the London Plan and the National Planning Policy Framework.
- 8.4 There was only one reason for refusal, this Appeal Statement of Case has demonstrated that this reason is considered wholly unjustified and unreasonable. The proposals comprise a high-quality building which responds appropriately to the local context, preserving and enhancing the character and appearance of the streetscene. The design has taken its lead from both the existing and surrounding buildings in terms of its size, scale, materials, and overall design approach, as such it is considered appropriate and acceptable in the local context. The proposed design is similar to that of the existing building; therefore, it will successfully integrate with the surrounding context, whilst making a modest, but valuable contribution to the need for family homes.
- 8.5 Throughout this Statement of Case, the Council’s reason for refusal has been disputed and it has been demonstrated that the proposed development is in accordance with the Local Plan, London Plan and the NPPF and the planning benefits vastly outweigh any concerns. As such, the Council’s reasons for refusal are considered wholly unjustified and unreasonable and, as such, the Inspector is respectfully requested to allow this appeal.

APPENDIX ONE- DECISION NOTICE



Mr. Sean Breslin
Boyer Planning
2nd Floor, 24 Southwark Bridge Road
London
SE1 9HF

Application Ref: 17175/APP/2022/1989

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:

Redevelopment of existing two storey dwelling, and the erection of 3 no. dwellings with associated private amenity space, car parking, bike and refuse storage.

Location of development: 139 Belmont Road Uxbridge

Date of application: 23rd June 2022

Plan Numbers: See attached Schedule of plans

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

Interim Director of Planning, Regeneration & Public Realm

Date: 2 November 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: 17175/APP/2022/1989

SCHEDULE OF REASONS

- 1 Due to its excessive width, height, bulk, massing and overall design, the proposed building would form an oversized, uncharacteristic and visually incongruous form of development, which would fail to harmonise with the established character and appearance of the street scene. The proposal would therefore be detrimental to the visual amenities of the streetscene and character of the surrounding area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D3 of the London Plan (2021) and paragraph 130 of the National Planning Policy Framework (2021).

INFORMATIVES

- 1 The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
- 2 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

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

PT1.H1 (2012) Housing Growth

Part 2 Policies

DMCI 7 Planning Obligations and Community Infrastructure Levy

DMEI 2 Reducing Carbon Emissions

DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMEI 10	Water Management, Efficiency and Quality
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMHB 5	Areas of Special Local Character
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D1	(2021) London's form, character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP G1	(2021) Green infrastructure
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature
LPP H1	(2021) Increasing housing supply
LPP H2	(2021) Small sites
LPP SI12	(2021) Flood risk management

LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF2	NPPF 2021 - Achieving sustainable development
NPPF4	NPPF 2021 - Decision-Making
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places

END OF SCHEDULE

Address:

Development Management
 Directorate of Place
 Hillingdon Council
 3 North, Civic Centre, High Street, Uxbridge UB8 1UW
www.hillingdon.gov.uk

REFUSAL OF PLANNING PERMISSION

Application Ref: 17175/APP/2022/1989

SCHEDULE OF PLANS

Planning Statement - received 23 Jun 2022

Design & access statement - received 23 Jun 2022

1889/JN - Day and Sunlight Assessment - received 23 Jun 2022

Highways Technical Note prepared by Motion dated 14 June 2022 - received 23 Jun 2022

0159-KLA-00-XX-DR-18 002 Rev P02 - received 23 Jun 2022

0159-KLA-00-XX-DR-18 001 Rev P02 - received 23 Jun 2022

0159-KLA-00-RF-DR-19 001 Rev P02 - received 23 Jun 2022

0159-KLA-00-01-DR-19 001 Rev P02 - received 23 Jun 2022

0159-KLA-00-GF-DR-19 001 Rev P02 - received 23 Jun 2022

0159-KLA-01-XX-DR20 003 Rev P02 - received 23 Jun 2022

0159-KLA-00-01-DR-10 001 Rev P03 - received 23 Jun 2022

0159-KLA-00-02-DR-10 001 Rev P03 - received 23 Jun 2022

0159-KLA-01-XX-DR-30 001 Rev P02 - received 23 Jun 2022

0159-KLA-00-GF-DR-10 001 Rev P04 - received 01 Aug 2022

0159- KLA-01-XX-DR-20 002 Rev P02 - received 23 Jun 2022

0159-KLA-01-XX-DR-20 001 Rev P02 - received 23 Jun 2022

0159-KLA-00-RF-DR-10 001 Rev P03 - received 23 Jun 2022

0159-KLA-00-XX-DR-20 001 TRev P02 - received 23 Jun 2022

0159-KLA-00-XX-DR-20 002 Rev P02 - received 23 Jun 2022

0159-KLA-00-XX-DR-20 003 Rev P02 - received 23 Jun 2022

0159-KLA-00-XX-DR-20 004 Rev P02 - received 23 Jun 2022

0159-KLA-00-XX-DR-30 001 Rev P02 - received 23 Jun 2022

RIGHTS OF APPLICANTS AGGRIEVED BY DECISION OF LOCAL PLANNING AUTHORITY

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 website at www.Planning-inspectorate.gov.uk

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

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

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

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

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

Purchase Notices.

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

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

APPENDIX TWO– OFFICERS REPORT

APPLICATION FOR: 17175/APP/2022/1989

139 BELMONT ROAD UXBRIDGE

COMMITTEE: Minor Apps PC

DATE: 1st November 2022

I confirm:-

- All consultations have been completec
- All consultations are reflected in the report.
- The report is free from spelling, typing and grammatical errors.

Final formatting:

Signed:- _____
Case Officer

Signed:- _____
Team Manager

Signed:- _____
Senior Manager

I agree this report can go on the agenda for the above Committee.

Signed:- _____
DC Tech Admin

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

Address 139 BELMONT ROAD UXBRIDGE

Development: Redevelopment of existing two storey dwelling, and the erection of 3 no. dwellings with associated private amenity space, car parking, bike and refuse storage.

LBH Ref Nos: 17175/APP/2022/1989

Drawing Nos: Planning Statement
Design & access statement
1889/JN - Day and Sunlight Assessment
Highways Technical Note prepared by Motion dated 14 June 2022
0159-KLA-00-XX-DR-18 002 Rev P02
0159-KLA-00-XX-DR-18 001 Rev P02
0159-KLA-00-RF-DR-19 001 Rev P02
0159-KLA-00-01-DR-19 001 Rev P02
0159-KLA-00-GF-DR-19 001 Rev P02
0159-KLA-01-XX-DR20 003 Rev P02
0159-KLA-00-01-DR-10 001 Rev P03
0159-KLA-00-02-DR-10 001 Rev P03
0159-KLA-01-XX-DR-30 001 Rev P02
0159-KLA-00-GF-DR-10 001 Rev P04
0159- KLA-01-XX-DR-20 002 Rev P02
0159-KLA-01-XX-DR-20 001 Rev P02
0159-KLA-00-RF-DR-10 001 Rev P03
0159-KLA-00-XX-DR-20 001 TRev P02
0159-KLA-00-XX-DR-20 002 Rev P02
0159-KLA-00-XX-DR-20 003 Rev P02
0159-KLA-00-XX-DR-20 004 Rev P02
0159-KLA-00-XX-DR-30 001 Rev P02

Date Plans Recieved: 23/06/2022 **Date(s) of Amendment(s):** 23/06/2022

Date Application Valid: 23/06/2022

1. SUMMARY

Planning permission is sought to replace a chalet style bungalow with a terraced block comprising 3 dwellings.

There is no objection, in principle, to the creation of additional residential units in this location in land use terms. However, due to its scale, depth, bulk, massing and design, the proposal would fail to integrate with the established character and appearance of the area, subsequently resulting in an incongruous and unduly dominant form of development, which would harm the visual amenities and character of the area.

For this reason the proposal is considered to be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D3 of

the London Plan (2021) and the National Planning Policy Framework (NPPF, 2021).

It is therefore recommended that this application be refused.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

Due to its excessive width, height, bulk, massing and overall design, the proposed building would form an oversized, uncharacteristic and visually incongruous form of development, which would fail to harmonise with the established character and appearance of the street scene. The proposal would therefore be detrimental to the visual amenities of the streetscene and character of the surrounding area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D3 of the London Plan (2021) and paragraph 130 of 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 guidance.

DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMEI 10	Water Management, Efficiency and Quality
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMHB 5	Areas of Special Local Character
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking

LPP D1	(2021) London's form, character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP G1	(2021) Green infrastructure
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature
LPP H1	(2021) Increasing housing supply
LPP H2	(2021) Small sites
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF2	NPPF 2021 - Achieving sustainable development
NPPF4	NPPF 2021 - Decision-Making
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places

3 174 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 proposed development site is located on the north side of Belmont Road. The site is occupied by a detached, chalet style bungalow with projecting front bays, a hipped roof, accommodation in the roof-space, and a rear dormer window. The dwelling has been finished in white render and has a tiled roof. The site has two vehicular access points and paved front garden providing space for off street parking.

The surrounding area is residential in character. Belmont Road is largely made up of uniquely designed, two storey, detached dwellings on spacious plots. The material finish of properties varies between brick, render, pebble dash and mixtures of the mentioned materials. Each property is set back from the road and their frontages comprise off road parking and soft landscaping. Front boundary treatments are made up of brick walls, hedges, fencing and gates.

The site is located in the Hillingdon Air Quality Management Area and Flood Zone 1. The site frontage has a Public Transport Accessibility Level (PTAL) of 3. The majority of the remaining site has a PTAL of 2. The boundary of the North Uxbridge Area of Special Local Character is located to the rear of the site.

3.2 Proposed Scheme

Planning permission is sought for the demolition of the existing two storey dwelling, and the erection of 3 no. 4 bedroomed dwellings with associated private amenity space, car parking, bike and refuse storage.

It should be noted that the existing dwelling is a chalet bungalow and not a traditional two storey dwelling.

3.3 Relevant Planning History

17175/APP/2006/2552 139 Belmont Road Uxbridge

ERECTION OF A TWO-STOREY (WITH ACCOMMODATION IN ROOFSPACE) BUILDING COMPRISING FIVE TWO-BEDROOM AND TWO ONE-BEDROOM SELF-CONTAINED FLATS WITH ASSOCIATED PARKING AND LANDSCAPING (INVOLVING DEMOLITION OF EXISTING BUILDINGS) (OUTLINE APPLICATION)

Decision: 30-10-2006 Refused

17175/APP/2007/817 139 Belmont Road Uxbridge

ERECTION OF A TWO STOREY (WITH ACCOMMODATION IN ROOFSPACE) BUILDING CONTAINING 6 FLATS COMPRISING 2 THREE- BEDROOM, 2 TWO BEDROOM AND 2 ONE- BEDROOM SELF-CONTAINED FLATS WITH ASSOCIATED PARKING AND LANDSCAPING (INVOLVING DEMOLITION OF AN EXISTING BUILDING) (OUTLINE APPLICATION FOR LAYOUT, SCALE, APPEARANCE AND ACCESS).

Decision: 28-04-2008 Not Determined **Appeal:** 28-04-2008 Allowed

17175/APP/2008/3102 139 Belmont Road Uxbridge

Change of use of ground floor from Class C3 dwelling houses to Class D1 non-residential institutions (School) to include disabled ramp to front and rear, alterations to doors and windows, internal alterations and conversion of garage to habitable use as children's play room.

Decision: 06-11-2008 Withdrawn

Comment on Relevant Planning History

The proposed redevelopment scheme which was allowed on appeal in 2008 (ref. 17175/APP/2007/817) carries some weight in this decision. However, this was granted 14 years ago and was not implemented. The development plan has changed substantially since, with a far greater focus on high quality design. Further, the schemes are materially different, with notable differences in width, roof design and articulation.

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.BE1 (2012) Built Environment

PT1.H1 (2012) Housing Growth

Part 2 Policies:

DMCI 7 Planning Obligations and Community Infrastructure Levy

DMEI 2 Reducing Carbon Emissions

DMEI 7 Biodiversity Protection and Enhancement

DMEI 9 Management of Flood Risk

DMEI 10 Water Management, Efficiency and Quality

DMH 1 Safeguarding Existing Housing

DMH 2 Housing Mix

DMHB 5 Areas of Special Local Character

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 15 Planning for Safer Places

DMHB 16 Housing Standards

DMHB 17 Residential Density

DMHB 18 Private Outdoor Amenity Space

DMT 1 Managing Transport Impacts

DMT 2 Highways Impacts

DMT 5 Pedestrians and Cyclists

DMT 6 Vehicle Parking

LPP D1 (2021) London's form, character and capacity for growth

LPP D3 (2021) Optimising site capacity through the design-led approach

LPP D4 (2021) Delivering good design

LPP D5 (2021) Inclusive design

LPP D6 (2021) Housing quality and standards

LPP D7 (2021) Accessible housing

LPP G1	(2021) Green infrastructure
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature
LPP H1	(2021) Increasing housing supply
LPP H2	(2021) Small sites
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF2	NPPF 2021 - Achieving sustainable development
NPPF4	NPPF 2021 - Decision-Making
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

7 neighbouring properties were directly notified of the proposal on 06/07/22.

10 letters of objection have been received in response to consultation on the application, summarised as follows:

- The destruction of another interesting house in the area, with a huge monolith which will overshadow existing houses. Alters the streetscene forever.
- Totally out of character, not in keeping with the street, as all are individual homes.
- Excessive size and bulk. Incongruous addition to the road.
- Development would set a precedent.
- These will be terraced houses which are not in keeping with the surrounding detached houses.
- This development with 3 new large dwellings on the existing grounds is totally not in keeping with the surrounding detached houses and if it goes ahead will eventually lead to a free for all with existing neighbours selling their houses to developers.
- This will not provide enough car parking space for the usual 2 car household for 3 large units. This will lead to more cars out on this part of the road, which has few spaces as it is.
- Parking stress exacerbated by proximity of Hermitage Primary School nearby.
- Concerns regarding bus stop outside the property. Cars will end up reversing out of the entrance onto the main road next to the bus stop.
- There are a much higher than usual number of road accidents on the adjacent roundabout at the junction of Belmont Road and Park Road and this development and ones it enables to happen in future by setting precedent, can increase the chances of these occurring.

- Site is also near Uxbridge common which is an historic protected area, providing a welcome and relaxing space for residents.
- Overdevelopment of a small site. Development is far too big.
- Height of property will impact neighbours in the vicinity who will be overlooked and will take away light from gardens at the back.
- Overlooking to rear gardens and reduction in privacy.
- Planning application 17175/APP/2006/2552 16 years ago was rejected. That development would also have had 12 bedrooms (in 7 flats) so very similar to the one being proposed here.
- Overcrowding.
- Concerns regarding potential noise from increased number of families.
- Health and Safety review, recent fires on TV show how quickly they spread when properties are too close together.
- Global warming.
- Changes infrastructure of the area. Has an impact on medical facilities.
- Similar works have been undertaken on Fairfield Road with detrimental consequences.
- Concerns regarding noise and pollution.

The North Uxbridge Residents association were also consulted on the proposed development and provided the following comments:

"Notwithstanding 139 is a wider property size than typical for this section of Belmont Road, this does not justify its redevelopment as 3 terrace houses in a block. This intensification is out of character with the strong pattern of North Uxbridge. On redevelopment it is suggested that no more than 2 houses be created in a linked or detached form."

In addition, a petition with 26 signatories has been received against the proposed development. The petition raises the following objection:

"The destruction of another interesting house in the area, with a huge monolith which will overshadow existing houses. These will be three 4 bedroom terraced houses, which are not in keeping with the surrounding detached houses. This will set a precedent and ruin the area".

Planning Officer Response:

Whilst recent and/or relevant planning history carries weight in the assessment of a planning application, it should be noted that each planning application must be considered on its own merits.

If the development were acceptable, the Building Control process would secure necessary adherence to the most recent building control regulations, which also secures sustainability requirements. Matters relating to sustainability are further discussed in the main body of this report.

Comments made regarding the proximity of the site to Uxbridge common are duly noted, however given the separation and existing residential use of the site, it is not considered that this would constitute a sustainable ground for refusal of planning permission.

Comments regarding inadequate medical facilities are duly noted, however this would not constitute a sustainable ground for refusal of this application, given its scale (minor development). For minor developments, contribution to infrastructure is principally secured through CIL (refer to section 7.20 of this report).

All other material issues raised are addressed in the main body of the report.

Internal Consultees

ACCESS OFFICER:

This proposal has been assessed with reference to London Plan policy D7 and H2. Drawing No: 0159-KLA-00-GF-DR-10 001, Rev P04, Dated 1 August 2022, addresses the previous accessibility concern. Step free access is confirmed and an entrance level WC is shown to be adequate at this development control stage. The proposed development is acceptable, subject to the following conditions:

1) Prior to any works on site above damp proof course level, details of step free access via all points of entry and exit 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 housing of an inclusive design is achieved and maintained in accordance with Policies D5 and D7 of the London Plan (2021).

2) The dwelling 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.

HIGHWAYS OFFICER:

This address is located within a residential catchment in Uxbridge just west of Park Road and consists of a substantial detached house with generous on-plot parking facilities. Belmont Road is designated as 'classified' in the hierarchy of borough roads and there are two established vehicular carriageway crossings (cc's) at the eastern and western extremities of the site envelope.

It is proposed to demolish the property thereby facilitating a new build consisting of three 4-bedroom terraced properties with one on-plot parking space per unit with cycle space provision to the rear of each dwelling. The existing 'eastern' cc would serve as an access point to the 3 on-plot parking spaces located on the frontage (1 space per unit) whilst the 'western' cc would allow for egress onto Belmont Road. No alteration to the crossing widths is proposed, however the relatively high frontage wall abutting the public footway is to be adjusted to allow for a wider opening at each crossing point to ease vehicular movement into and out of the site envelope.

The local road network is extensively covered by parking restrictions in the form of a controlled parking zone (CPZ) operating from 9am to 5pm -Monday to Saturday and a bus stop clearway fronting the site. The location displays a public transport accessibility level (PTAL) of 3 which is considered as moderate. However, in practice, the 'real world' PTAL is somewhat higher than numerically depicted given the proximity of Uxbridge Station and a plethora of available local bus services.

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. The proposal would require an on-plot provision of up to 2 spaces for each of the dwellings to fully comply with Hillingdon's adopted parking standard. 1 space per unit is to be provided hence there appears to be a deficit, however in contrast, for a PTAL rating of 3, the London Plan (2021) parking standard demands up to 1 space per unit. Therefore, as the regional standard is met, the level of provision is considered acceptable.

Electric Vehicle Charging Points (EVCP's)

In line with the London Plan (2021), within the final parking quantum there is a requirement for a minimum 20% 'active' EVCP provision with all remaining spaces being designated as 'passive' provisions. In this case, it is recommended that 3 'active' spaces are provided to future proof for anticipated demand. This is not acknowledged by the applicant and therefore should be secured via planning condition.

Cycle Parking

In terms of cycle parking, there would be a requirement to provide 2 secure and accessible spaces per dwelling to meet the council's adopted cycle parking standard. This level of provision is proposed within the rear garden areas which is considered as an acceptable arrangement.

Vehicular Trip Generation

Local Plan: Part 2 Policies - DMT 1 and DMT 2 require the council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety. The proposal would raise the likely level of vehicular activity to and from the site as compared to the existing single tenure property. Nevertheless, the anticipated uplift in trip generation related to the 3 new dwelling units does not raise any immediate highway concerns with a predicted potential uplift of 1-2 two-way vehicular movements during the most crucial and sensitive early morning and late afternoon/early evening peak traffic periods. This level of generation is considered marginal in highway impact terms and therefore can be absorbed within the local road network without notable detriment to traffic congestion and road safety.

Vehicular Access and Internal Arrangements

There is no objection in principle to the utilisation of the existing carriageway crossings for the purposes of vehicular access and egress. If, however, a requirement for a minor alteration to the crossings is identified at a later stage, then finalised detail would be arranged post-planning permission and it should be noted that any revision 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.

The internal parking layout should conform to best practice design standards (DfT's Manual for Streets (MfS) - circa 2007 for new development road and parking layouts) so there is adequate space to allow for passenger vehicles using the site to enter and leave the plot in a forward gear which is recommended practice on safety grounds. As presented this requirement is achieved and therefore welcomed. It is noted that the set-back of the proposed property building lines increases the available depth of frontage thereby allowing for longitudinal parking in front of each unit and unencumbered 'thru-passage' of vehicles within the site envelope.

Satisfactory highway visibility splays at both access points are also considered crucial given the status/heavily trafficked nature of Belmont Road and should therefore be applied on safety grounds. It is therefore recommended there should be conformity to the relevant mutual inter-visibility sight-line requirements, as per 'Manual for Streets' guidance referenced above, between vehicles leaving the site and extraneous vehicles/pedestrians using the road network (the importance of which is heightened by users of the bus stop fronting the address). To assist with

maintaining satisfactory sight-lines at the entrance points for both vehicles and pedestrians entering and leaving the site, it is therefore recommended that a lower height of frontage boundary treatment is applied. Ideally the height would not exceed 0.6m for 1 to 2m on either side of each crossing to achieve the aim of satisfactory visibility.

It is noted that, as depicted on submitted plan, the existing and relatively high frontage wall abutting the public footway is to be adjusted at the back of footway to allow for a wider opening at each crossing thereby easing access and egress to and from the site. It is acknowledged that this will contribute to the above stated aim related to sight-line improvement.

Operational Refuse Requirements

Refuse collection would continue to be conducted via Belmont Road. A bin storage location should be located in proximity of the public highway in order to conform to the council's 'waste collection' maximum distance parameter of 10m i.e. distance from a refuse vehicle to the point of collection. As presented, communal refuse storage is placed directly on the frontage which indicates conformity to this requirement. There are no further observations.

Construction/Demolition Logistics Plan (CLP)

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

Conclusion

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

Planning Officer Response:

The above comments are noted. In the event of an approval, relevant conditions would have been considered for inclusion. Matters relating to access and Highway impacts are further discussed in sections 7.10 and 7.11 of this report.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

PRINCIPLE OF DEVELOPMENT:

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

Comments received from local residents raising concerns about the demolition of the dwelling are duly noted, however the building is not listed or considered of such architectural merit as to warrant a refusal of planning permission on those grounds. It is noted that as it is not a protected building, planning permission would not be required for its demolition.

There is no objection, in principle, to the creation of additional residential units in this location in land use terms and there is a planning benefit to an overall uplift of units with new homes created contributing to the Borough's housing delivery. However, this is subject to the proposal being in accordance with all of the relevant planning policies and guidance set out in the Development Plan and London Plan. As it stands, the proposal

fails in this regard and the benefits are not so great as to outweigh the concerns raised.

It should also be noted that 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, limiting the weight that can be attached to the delivery of the new residential units here.

HOUSING MIX:

Policy H10 of the London Plan (2021) states that schemes should generally consist of a range of unit sizes and sets out a number of factors which should be considered when determining the appropriate housing mix on a particular scheme. This includes local evidence of need.

Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires 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. Paragraph 4.6 outlines that there is a substantial borough-wide requirement for larger affordable and private market units, particularly three-bedroom properties.

Family housing is defined within the glossary of the London Plan (2021) which outlines that such properties must generally be of a size that has three or more bedrooms. The proposed development includes the replacement of one family sized dwelling with three. Having regard to the identified need for family sized dwellings, it is considered that the proposal would provide a suitable mix of housing to support sustainable, inclusive and mixed communities in compliance with Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy H10 of the London Plan (2021) and the National Planning Policy Framework (2021).

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.

Policy DMHB 17 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all new residential development should take account of the Residential Density Matrix contained in Table 5.2.

Numerical density levels are considered to be more appropriate to larger sites and are not typically used in the assessment of schemes of less than 10 units. The key consideration is therefore whether the development would acceptably integrate with the character and appearance of the locality and would respect residential amenity considerations, rather than the consideration of the density of the proposal.

Please refer to the other sections of this Committee Report which assess these planning considerations in further detail.

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

As previously noted, the application site adjoins the North Uxbridge Area of Special Local Character to the north. Notwithstanding the concerns set out in this report regarding the adverse impact of the proposed development on the character and appearance of the area, it is not considered that there would be a significant adverse impact on the setting of the Area of Special Local Character such that a standalone refusal on those grounds could be substantiated. This conclusion takes account of the separation between the proposed dwellings and the boundary of the designated area.

7.04 Airport safeguarding

Not applicable to the proposed development.

7.05 Impact on the green belt

Not applicable to the proposed development.

7.06 Environmental Impact

NOISE FROM THE PROPOSED DEVELOPMENT:

Policy D14 of the London Plan (2021) states that in order to reduce, manage and mitigate noise to improve health and quality of life, residential and non-aviation development proposals should manage noise by avoiding significant adverse noise impacts on health and quality of life.

Whilst there would be some potential for increased levels of on-site activity to generate noise and disturbance, the site would nevertheless continue to be used in an exclusively residential capacity. The proposed net provision of 2 additional residential units at the site is not considered to lead to such a significant change in the local noise environment as to warrant a refusal of planning permission.

AIR QUALITY:

Policy DMEI 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that proposals should demonstrate appropriate reductions in emissions. It adds that, development proposals should, as a minimum:

- i) be at least "air quality neutral";
- ii) include sufficient mitigation to ensure there is no unacceptable risk from air pollution to sensitive receptors, both existing and new; and
- iii) actively contribute towards the improvement of air quality, especially within the Air Quality Management Area.

The site is designated within an Air Quality Management Area. In the event of an approval, a condition could secure the submission of an Air Quality Management Assessment and a Construction Management Plan could also be secured by condition to minimise air and other emissions caused during the construction phase.

SUSTAINABLE CONSTRUCTION AND USE OF RESOURCES:

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

Policy DMEI 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires all developments to make the fullest contribution to minimising carbon dioxide emissions in accordance with the London Plan targets (2016 The London Plan).

In the event of an approvable scheme, a condition would be included to ensure details are

submitted to confirm the sustainability credentials of the proposed development, including the type of renewable technologies that would be utilised. Also, a condition would be secured requiring the proposed dwellings to achieve as a minimum, a water efficiency standard of no more than 105 litres per person per day, maximum water consumption.

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

7.07 Impact on the character & appearance of the area

Paragraph 126 of the NPPF (2021) seeks the creation of high quality, beautiful and sustainable buildings.

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.'

Policy D3 of the London Plan (2021) requires development proposals to be of high quality and to enhance the local context by delivering buildings and spaces that positively respond to local distinctiveness.

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

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

of detailing; local topography, views both from and to the site; and impact on neighbouring open spaces and their environment'.

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

The proposal seeks to demolish and replace the existing detached family dwelling house, with a terraced block comprising 3 dwellings. The new building would be approximately 8.6m high, 19.6m wide and 9.5m deep. It would be finished in cream coloured bricks, clay tiles and upvc windows and it would have a stepped frontage, bay windows, pitched roof and a metal cladded rear dormer.

Belmont Road is made up of uniquely designed, two storey, detached dwellings on spacious plots. The material finishes of properties vary between brick, render, pebble dash and mixtures of the mentioned materials. Each property is set back from the road and their frontages comprise off road parking and soft landscaping. Front boundary treatments are made up of brick walls, hedges, fencing and gates. The proposal would introduce a terraced block to an area characteristically defined by detached houses. The proposal would therefore be out of character with the style and form of dwellings which make up Belmont Road.

The uncharacteristic nature and excessive size of the proposed terrace is clear to see on submitted streetscene drawing No. 0159-KLA-01-XX-DR-20 003, Rev P02. The ridge line of the building would sit slightly above both of the neighbouring buildings and the frontage of the building would span the majority of the width of the site. Due to the combination of its height and width, the proposed development would appear as an oversized and unduly dominant addition to the street scene, which would fail to integrate with the smaller and more modest buildings which characterise the immediate area. The visual prominence of the building would be exacerbated by its material finish (cream brick), which when used on a building of this size would ensure that it stands out amongst the darker finishes of neighbouring properties.

The oversized crown roof of the building would also be incongruous when seen alongside the traditional pitched roof dwellings which characterise Belmont Road. The proposed roof form would therefore be out of character with surrounding dwellings. It is noted that other buildings on nearby roads have crown roofs, however, the roofscape of Belmont Road does not. Furthermore, even when compared with those roofs such as 201 Park Road, the proposed crown is significantly larger. All this is compounded again by the width and materiality.

Although it would be located at the rear of the property where it would cause no harm to the appearance of the streetscene, the proposed modern metal cladded rear dormer would still introduce an uncharacteristic addition to the area, as dormers are finished in traditional brown and orange finishes and are tiled.

The proposed frontage would include two vehicular accesses and a central wall. It would therefore remain similar to the site's existing frontage and is considered to be acceptable. Nevertheless, for the reasons mentioned above, the proposal is considered to be harmful to the character and appearance of Belmont Road and the surrounding area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development

Management Policies (2020), Policy D3 of the London Plan (2021) and the National Planning Policy Framework (2021).

7.08 Impact on neighbours

Paragraph 130 (f) of the NPPF (2021) states that new development should seek to 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience'.

Hillingdon Local Plan Part 2: Development Management Policies (2020) Policy DMHB 11 sets out design guidance for all new development in the borough. Part B of the policy states 'development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space'.

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

Guidance for Policy DMHB 11 also states: 'For the purposes of this policy, outlook is defined as the visual amenity enjoyed by occupants when looking out of their windows or from their garden. The Council will expect new development proposals to carefully consider layout and massing in order to ensure development does not result in an increased sense of enclosure and loss of outlook. Single aspect dwellings should be avoided'.

The proposed building has been carefully positioned so that it would not dissect a line drawn at 45 degrees from the front and rear windows of either neighbouring property at first floor level. It is therefore unlikely to have any adverse impact on light reaching those primary windows nor would it adversely impact on views from those windows. At ground floor level, this line would likely be breached, but the relationship proposed is a common one between ground floor rear extensions and neighbouring windows, which is mitigated by the boundary fencing and, in this case, existing outbuildings and built form. The building mass and envelope would not cause a loss of amenity to either neighbour, no.141 or no.137 as a result.

Importantly, No.141 Belmont Road has two first floor side elevation flank wall windows. Due to their size and location they receive limited light and outlook, particularly given that they face a south westerly direction. At present they provide views into the roof of No.139 Belmont Road. The flank wall of the proposed development would be 2m from the mentioned windows. Due to the fact that the windows already receive low levels of light and outlook, the proposed change in bulk and massing is not considered to cause an undue loss of light or outlook to those windows, which would harm the amenities of their users and subsequently warrant refusal of this application on amenity grounds.

Similarly, a mid level window (between ground and second floor) exists in the flank wall of No.137 Belmont Road, alongside a smaller window sited further to the rear at first floor level, and openings on the ground floor level. The mid level window and ground floor openings have been confirmed through the planning history of 137 as secondary or non-

habitable room windows, but the use of the other window (first floor level) has not been confirmed. Given that the use of it has not been confirmed, a worst case scenario has been used in this part of the assessment.

The mid level and first floor side window noted above are currently 5.1m from the roof of 139 Belmont Road and as such receive some light and outlook. The flank wall of the proposed development would be approximately 4.9m from both of these windows, a similar distance away. Given this separation distance, the fact that the existing windows have obstructed views and both face north east, the proposal is not considered to cause a material or harmful loss of outlook or light to these side windows. The openings at ground floor level in no. 137 already face the existing building (no. 139) at very close proximity (as no. 137 projects further to the north east at ground floor level than at first floor level). Given the existing relationship, these openings would not be unduly impacted by the proposal. In reaching the above conclusions, the overall standard of amenity at no.137 has been taken into account. This is a large, detached dwelling with multiple points of aspect and windows which are much larger providing quality light and outlook for its occupiers. Any impact on these side windows would not harm the amenities of its users to such a degree as to warrant refusal of this application on amenity grounds.

Additionally, a daylight and sunlight report has been submitted in support of the proposed development (Ref: 1889/JN), the report demonstrates that the proposed development would have an acceptable impact on light reaching all habitable room windows in No's 137 and 141 Belmont Road. The findings of this report are accepted and not disputed. The assessment also confirms that neighbouring gardens will not be subjected to any unacceptable levels of overshadowing.

The development includes no first floor side elevation windows in its flank walls which would cause a loss of privacy to neighbouring properties. The proposed side facing rooflights could be conditioned to be obscure glazed in the event of an approval and the front windows of the proposed development would provide views toward front gardens and the main road, a common relationship elsewhere on the street. Rear windows would provide views toward the respective gardens of each new property, as well as some overlooking views into neighbouring gardens. At present, the windows of the existing dwelling and most properties in the area provide similar views. As such, the views provided from the windows of the proposed dwellings are not considered to cause any undue levels of overlooking or privacy loss to neighbouring properties and their rear gardens.

Due to the significant separation distance between the proposed dwellings and properties to the rear of the site (20, 24 and 26 Belmont Close). The proposed development would have no adverse impact on the amenities of those properties and their occupiers.

It is noted that the proposed terrace block would appear oversized when viewed from the gardens of neighbours, however, it is considered that this would not be reason enough to warrant refusal of the application on residential amenity grounds, as it would have no enclosing impact and would not be oppressive due to the extensive size of neighbouring gardens and distances retained. Nevertheless, this links back to the unacceptable visual impact and the refusal relating to character and appearance.

For the reasons mentioned above, the proposal is considered to have an acceptable impact on the amenities of neighbouring dwellings, in line with Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and

paragraph 130 (f) of the NPPF (2021).

7.09 Living conditions for future occupiers

INTERNAL AMENITY SPACE PROVISION:

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

Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all housing development should have an adequate provision of internal space in order to provide an appropriate living environment. The space standards set out in Table 5.1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) are the same as those found in Table 3.1 of the London Plan (2021).

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

- A three storey dwelling with 4 bedrooms, 7 person occupancy should provide a GIA of at least 121 square metres.

House 1 and 3 would provide 156sqm of GIA for their future residents. House 2 would provide 153sqm of GIA for its future residents. Each of the proposed dwellings would exceed the floorspace requirements set out in Policy D6 and the requirements for good quality accommodation set out in the Local Plan. Submitted section plans also suggest that 75% of each dwelling would have a floor to ceiling height of at least 2.5m.

In addition to the above, each unit would have habitable spaces with access to natural light and adequate outlook. Whilst it is acknowledged that the master bedrooms for house 1 and house 3 would be served solely by rooflights, the overall standard of amenity for the dwellings is very high and this is not therefore considered a reason for refusal in its own right. All other habitable rooms are served by generous windows and quality outlook, and even these bedrooms would be acceptable. The bedroom spaces would have a large floor area and sufficient floor to ceiling height, and would be served by 3 different sources of natural light, coming from 3 different directions. As a result, the bedrooms would be well lit and ventilated, acceptable as a fourth bedroom at second floor level.

For the above reasons, the proposal would meet the mentioned internal living accommodation requirements.

EXTERNAL AMENITY SPACE PROVISION:

Policy DMHB 18: 'Private Outdoor Amenity Space' of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that applications for residential development should provide adequate levels of private, well designed and located amenity space. The policy advises that 4 bedroom properties should be provided with 100sqm of private amenity space. The proposed private external amenity space for each dwelling would significantly exceed 100sqm and would be acceptable.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy DMT 2 of the Hillingdon Local Plan Part 2: Development Management Policies

(2020) states:

'Development proposals must ensure that:

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

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

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

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

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

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

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

PARKING AND TRIP GENERATION:

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.

The development site falls within PTAL 2 and 3, however the Borough's Highways Officer has advised that for the purposes of the assessment the development site has a PTAL Rating of 3. It should also be noted that a bus stop is situated outside of the site suggesting it has reasonable access to public transport.

The London Plan advises that 4 bedroom properties in such areas should be provided

with a maximum of 1 parking space per unit. The proposal includes the provision of 3 parking spaces for 3 dwellings and would therefore comply with the maximum parking standards in the London Plan (2021). There would not be reasonable grounds to refuse the application on parking grounds given the above.

ACCESS:

The existing development site has two accesses and these would be utilised for the proposed development. The proposal is therefore unlikely to give rise to any unusual or harmful vehicle movements in and out of the site, even with the uplift in homes. Furthermore, as only one parking space is to be provided for each dwelling and 3 cars could be parked on the site at present, the amount of vehicle movements in and out of the site is therefore unlikely to be harmful to the local highways network, pedestrian safety or use of the bus stop which lies to the front of the site. In the event of an approvable scheme, a condition could be imposed to secure appropriate visibility splays at the points of access/egress (as recommended by the Highway Officer).

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. In this case, the Highway Officer has recommended that all of the proposed parking spaces should be provided with active charging points. If planning permission were to be granted, this would have been 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 for new residential developments. 2 cycle parking spaces are shown for each dwelling on the submitted plans. This is considered to be acceptable. Full details of the dimensions, external finish and design of the cycle stores would have been secured by condition, had this application been recommended for approval.

REFUSE/RECYCLING COLLECTION:

Policy DMHB 11 part (d) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals should make sufficient provision for well-designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

If the development were otherwise acceptable, full details of the refuse store to be sited at the front of the site (including its dimensions, external finishes and design) would have been secured by condition. Other conditions recommended by the Borough's Highways officer relating to construction logistics would have also been recommended for inclusion, had the application been recommended for approval.

7.11 Urban design, access and security

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

young children, residential development must ensure that:

- 1) at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(3) 'wheelchair user dwellings'
- 2) all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

As mentioned by the Borough's Access Officer, no accessibility concerns are raised by the proposed development, providing the conditions recommended by the Officer (please refer to section 6 of this report) are added to the decision notice in the event of approval. These conditions would ensure step free access and compliance with Category 2, M4(2), as set out in Approved Document M to the Building Regulations (2010) 2015.

7.13 Provision of affordable & special needs housing

Policy H2 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) states that housing provision is expected to include a range of housing to meet the needs of all types of households, and the Council will seek to maximise the delivery of affordable housing from all sites over the period of the Local Plan. For sites with a capacity of 10 or more units, the Council will seek to ensure that the affordable housing mix reflects housing needs in the borough, particularly the need for larger family units. This is supported by Policy DMH 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

The proposal is for less than 10 residential units and does not meet the threshold in order to require affordable housing provision. As such, the proposal is not contrary to Policy H2 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) and Policy DMH 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) in this respect.

7.14 Trees, landscaping and Ecology

TREES AND LANDSCAPING:

Policy G1 of the London Plan (2021) states that development proposals should incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network.

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

- A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.
- B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.
- C) Where space for ground level planting is limited, such as high rise buildings, the inclusion of living walls and roofs will be expected where feasible.

The proposed site layout plan suggests that the proposal would have no adverse impact on significant trees. If planning permission were to be granted, it would be recommended that full landscaping details and tree protection measures (for the protection of the existing trees) be secured via condition.

ECOLOGY:

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

Having regard to the nature of the site as a residential garden, and noting that there are no protected sites of ecological interest immediately adjoining the site, it is considered that the likelihood of protected species being present at the site is low.

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

7.17 Flooding or Drainage Issues

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

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

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

A SuDS condition to ensure that water was adequately and appropriately managed on site, would have been recommended for inclusion on the decision notice if the recommendation had been for approval.

7.19 Comments on Public Consultations

Comments received in response to the public consultation have been summarised in section 6 (above) and addressed within the relevant sections of the report.

7.20 Planning obligations

Policy DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that to ensure development is sustainable, planning permission will only be granted for development that clearly demonstrates there will be sufficient infrastructure of all types to support it. Infrastructure requirements will be predominantly addressed through the Council's Community Infrastructure Levy (CIL).

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

metre. CIL rates are index linked. The proposal involves the erection of new dwellings and is therefore CIL liable if planning permission were to be granted.

7.21 Expediency of enforcement action

Not applicable to the proposed development.

7.22 Other Issues

Not applicable to the proposed development.

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 to the proposed development.

10. CONCLUSION

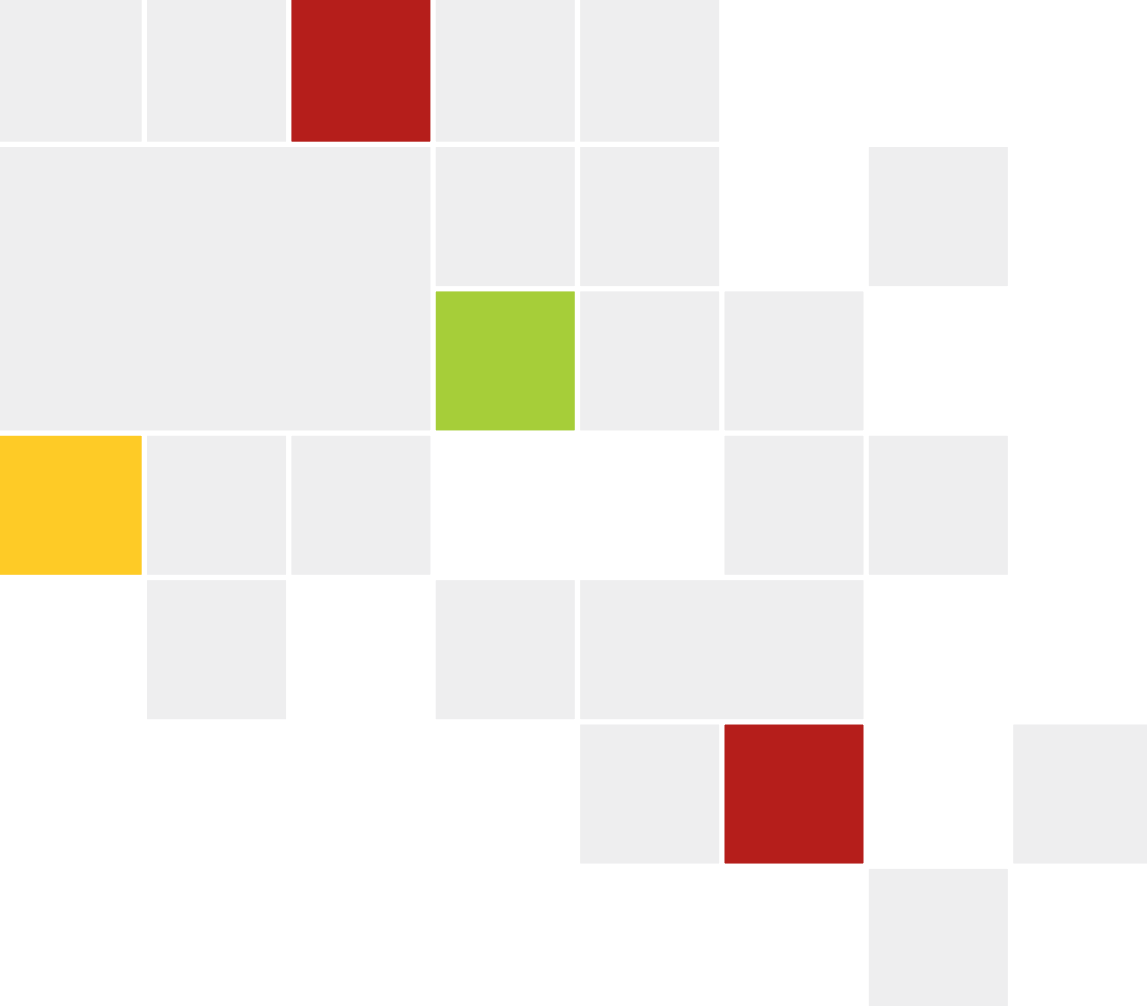
For the reasons set out in this report, it is considered that the proposed development would conflict with national, regional and local planning policies and guidance. The net provision of 2 additional dwellings would not outweigh the identified harm. Consequently, it is recommended that the application be refused for the reasons set out in section 2 of this report.

11. Reference Documents

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

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