

## DELEGATED DECISION

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

APPROVAL RECOMMENDED: GENERAL		Select an Option
1.	No valid planning application objection in the form of a petition of 20 or more signatures, has been received	<input type="checkbox"/>
2.	Application complies with all relevant planning policies and is acceptable on planning grounds	<input type="checkbox"/>
3.	There is no Committee resolution for the enforcement action	<input type="checkbox"/>
4.	There is no effect on listed buildings or their settings	<input type="checkbox"/>
5.	The site is not in the Green Belt (but see 11 below)	<input type="checkbox"/>
REFUSAL RECOMMENDED: GENERAL		
6.	Application is contrary to relevant planning policies/standards	<input type="checkbox"/>
7.	No petition of 20 or more signatures has been received	<input type="checkbox"/>
8.	Application has not been supported independently by a person/s	<input type="checkbox"/>
9.	The site is not in Green Belt (but see 11 below)	<input type="checkbox"/>
RESIDENTIAL DEVELOPMENT		
10.	Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha	<input type="checkbox"/>
11.	Householder application in the Green Belt	<input type="checkbox"/>
COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT		
12.	Change of use of retail units on site less than 1 ha or with less than 1000 sq. m other than a change involving a loss of A1 uses	<input type="checkbox"/>
13.	Refusal of change of use from retail class A1 to any other use	<input type="checkbox"/>
14.	Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use.	<input type="checkbox"/>
CERTIFICATE OF LAWFULNESS		
15.	Certificate of Lawfulness (for proposed use or Development)	<input type="checkbox"/>
16.	Certificate of Lawfulness (for existing use or Development)	<input type="checkbox"/>
17.	Certificate of Appropriate Alternative Development	<input type="checkbox"/>
CERTIFICATE OF LAWFULNESS		
18.	ADVERTISEMENT CONSENT (excluding Hoardings)	<input type="checkbox"/>
19.	PRIOR APPROVAL APPLICATION	<input type="checkbox"/>
20.	OUT-OF-BOROUGH OBSERVATIONS	<input type="checkbox"/>
21.	CIRCULAR 18/84 APPLICATION	<input type="checkbox"/>
22.	CORPSEWOOD COVENANT APPLICATION	<input type="checkbox"/>
23.	APPROVAL OF DETAILS	<input type="checkbox"/>
24.	ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where the Heads of Terms have already received Committee approval	<input type="checkbox"/>
25.	WORKS TO TREES	<input type="checkbox"/>
26.	OTHER (please specify)	<input type="checkbox"/>

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

Case Officer:

Signature:

Date:

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

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DETAILS SHOULD BE USED IN THE PS2 RETURNS ODPM



**1. RES3 Time Limit**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**REASON**

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

**2. RES4 Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on submitted plan numbers:

2022156.PA101  
2022156.PA102 Rev P02  
2022156.PA105 Rev P02  
2022156.PA106 Rev P02  
2022156.PA107 Rev P02  
2022156.PA107 - OS MAP, LOCATION MAP Rev P01  
2022156.PA109 Rev P01

and shall thereafter be retained/maintained for as long as the development remains in existence.

**REASON**

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

**3. NONSC Construction Logistics Plan**

No development shall take place until a demolition and construction management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall detail:

- a) The phasing of development works
- b) Types of vehicles accessing the site, including their ability to enter the shared driveway without affecting neighbouring properties
- c) The hours during which development works will occur
- d) How vehicles will access the site whilst protecting neighbouring sites
- e) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities)
- f) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours)
- g) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process
- h) The storage of demolition/construction materials on site

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

**REASON**

To safeguard the amenity of surrounding areas in accordance with Policy BE1 of the Hillingdon Local Plan Part 1 (2012).

#### 4. NONSC Sustainable water management

Prior to commencement of the hereby approved development, (excluding demolition and site clearance) a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how the approved development will incorporate sustainable urban drainage (SuDs) in accordance with the hierarchy set out in Policy 5.13 of the London Plan and will:

- i. provide information on all SuDs features including the method employed to delay and control the surface water discharged from the site and:
- ii. provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime. Including appropriate details of Inspection regimes, appropriate performance specification.

The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:

- iii. provide details of water collection facilities to capture excess rainwater; and how water usage will be reduced in the development.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

#### REASON

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding and is to be handled as close to its source as possible and Conserve water supplies in compliance with: Hillingdon Local Plan: Part 1- Strategic Policies Policy EM6 Flood Risk Management in (2012), Hillingdon Local Plan Part 2 Development Management Policies Policy DMEI 10 Water Management, Efficiency and Quality (2020), as well as relevant SuDs guidance contained within the London Plan (2021) and NPPF (2021).

#### 5. RES7 Materials (Submission)

Save for demolition and site clearance works, no above ground works shall take place until details of all materials and external surfaces have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

#### REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

#### 6. RES6 Levels

Save for demolition and site clearance works, no above ground works shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

#### REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020)

**7. NONSC Step free access**

Prior to the above ground works commencing, details of step free access to the proposed dwelling via all points of entry and exit shall be submitted to, and approved in writing, by the Local Planning Authority. Thereafter the approved development shall be carried out in accordance with the submitted details and maintained throughout the lifetime of the development.

**REASON**

To ensure that the proposed dwelling is accessible for all and an appropriate standard of housing stock is provided, in accordance with London Plan (2021) Policy D7.

**8. RES9 Landscaping (car parking & refuse/cycle storage)**

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

**1. Details of Soft Landscaping**

1.a Planting plans (at not less than a scale of 1:100)

1.b Written specification of planting and cultivation works to be undertaken

1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

**2. Details of Hard Landscaping**

2.a Refuse Storage (which should be secure and enclosed)

2.b Cycle Storage (which should be secure and enclosed providing cycle for 2 bikes)

2.c Means of enclosure/boundary treatments

2.d Hard Surfacing Materials

2.e External Lighting

2.f Other structures (such as play equipment and furniture)

**3. Details of Landscape Maintenance**

3.a Landscape Maintenance Schedule for a minimum period of 5 years

3.b Proposals for the replacement of any tree, shrub, or area of turfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased

**4. Schedule for Implementation**

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

**REASON**

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies DMHB 11, DMHB 12, DMHB 14, DMEI 1, DMT 2 and DMT 6 of the Hillingdon Local Plan Part 2 (2020), as well as policies D3 and T6 of the London Plan (2021).

**9. NONSC M4(2) dwelling**

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.

#### **10. RES14 Outbuildings, extensions and roof alterations**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification); no garage(s), shed(s) or other outbuilding(s), nor extension or roof alteration to any dwellinghouse(s) subject of this permission shall be erected without the grant of further specific permission from the Local Planning Authority.

Nor shall the approved dwellinghouse(s) be converted into a HMO under any provision of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) without the grant of further specific permission from the Local Planning Authority.

#### **REASON**

To protect the character and appearance of the area and amenity of residential occupiers in accordance with policies DMHB 11 and DMHD 2 of the Hillingdon Local Plan Part 2 (2020)

#### **11. RES12 No additional windows or doors**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the first floor walls or roof slopes of the development hereby approved.

#### **REASON**

To prevent overlooking to adjoining properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

#### **12. NONSC Non Standard Condition**

Prior to the construction of the basement (including any excavation works associated with facilitating the basement) an intrusive ground investigation study shall be submitted to the Local Planning Authority to confirm the ground conditions and groundwater levels (if any) beneath the site, as well as to inform the design of the buildings foundations. The investigation shall include infiltration testing for the site.

Should the results of the investigation suggest/advise management measures or remedial works to ensure that the basement is constructed in safe and secure manner (which would not be of detriment to groundwater or ground conditions), those measures shall be implemented in full and maintained as such for the lifetime of the development.

## REASON

To ensure that the proposed basement causes no harm to future users of the land, neighbouring land, groundwater and surrounding buildings, in accordance with Hillingdon Local Plan: Part 2 (January 2020) Policies - DMEI 11 and DMHD 3.

### 13. RES8 Tree Protection

Prior to the construction of the basement of the hereby approved dwelling, details shall be submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority. Such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details.

The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

- 2.a There shall be no changes in ground levels;
- 2.b No materials or plant shall be stored;
- 2.c No buildings or temporary buildings shall be erected or stationed.
- 2.d No materials or waste shall be burnt; and.
- 2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

3. Where the arboricultural method statement recommends that the tree protection measures for a site will be monitored and supervised by an arboricultural consultant at key stages of the development, records of the site inspections / meetings shall be submitted to the Local Planning Authority.

## REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy DMHB 14 of the Hillingdon Local Plan Part 2 (2020)

## INFORMATIVES

### 1. I52 Compulsory Informative (1)

The decision to GRANT 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. I15 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit ([www.hillingdon.gov.uk/noise](http://www.hillingdon.gov.uk/noise) Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

## 3. I47 Damage to Verge - For Council Roads:

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge of footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

## 4. I73 Community Infrastructure Levy (CIL) (Granting Consent)

Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. Before commencement of works the development parties must notify the London Borough of Hillingdon of the commencement date for the construction works (by submitting a Commencement Notice) and assume liability to pay CIL (by submitting an Assumption of Liability Notice) to the Council at [planning@hillingdon.gov.uk](mailto:planning@hillingdon.gov.uk). The Council will then issue a Demand Notice setting out the date and the amount of CIL that is payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed.

The above forms can be found on the planning portal at:  
[www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

**Pre-Commencement Conditions:** These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of the pre-commencement conditions have been discharged/complied with.

### **I53 Compulsory Informative (2)**

The decision to GRANT 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 and national guidance.

DMH 2	Housing Mix
DMH 6	Garden and Backland Development
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHD 3	Basement Development
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP D10	(2021) Basement development
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 T6.1	(2021) Residential parking
LPP T4	(2021) Assessing and mitigating transport impacts
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The proposed development site is located on the north side of Harrow View. At present the site comprises a detached single storey dwelling, its garage and garden. The site is located to the rear of 5 and 7 Harrow View and is accessible along a narrow access road running between the mentioned properties.

The surrounding area is predominantly residential and is characterised by two storey, detached properties some of which have accommodation in their roofs. Properties are set back from the main road, allowing for off street parking and/or front gardens with landscaping.

The site has public transport accessibility level (PTAL) of 1A.

The Green Belt is located to the east of the site.

#### 3.2 Proposed Scheme

Planning permission (part retrospective) has been sought for the erection of new two storey 4 bed dwelling with basement; new garage; cycle and bin storage and associated amenity space following demolition of the existing dwelling.

#### 3.3 Relevant Planning History

20342/APP/2022/3634      5A HARROW VIEW HILLINGDON

Erection of a single storey side and rear extension with amendments to fenestration. Conversion of roof space to habitable use including 2 x side dormers, roof lights, roof extension to the rear and raising the height of the existing roof

**Decision:** 22-02-2023      Approval

20342/APP/2022/2823      5A HARROW VIEW HILLINGDON

Erection of single storey extension to side (Application for a Certificate of Lawful Development for a Proposed Development)

**Decision:** 08-11-2022      Approval

20342/APP/2022/2836      5A HARROW VIEW HILLINGDON

Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.00 metres, for which the maximum height would be 4.00 metres, and for which the height of the eaves would be 2.60 metres

**Decision:** 31-10-2022      Approval

### **Comment on Planning History**

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

It should be noted that planning permission was recently approved for a similar sized dwelling at the site, albeit through extensions to the existing dwelling (20342/APP/2022/3634).

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

**4.1**      Advertisement Expiry Date: Not applicable

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

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

### **EXTERNAL CONSULTEE COMMENTS**

7 neighbours were directly notified of the proposed development on 16/10/23. During the 21 day consultation periods 3 objections were received. The objections have been summarised below:

- 1) A manhole has been damaged and the road has not been reinforced during existing construction works at the site.
- 2) Hedges have been removed from the site reducing its ecological value.
- 3) There could be asbestos in the garage to be demolished, which could be harmful to users of the site and those surrounding.
- 4) Trees to the right hand of the site are within a Conservation Area and maybe harmed by the proposed development.
- 5) Fields to the right of the site flood during the winter, this may impact on the development site.
- 6) The development maybe used as HMO in the future.
- 7) Emergency services may find it difficult to access the site due to the narrowness of the access road.
- 8) Construction works could have an adverse impact on the local highways network. They would also harm neighbours amenities due to noise and disturbance.
- 9) The house doesn't need a gym, cycle storage or bin storage.
- 10) The development would have an adverse impact on the character and appearance of the area.

### **INTERNAL CONSULTEE COMMENTS**

Access Officer:

This part retrospective planning application for the erection of new two storey 4 bed dwelling with basement has been reviewed with reference to London Plan policy D7 which requires all new housing to be accessible and adaptable. No accessibility concerns are raised subject to the following Conditions attached to any approval: 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). The dwellings 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:

#### Site Description

The application site is located off a narrow driveway between 5 and 7 Harrow View, off the turning area at the eastern end of Harrow View, a residential cul-de sac with a 30mph speed limit which is subject to waiting restrictions for goods vehicles and coaches Midnight-8am and 6.30pm - Midnight.

The application site is located in an area with a PTAL ranking of 1b indicating that the proposal would be located in an area with poor access to public transport which fails to concur with National Planning Policy Framework (NPPF) 9: Promoting Sustainable Transport and The Mayor's Transport Strategy which aims to encourage people to walk, cycle and travel by public transport.

#### Access and Parking

The application proposes to demolish the existing dwelling and erect 1no. four-bedroom dwelling with detached garage. Demolition work started on 01 May 2023, so the application is therefore part retrospective. Access to the application site will be gained over the narrow driveway to the site from Harrow View which does not meet current standards, however, as the driveway is existing the proposal will be acceptable on this occasion.

The published London Plan (2021) Table 10.3 - Maximum Residential Parking Standards allows all dwellings in Outer London PTAL 1-2 to have a maximum 1.5no. spaces. Drawing 2022156.PA107 titled OS Map, Location Map also includes the drawing titled Site Block Plan which shows a garage with parking for 1no. vehicle and 2no. additional car parking spaces which exceeds the maximum standard. 1no. parking space should be removed. The Site Block Plan should be amended and submitted for approval.

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

The published London Plan (2021) requires that an EVCP is provided for the dwelling. A suitable condition should be applied to any approval to secure the provision and retention of 1no. 7Kw active EVCP.

#### Cycle Parking

The London Plan Table 10.2 - Minimum Cycle Parking Standards requires that a minimum of 2 cycle parking spaces should be provided. Drawing 2022156.PA109 titled Proposed Garage shows

the proposed garage which has internal dimensions of 5.4m x 4.3m which would be large enough to accommodate 1no. car and 2no. cycles which will be acceptable.

#### Recommendation

The Highway Authority therefore offers an objection to this application on highway grounds but would be prepared to revise this decision subject to the applicant providing an amended drawing showing reduced car parking.

#### Officer Response:

All representations received during the process of the application have been taken into consideration in the application's determination.

Construction works are temporary and therefore so are the associated impacts. The Environmental Protection Act (1990) and Pollution Act (1974) are in place to ensure that construction works are carried out in an appropriate and environmentally friendly manner. Notwithstanding the above, a condition requiring a construction logistics plan and construction management plan to be agreed with the Council has been recommended, in order to minimise the impacts of construction on neighbouring residents and the environment as far as practicable.

All trees and greenery within the site are not protected and therefore could be removed without planning permission. As such some ecological damage (caused by a loss of trees and greenery at the site) is somewhat unavoidable. Notwithstanding this point, conditions have been placed on the application to secure replacement planting as part of a landscaping scheme. A tree protection plan has also been added to ensure that remaining and surrounding trees on the site are protected during construction.

The development is for a replacement dwelling, garage and associated infrastructure and not a HMO. It has therefore been assessed as such.

Permitted development rights have been removed via condition to ensure that land around the site remains for external amenity space and that the site does not become overdeveloped to the detriment of its appearance or neighbouring amenities.

The development site is not within a designated Flood Zone and thus there is no reason for a flood risk assessment or management plan to be submitted. Nevertheless a condition has been added to ensure drainage at the site is appropriately managed.

Issues regarding the impact on the character and appearance of the area, highways network and accessibility have been addressed further on in the report. Suggested conditions regarding accessibility, parking and construction management have been added to the decision notice. Other necessary conditions have also been added including those relating to external materials and the proposed basement.

## 6. Local Plan Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Polices:

DMH 2	Housing Mix
DMH 6	Garden and Backland Development
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHD 3	Basement Development
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP D10	(2021) Basement development
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 T6.1	(2021) Residential parking
LPP T4	(2021) Assessing and mitigating transport impacts
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places

In addition: 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)  
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.

## 7. MAIN PLANNING ISSUES

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

Local Plan 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'.

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'.

The proposed replacement dwelling would be sited to the rear (north) of 5 and 7 Harrow View and to the east of properties on Polehill Road. The new dwelling would be 6.5m high, approximately 2.2m higher than the existing dwelling.

The blank gable end of the new dwelling would be 17.5m from No.7 and 20m away from No.5, due to its design (narrow elevation fronting the mentioned neighbours) and separation distance from the rear windows of those properties, the new dwelling would cause no harmful loss of outlook to those neighbours. Nor would it cause any loss of light. The first floor elevation facing the mentioned neighbours includes no windows, as such they would cause no loss of privacy or adverse overlooking to those neighbours. The existing dwelling has been approved planning permission for extensions (20342/APP/2022/3634) that would result in a significantly larger residential property at the site. The proposed dwelling would be of similar size (in terms of bedrooms) and it is therefore considered that resulting residential activity at the site would be acceptable as the new dwelling would be similar to the most recently approved development at the site.

The dwelling would be 50m or more from dwellings on Pole Hill Road (west of the site). Due to its design and separation distance from those dwellings, the development would cause no harm to the amenities of those properties occupiers.

Conditions have been added restricting the insertion of additional windows facing properties on Harrow View.

The new dormer windows would face fields to the east of the site, where they would cause no harm in terms of overlooking or loss of privacy.

Taking into consideration the above the proposed development is considered to have an acceptable impact on the amenities of neighbouring dwellings.

## 7.2 Impact on Street Scene

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states that all new developments should achieve a high quality of design in all new buildings and the public realm contributes to community cohesion and a sense of place.

Local Plan Policy DMHB 11 states: 'A) All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including: i) harmonising with the local context by taking into account the surrounding: · scale of development, considering the height, mass and bulk of adjacent structures; · building plot sizes and widths, plot coverage and established street patterns; · building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure; architectural composition and quality of detailing; local topography, views both from and to the site; and impact on neighbouring open spaces and their environment. ii) ensuring the use of high quality building materials and finishes; iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities'.

Policy DMHB 12 advises that development should be well integrated with the surrounding area. It should ensure public realm design takes account of the established townscape character and quality of the surrounding area.

Policy DMHB 14 advises that all development will be expected to retain or enhance existing landscaping, trees, biodiversity or other features of merit.

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.'

The proposed development site is located on the north side of Harrow View. At present the site comprises a detached single storey dwelling, its garage and garden. The site is located to the rear of 5 and 7 Harrow View and is accessible along a narrow access road running between the mentioned properties. The surrounding area is predominantly residential and is characterised by

two storey, detached properties some of which have accommodation in their roofs. Properties are set back from the main road, allowing for off street parking and/or front gardens with landscaping.

The proposed dwelling would be approximately 6.5m high, 11.4m wide and 15.4m deep. The development would include a substantial basement, but above the ground it would appear as a chalet bungalow, similar to the existing dwelling, as such its design is acceptable. The property would be detached like the existing property and others within the area, as such it would be in keeping with the area's form and character. Due to its backland location, the dwelling would have minimal impact on the appearance of Harrow View or Pole Hill Road. In terms of height, frontage properties in the area (No.5 and No.7 Harrow View) are approximately 7.4m - 7.7m in height, this being the case the proposed backland dwelling would be of an appropriate size at approximately 6.5m in height. The resulting garden would be of similar shape and size to the previously approved development at the site (20342/APP/2022/3634). Furthermore, the proposed building would have a similar footprint to the previously approved development.

Conditions have been added to ensure that appropriate materials are used which compliment the existing house and others in the area. Conditions have also been added to ensure that any new landscaping shows a good balance of hard and soft landscaping to compliment the areas suburban appearance.

Taking into consideration the above, it is considered that the proposal would respect the character and appearance of the surrounding area in compliance with Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies and Policies DMH 6, DMHB 11, DMHB 12 and DMHB 14 of the Local Plan: Part Two - Development Management Policies (2020), as well as relevant design guidance contained within the London Plan (2021) and NPPF (2021).

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

Policy DMT 2 states 'Development proposals must ensure that: i) safe and efficient vehicular access to the highway network is provided to the Council's standards; ii) they do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents; iii) safe, secure and convenient access and facilities for cyclists and pedestrian are satisfactorily accommodated in the design of highway and traffic management schemes; iv) impacts on local amenity and congestion are minimised by routing through traffic by the most direct means to the strategic road network, avoiding local distributor and access roads; and v) there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing and committed roads, including along roads or through junctions which are at capacity.'

Policy DMT 6 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.'

Similarly the London Plan (2021) seeks to provide adequate parking for new residential development and to avoid harm to highways networks.

The Borough's Highways Officer was consulted on the proposed development and had no objections to the proposal subject to a plan showing the reduction of 1 parking space at the site (see consultation section of this report).

Taking into consideration the sites low PTAL rating 1a, the 3 parking spaces proposed are considered to be acceptable given that this was the situation for the previous (smaller) dwelling.. The site's existing access would be utilised which is considered to be acceptable. EV charging will

be secured via condition. Cycle parking and bin storage are appropriately located and to ensure that they are fit for purpose and have no adverse visual impact, conditions have been added requiring further details. A condition requiring a construction management plan will be secured via condition.

Taking into consideration the above it is considered that the proposed development would have an acceptable impact on the highways network. The recommended conditions have been added to the decision notice.

#### **7.4 Carparking & Layout**

See above.

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

##### **INTERNAL ACCOMMODATION**

Policy D6 of the London Plan (2021) requires that 130sqm of internal floor space be provided for 4 bed, 8 person properties set over 3 floors. The proposed dwelling would provide 402sqm of internal floor space for its new residents, and would therefore comply with the mentioned policy and space standards. 75% of the new dwelling would have a 2.5m floor to ceiling height. Each habitable room would have access to light and outlook. Off street parking and garden spaces would be provided for new residents. Overall it is considered that the new dwellings would provide a high standard of amenity and living accommodation for their future occupants.

##### **EXTERNAL ACCOMMODATION**

Policy DMHB 18 of the Local Plan (2020) states that new residential developments should provide an adequate level of private amenity space for occupiers that is good quality and usable. 4 bedroom properties are required to provide 100sqm of amenity space. The proposed dwelling would have approximately 161sqm of amenity space. Overall it is therefore considered that all dwellings associated with the proposed development would have adequate external private amenity space.

##### **ACCESSIBILITY**

The conditions mentioned by the Access Officer have been added to the decision notice and would ensure that the proposal accords with Policy D7 of the London Plan (2021).

#### **7.6 Other Issues**

##### **PRINCIPLE OF THE DEVELOPMENT**

The London Plan (2021) provides guidance on how applications for development on garden land should be treated within the London Region. The thrust of the guidance is that back gardens can contribute to the objectives of a significant number of London Plan policies and these matters should be taken into account when considering the principle of such developments. Policy D4 of the London Plan supports development plan-led presumptions against development on back gardens where locally justified by a sound local evidence base.

The Mayor's Housing Supplementary Planning Guidance, also provides further guidance on the interpretation of existing policies within the London Plan as regards garden development. Paragraph 1.2.44 advises that when considering proposals which involve the loss of gardens, regard should be taken of the degree to which gardens contribute to defining local context and character (Policy D4 and D6), especially in outer London where gardens are often a key component of an area's character. The contribution gardens make towards biodiversity also needs to be considered as does their role in mitigating flood risk.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic policies states that a high quality design should be achieved in all new buildings, alterations and extensions, and states that schemes should not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas.

Policy DMH6: Garden and Backland Development advises there is a presumption against the loss of gardens due to the need to maintain local character, amenity space and biodiversity. In exceptional cases a limited scale of backland development may be acceptable, subject to the following criteria:

- i) Neighbouring residential amenity and privacy of existing homes and gardens must be maintained
- ii) Vehicular access or car parking should not have an adverse impact on neighbours in terms of noise or light
- iii) Development on backland sites must be more intimate in mass and scale; and
- iv) Features such as trees, shrubs and wildlife habitat must be retained or re-provided

The replacement property is located within an established residential area. It is in a backland location and therefore Policy DMH 6, is considered to be applicable. The replacement dwelling would be of more limited scale than frontage properties. It would utilise the same access road as the existing dwelling. The proposal would cause no harm to appearance of the area, neighbours, neighbouring amenities, or the highways network, trees have been removed from the site (as other developments have been approved at the site), nevertheless a condition has been placed on the application to ensure that greenery is reintroduced at the site contributing to the site's ecological value. The development would comply with Policy DMH 6 given that the increase in area of the dwelling would be very limited compared to the existing situation.

## BASEMENT IMPACT

Policy DMHD 3 states 'A) When determining proposals for basement and other underground development, the Council require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability. The Council will only permit basement and other underground development that does not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability. Developers will be required to demonstrate by methodologies appropriate to the site that their proposals: i) avoid adversely affecting drainage and run-off or causing other damage to the water environment; ii) avoid cumulative impacts upon structural stability or the water environment in the local area; B) Schemes should ensure that they: i) do not harm the amenity of neighbours; ii) do not lead to the loss of trees of townscape or amenity value; iii) do provide satisfactory landscaping, including adequate soil depth; iv) do not harm the appearance or setting of the property or the established character of the surrounding area, for example through the introduction of front lightwells; and v) do protect important archaeological remains. C) The Council will not permit basement schemes which include habitable rooms and other sensitive uses in areas prone to flooding. D) The Council will not permit basement schemes in Listed Buildings and will not permit them in Conservation Area locations where their introduction would harm the special architectural or historic character of the area.'

A basement impact assessment has been submitted in support of the application (Report Ref: P5283J2833/SEJ). The report concluded that:

'The overall assessment of the site is that the creation of a basement for the existing development will not adversely impact the site or its immediate environs, providing measures are taken to protect surrounding land and properties during construction. The proposed basement excavation will not be within 5m of a public pavement. It is also not within 5m of neighbouring properties.'

Unavoidable lateral ground movements associated with the basement excavations must be controlled during temporary and permanent works so as not to impact adversely on the stability of the surrounding ground and any associated services. During the construction phase careful and regular monitoring will need to be undertaken to ensure that the property above is not adversely affected. This may mean that the property needs to be suitably propped and supported. From the studies that have been undertaken so far, and subject to the findings of an intrusive investigation, it is concluded that the construction of the building will not present a problem for groundwater. The proposed development is not expected to cause significant problems to the subterranean drainage. However, this should be confirmed by a ground investigation and a subsequently updated Basement Impact Assessment.

An intrusive ground investigation is recommended to confirm the ground conditions and groundwater levels (if any) beneath the site, as well as to inform foundation design.

A preliminary investigation could comprise a cable percussive borehole drilled to at least 5m below the proposed depth of the basement. A standpipe should also be installed to facilitate groundwater monitoring.

A SUDS/ Drainage Strategy will also likely be required for planning. Therefore, infiltration testing should be undertaken as part of the ground investigation. In the first instance, this could comprise falling head testing undertaken in the borehole to indicate suitability of full-scale BRE365 testing. If feasible, testing in accordance with BRE365 may then be required to aid design of soakaways/permeable paving etc.'

The basement impact assessment is considered to be sufficient in evidencing that the development would cause no structural harm to nearby properties or land stability of nearby properties. Nevertheless a condition has been added to ensure that further studies are taken to ensure the development has no ground water contamination impacts. A drainage condition has also been added and overall the basement is considered to be acceptable subject to conditions.

## DRAINAGE

The proposed development site is not located in Flood Zones 2 or 3. Nor is it located within a critical drainage area or an area known for surface water flooding. A condition has been added requiring a drainage management plan for the site. The plan will ensure that appropriate and sufficient drainage is provided for the new dwelling.

## HOUSING MIX

The replacement family home is welcome in terms of Local Plan policy. There would be no net loss or gain in housing supply.

## ENERGY

Ev charging for vehicles will be secured via condition and solar panels are proposed on the new dwelling. The proposed dwelling is likely to be more energy efficient than the existing dwelling.

## CIL

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

## 8. Reference Documents

Hillingdon Local Plan Part 1 - Strategic Policies (2012)

Hillingdon Local Plan Part 2 (2020)

The London Plan (2021)

National Planning Policy Framework (2021)

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