



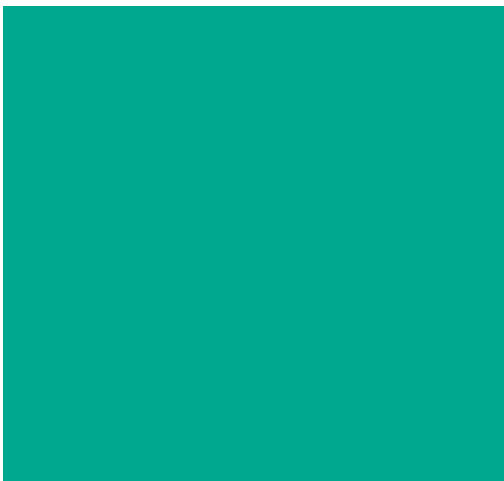
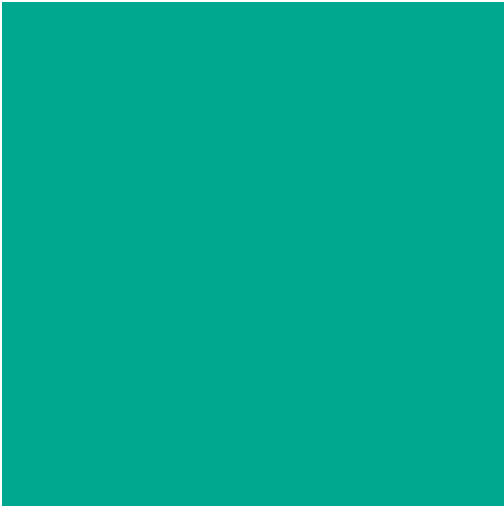
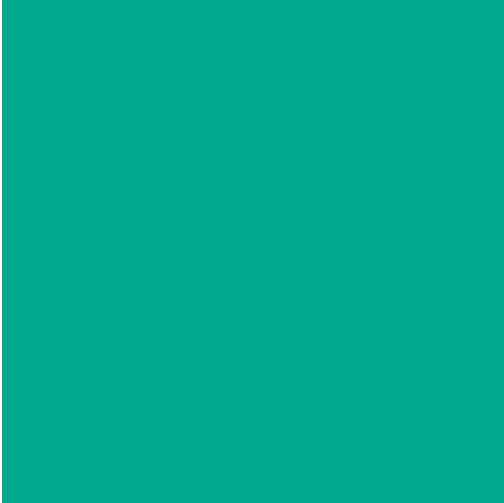
PLANNING, DESIGN AND ACCESS STATEMENT

Site: Garage Court, Blackmore Way, Uxbridge, UB8 1PT

For: W E Black Ltd

Project Ref: 23002_PDAS

Date: October 2023



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1.0 **INTRODUCTION AND BACKGROUND**

- 1.1 This Planning Design and Access Statement (PDAS) is prepared on behalf of W.E. Black Ltd to accompany a planning application proposing the redevelopment of a 1980s garage court comprising 17 lock up garages.
- 1.2 The garages have not been used for their originally intended purpose, as parking for the adjacent flats built at the same time, for very many years.
- 1.3 As previously developed land in a very sustainable location the principle of putting the site to residential use is entirely attuned to both national, regional and local policy and is to be welcomed.
- 1.4 This will occasion change to the appearance of the site in terms of the scale of building but also in providing greenspace and associated biodiversity and also usable parking for vehicles.
- 1.5 Two similar proposals were considered 10 to 20 years ago where concern relating to the loss of the parking accommodation led to refusals and dismissals at appeal and on the second occasion also concern relating to the impact on an existing tree.
- 1.6 Today that particular tree and other vegetation, also on adjacent sites, has been removed and there can be no objections in that regard.
- 1.7 The situation regarding both the "loss" of parking for the flats and car ownership and use in a wider context has also evolved since 2002 and 2012 and it will be shown that the net theoretical loss of 13 parking spaces will not give rise to highways problems as suggested likely previously.
- 1.8 That leaves the matter of character and appearance (including the provision of amenity space) which were raised by the Council previously but not upheld

by either Inspector. Nonetheless the proposed design in its broadest sense will be assessed in current context.

1.9 It will be demonstrated that the proposals seek to make best use of this redundant site with a scheme designed to reflect the character and scale of the area, whilst respecting the outlook and privacy of neighbouring properties. It is in a highly sustainable location within an established residential area and will provide for much needed small flats.

1.10 The case to this effect is as set out in the preceding contents section.

2.0 **DESCRIPTION OF SITE AND SURROUNDINGS**

- 2.1 The town of Uxbridge marks the western extremity of the almost continuously built up area of Greater London with its Buckinghamshire/Berkshire border. The town sits astride the A4020 and merges with a series of former separate towns lying between the A40/M40 and M4 corridors to the north of Heathrow Airport.
- 2.2 The M25 runs just to the west in the Colne Valley so the town boasts excellent road communications. It is also served by the Piccadilly and Hammersmith/City/Metropolitan underground railways which link it to the rest of the metropolis and the National main line rail network.
- 2.3 The town is defined as a strategic centre and it sustains a wide range of retail, employment, service and social facilities. It is largely built up with any large green areas being Green Belt; in particular to the west separating the settlement from the towns and villages of Buckinghamshire and Berkshire. The area around the site is generally residential with a great mix of styles, ages and size of buildings ranging from small two storey houses through to large four storey blocks of flats.

Blackmore Way

- 2.4 The application site is located along Bawtree Road, a residential cul-de-sac off Harefield Road, which runs north from the town centre. Apart from the occasional Victorian dwelling most of the housing in the area, as indeed the Borough as a whole, dates from the 20th century and comprises mostly low rise medium to high density accommodation. There are numerous examples of infill and backland development and Blackmore Way is a typical example.

- 2.5 In the last quarter of the 20th century backland development took place behind all the housing on the north side of Bawtree Road. Blackmore Way was created following the demolition of Nos. 3-15 and the incorporation of the rear gardens of 1, 17, 19 and 21. Land to the east comprising the rear gardens of Nos. 23, 25 and 27 along with all of 29-35 have also been similarly redeveloped.
- 2.6 No. 1 itself was also re-developed when in 2004, approval was given for a two storey block of 4 flats and in October 2006 for a 2½ storey block of 6 flats (2 per floor) with 7 parking spaces. The latter was refused by the Council for various reasons but the proposal was upheld on appeal (APP/R5510/A/06/2015644) and is now built and known as Sandown Court (**Appendix 4**).
- 2.7 Blackmore Way comprises 24 flats arranged in a three storey block with a pitched roof along Bawtree Road (Nos. 1-12 [consecutively] and known as 15 Bawtree Road) and three linked two-storey blocks on the backland (Nos. 14-36 evens only) along with the court of 17 lock-up garages. The arrangement can be seen on the application plans and on Google Earth Aerial Image (2022) scanned in below.



Google Earth Aerial Image (2022)

- 2.8 The Google Street View image (August 2020) below is looking north east up Blackmore Way with Sandown Court on the left and 15 Bawtree Road (Flats 1-12) on the right, the bin/bike store for Sandown Court in the middle distance beyond which is the application site with 37 and 39 Fairfield in the distance.



Google Street View Image (August 2020)

- 2.9 The grounds of the flats benefit from mature trees which pre-date their erection along with more recent planting which has become established in the last forty years. The site road is adopted and in common with all the residential streets in the vicinity is subject to parking restrictions.
- 2.10 Much the same is true in Bawtree Road with single and double yellow lines and permit parking prevailing. Most, but not all, of the houses on Bawtree Road have garages and/or driveways.

The Application Site

- 2.11 The application site comprises the private garage court built at the same time as the flats. W E Black, the developer and current applicant, owns the freehold of the entire development including the garages but not the adopted access road as may be seen on the red/blue lined application location plan.

- 2.12 As can be seen from the application plans and Google Images previously shown, the garage court is inward looking and runs parallel with, and backs onto, Sandown Court and Nos. 37 and 39 Fairfield Road; to the south and north respectively. The flats would run on a similar axis aligning with 14-36 Blackmore Way and the rear/front outlook being on a north west/south east axis.
- 2.13 The site of the garage block is almost square and extends to 504 m² or 0.0504h. It benefits from the already mature landscaping within Blackmore Way or around it, none of which would be disturbed. The generally eastern boundary is marked by the end wall of the existing flats. This is blank other than a first floor secondary window. Amenity space to the rear of the existing flats is open and communal and largely given over to trees and shrubs which contribute to the rear outlook.
- 2.14 To the north stands housing along Fairfield Road being mostly larger detached houses with relatively deep gardens. The houses stand on higher ground and where their rear gardens bound the application site there is a level drop into the site of about 1.5m. The two houses which abut the garage court are at 37 and 39.
- 2.15 37 has undergone extensive remodelling and alterations recently including the erection of a large single storey outbuilding adjacent to the common boundary. The previous boundary planting which stood 3 to 5m tall has been removed and the outbuilding can be seen above the garages on the streetview on the previous page and also on the Google Earth images following, looking firstly north across the garages and secondly looking to the south.



Google Earth Image Due North



Google Earth Image Due South

- 2.16 By contrast the rear garden of No 39 remains verdant with the hedge retained and a 12m tall pine tree all but preventing views towards or from the application site. Again this can be seen on the preceding images and the site layout plan.
- 2.17 To the west, and at a lower level, is the long rear garden of 43 Fairfield Road along with its shared access leading to its garage. This large garden is densely planted including several mature conifers, and the actual house, like 39 but even more so, is almost impossible to see. The access is shared by the Conservative Club which fronts Harefield Road. All the land to the rear of the

building is given over to parking and can accommodate approximately 20 vehicles. The access is separated from the appeal site by an old brick wall which is approximately 1.5 metres tall on the appeal site and 2 to 3m tall when seen from the car park and access, owing to the difference in levels.

- 2.18 Finally, to the immediate south is Sandown Court, the aforementioned block of six flats. Its rear amenity area and parking slopes gently uphill to the garages.

Access to facilities

- 2.19 There is, via either Harefield Road or the footpath at the end of Bawtree Road, quick and easy access to Uxbridge town centre, bus station and train station none of which is more than 500m away. The proximity to this strategic centre demonstrates the locational sustainability as does the PTAL of 4 (see policy section).

3.0 **REVIEW OF RELEVANT PLANNING HISTORY**

3.1 The origins of Blackmore Way date to the late 1970s and early 1980s when a series of applications were submitted. That which was built out, although misleadingly listed on the Council's print outs as 14-36 evens (but 24 units) was 209/F/79/1335 being a full application approved on February 1st 1980.

3.2 A subsequent details in compliance submission 20978/a/802/1595 was approved on October 29th 1980. 1-12 (consecutive numbers) Blackmore Way (known as 15 Bawtree Road) and 14-36 (evens only) were built out in the early 1980s along with a court of 17 garages. A copy of the 1980 approval is attached as **Appendix 1**. Although described as 16 there are actually 17 garages, a row of 9 at the back of the site and 8 at the front.

3.3 As can be seen the conditions included the following:

"Condition 4

The garages shall be used only for the accommodation of private motor vehicles incidental to the use of the dwellinghouse as residence and shall not be used for the garaging of any commercial vehicles or the carrying out of any industrial or commercial activity. Notwithstanding anything contained in the Town and Country Planning General Development Order 1977 the garages shall not be used for any other than their designed purpose without the prior written permission of the local planning authority.

Reason

*To ensure that the garages are used for their designed purpose and are not used for activities which are unsightly or detrimental to the amenities of the locality by reason of noise, fumes, dust, * or other nuisance inappropriate in a residential area, also to ensure that adequate off-street parking is retained.*

** A word is not clear".*

- 3.4 In 2002 and 2011 applications were submitted to demolish the garage court and replace it on both occasions with a two storey block of 4 flats and associated parking and amenity space. Each was refused, appealed and subsequently dismissed by the Inspectorate. The appeal decisions are attached as **Appendix 2** and **Appendix 3** respectively.

APP/R5510/A/02/1086910 (Appendix 2)

- 3.5 This decision was issued well over 20 years ago by an Inspector referring to then adopted local and national policy, all of which is superseded and mostly many years ago. With that caveat, the Inspector identified two main issues. These were visual amenity relating to views from and distances to adjacent properties in particular referencing 2 flats “across the low roofs of the garages” and an intervening beech tree. It is not clear which flats were being considered, possibly those in 15 Bawtree Road as Sandown Court was not built until 2007. Nonetheless and in either event the Inspector found no reason to withhold permission on either of these grounds.
- 3.6 The second matter was the consequence of reduced parking across the site from 20 spaces (on the road and in the garages) available for the existing 24 flats to 10 or 11 available for what would be 28 flats. Whilst acknowledging that at that time none of the 17 garages was used by the flat dwellers he considered that as this must result in displaced parking and attendant congestion and safety implications in the surrounding streets which was precisely what the condition was intended to prevent. He did not therefore “consider that the undoubted advantages of the provision of further dwellings within the urban area outweigh the harm which would be caused”.
- 3.7 The Inspector referred at paragraph 11 to the fact that “compliance with the condition may arise as a result of the enforcement action being contemplated by the Council”. This alluded to the 10 year rule which was and is still applied to a breach of condition in order to demonstrate immunity. Significantly the

only enforcement case dates from 2012 and recorded on the Council's website thus:

ENF/25/12

"Alleged Breach of Condition (20978/F/79/1335) – failure to retain garages for use by approved flats – No Further Action."

Although no precise date is given the second refused application was submitted, refused and subsequently dismissed at appeal between January and August 2012 so this may have prompted enquiries. There have been no investigations subsequently.

APP/R5510/A/12/2172186 (Appendix 3)

- 3.8 The scheme of the subject of the second appeal was all but identical to the 2002 proposal. The changed circumstances were ongoing developments with the occupation of the garages and the erection of Sandown Court. The matter of trees was also raised despite the tree in question having long been adjacent to the site. The tree in question was a beech tree situated in the rear amenity space and adjacent to the car parking at Sandown Court; now removed.
- 3.9 The principal reason related to car parking and highway safety in respect of which on the balance of evidence before him the Inspector found that the proposal "would be likely to increase the pressure on limited on-street parking facilities in the vicinity by way of adverse effects on free flow of traffic".

APP/R5510/A/06/2015644 (Appendix 4)

- 3.10 Although in age falling between the two decisions on the application site, and judged against equally obsolete policies, this decision allowed the replacement of 1 Bawtree Road with a 2.5 storey building with 6 flats spread over 3 floors and associated parking and amenity space. Various amenity objections relating to the proposed and existing flats were raised along with parking. In all respects the Inspector found against the Council and Sandown Court as been a part of the streetscene and character of the area for over 15 years.
- 3.11 Returning to the application site and the existing garage court, its loss and the car parking for which it was intended now almost 45 years ago has featured in both appeal decisions. Notwithstanding acknowledged benefits from the then proposed 4 flat schemes the Inspector's findings of between more than 11 and almost 21 years ago was that this did not justify the loss of garaging and assumed displacement of residents' cars onto the public highway and consequent adverse effect on highway safety.
- 3.12 Leaving aside the context of the conclusions in terms of national and local policy, both planning and broader issues, a further decade has elapsed and mindful of the second appeal Inspector noting that the appellants had failed to apply for a LDC this was done earlier in 2023.

20978/APP/2023/1038

- 3.13 This LDC application was submitted in April 2023. As described on the submission it intended to demonstrate as lawful a use of all 17 garages as "commercial/domestic parking and storage unrelated to the 24 adjacent flats in Blackmore Way". Despite querying it the Council unilaterally changed, and refused to alter, the description to "Existing use of garages to 'mixed use' commercial/industrial storage and personal use".

- 3.14 A comprehensive submission was made demonstrating that over a long period of time many of the garages had not been used by residents of the 24 flats with none having been so used in the last 10 years (beginning April 2013). The Case Officer made an unannounced and unaccompanied site visit and could therefore not see inside any of the garages, and having also checked the enforcement records (see above), nonetheless concluded that it had not been demonstrated that the use applied for on the site had been continuous and uninterrupted for at least a period of ten years. Accordingly, it was refused.

4.0 **REVIEW OF RELEVANT PLANNING POLICY**

The Development Plan

4.1. The Development Plan, insofar as it is of relevance to this proposal, comprises:

- **The London Plan – The Spatial Development Strategy for Greater London – March 2021;**
- **The Hillingdon Local Plan: Part 1 Strategic Policies** (adopted November 2012); and
- **The Hillingdon Local Plan: Part 2 Development Management Policies** (adopted January 2020).

The London Plan 2021

4.2 In chapter order the more relevant policies are as follows:

- **Policy D1 London’s form, character and capacity for growth**

This first policy in the design chapter is predicated upon understanding the Capital’s capacity and planning for “Good Growth” through good design. It is cross referenced to Policy D3.

- **Policy D3 Optimising site capacity through the design-led approach**

This confirms the Mayor’s aim to provide additional housing via optimising the capacity of sites, whilst identifying the most appropriate form of development which responds to context and the capacity to ‘grow’.

Clause B says that higher density developments should generally be promoted in locations that are well connected to jobs, services, etc, whilst 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 Small Sites.”*

(London Plan Underlining)

- **Policy D4 Delivering Good Design**

As befits a London-wide plan, this crosses all boroughs and all scales and types (not just housing) of development and is very much a “procedural” policy as opposed to a prescriptive one in terms of individual sites. It is cross referenced to D3 – see previous page.

In the supporting text, it is probably paragraph 3.4.8 that is most pertinent. It states that:

“For residential development it is particularly important to scrutinise the qualitative aspects of the development design described in Policy D6 Housing quality and standards. The higher the density of a development the greater this scrutiny should be of the proposed built form, massing, site layout, external spaces, internal design and ongoing management. This is important because these elements of the development come under more pressure as the density increases. The housing minimum space standards set out in Policy D6 Housing quality and standards help ensure that as densities increase, quality of internal residential units is maintained.”

(London Plan underlining)

- **Policy D5 Inclusive Design**

This policy supports the attainment of the highest standards of accessible and inclusive design.

- **Policy D6 Housing Quality and Standards**

This is another broad policy which covers the qualitative aspects of new dwellings (eg aspect, light levels, etc) as well as quantitative factors relating to both inside and outside space.

- **Policy D7 Accessible Housing**

This policy is cross referenced to Part M of the Building Regulations and the provision of suitable housing for London's diverse population.

- **Policy H1 Increasing Housing Supply**

The current (2019/20 – 2028/29) 10 year target for net housing completions for Hillingdon is 10,830 which is annualised as 1,083 dwellings.

- **Policy H2 Small Sites**

This is attached (**Appendix 5**) in its entirety along with the supporting text. Paragraph 4.2.1 is particularly relevant in making it clear that increasing the rate of delivery from small sites is a strategic priority. It is one which will require positive and proactive planning by boroughs, both in terms of planning decisions and plan-making. Table 4.2 sets out the ten year target for dwellings on such sites in Hillingdon as a minimum of 2,950 dwellings.

The policy acknowledges that this will lead to a necessary evolution of local character over time (H2Bi). The boroughs are also advised to recognise that *“schemes that provide relatively low numbers of new homes play an important cumulative role in helping to deliver housing targets.....”*

- **Policy T5 Cycling and T6 Car Parking**

These set out respectively minimum and maximum standards determined by either the number of bedrooms and or persons (based on national standards) and the location and PTAL rating of the site. The site is Outer London PTAL4.

Hillingdon Local Plan: Part 1 Strategic Policies

4.3 **Policy H1** sets out a 10 year and annualised minimum strategic housing requirement of 4,250 and 425 dwellings respectively. This is based on previous iterations of the London Plan and should be compared with the current and much higher London Plan figures shown on the previous page.

4.4 **Policy BE1** is a borough-wide policy aimed at ensuring that new development improves and maintains the quality of the built environment. To this end, it has an eleven-point checklist wherein the following are the most relevant in this instance:

- “1. 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;*
- 2. Be designed to be appropriate to the identity and context of Hillingdon's buildings, townscapes, landscapes and views, and make a*

positive contribution to the local area in terms of layout, form, scale and materials and seek to protect the amenity of surrounding land and buildings, particularly residential properties;

9. *Not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas and increase the risk of flooding through the loss of permeable areas."*

4.5 **Policy EM1** is also relevant. It addresses Climate Change and in the 12-point checklist, point 1 is "Prioritising higher density development in urban and town centres that are well served by sustainable forms of transport".

Hillingdon Local Plan: Part 2 Development Management Policies

4.6 The most relevant policies to which regard has been paid in formulating the application proposals are as follows:

- ***"Policy DMHB 11: Design of New Development***

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;*
 - iv) *protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.*
- B) *Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.*
- C) *Development will be required to ensure that the design safeguards the satisfactory re-development of any adjoining sites which have development potential. In the case of proposals for major development sites, the Council will expect developers to prepare master plans and design codes and to agree these with the Council before developing detailed designs.*
- D) *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."*
- **"Policy DMHB 12: Streets and Public Realm**
- A) *Development should be well integrated with the surrounding area and accessible. It should:*

- i) improve legibility and promote routes and wayfinding between the development and local amenities;*
- ii) ensure public realm design takes account of the established townscape character and quality of the surrounding area;*
- iii) include landscaping treatment that is suitable for the location, serves a purpose, contributes to local green infrastructure, the appearance of the area and ease of movement through the space;*
- iv) provide safe and direct pedestrian and cycle movement through the space;*
- v) incorporate appropriate and robust hard landscaping, using good quality materials, undertaken to a high standard;*
- vi) where appropriate, include the installation of public art; and*
- vii) deliver proposals which incorporate the principles of inclusive design. Proposals for gated developments will be resisted.*

B) Public realm improvements will be sought from developments located close to transport interchanges and community facilities to ensure easy access between different transport modes and into local community facilities."

- ***Policy DMHB 14 Trees and Landscaping***
- ***Policy DMHB 15 Planning for Safer Places***
- ***Policy DMHB 16 Housing Standards***
- ***Policy DMHB 18 Private Outdoor Amenity Space***
- ***Policy DMEI 7 Biodiversity Protection and Enhancement***

National Policy

4.7 The National Planning Policy Framework (NPPF) was first published in 2012, republished in 2018 and revised in 2019, July 2021 and September 2023. It is to be read as a whole and it is underpinned by the aim of achieving

development which is sustainable in a social, economic and environmental context.



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5.0 **PLANNING ANALYSIS**

Introduction

- 5.1 Planning is an iterative process which contributes to the evolution of the character and appearance of settlements. As has been demonstrated, the current London Plan with its step change in the annual housing supply rates expects and encourages incremental change in existing residential areas and in particular on small sites, singled out for emphasis in the current plan, and especially ones in sustainable (accessible) locations.
- 5.2 The London Plan, along with national and local policy has for some time promoted the development of brownfield sites and the air space above existing buildings. A near 45 year old garage court in a residential area at the edge of a strategic town with underground links and with a PTAL of 4 is a logical candidate for a small housing site.
- 5.3 Attempts failed in 2003 and 2012. On the first occasion solely on the perceived loss of the garages and secondly similar concerns along with that of impact on a tree between the garage court and Sandown Court. The tree has long since gone.
- 5.4 As is clear from the appeal decisions most of the policies referred to therein have now been superseded. LB Hillingdon has yet to adopt a Local Plan compliant with the current London Plan not least in respect of its policies for both the quantity and quality of new housing (H1, H2, D1 and D3). This post 2021 step-change, it is contended, tips the balance further in favour of allowing the loss of the garages despite condition 4 of the 1979 approval.
- 5.5 One also has to consider the shift in attitudes towards private motor cars in terms of their usage and indeed the nature of cars themselves. The extension of ULEZ to include the whole of Hillingdon has certainly received attention

recently and of course London-wide parking standards are now lower than they were previously. These shifts were not considered by the determining Inspector even in 2012 and certainly not in 2002.

5.6 On the matter of the condition, the following are material considerations;

- The condition on the 1980 permission is negative. It seeks to prevent the garages from being occupied other than by the dwellings in Blackmore Way but it cannot ensure that they are actually used by the flat owners.
- Contrary to the view expressed by the 2002-3 Inspector, the *"flouting"* is not deliberate insofar as faced with empty and unused garages, the applicants took, and still take, the pragmatic view to rent them out to people other than residents of the Blackmore Way flats. This is simply commercial reality rather than premeditated *"flouting"*. Furthermore those that stand empty, with no approaches from residents, the applicants use for their own purposes but can vacate should a potential tenant be available.
- Despite the reference to contemplating enforcement action in respect of at least 7 of the garages in 2002, upon which the Inspector in no small part relied, the Council did not instigate such proceedings until 2012 and then took no action. Further it has taken none since.
- At the time of the original application/appeal one unit was vacant and six had documented occupation by non-Blackmore occupants dating from 1993 or more recently. In 2012, the majority of the garages (15 or 88%) had been so occupied for 10, or considerably more, years.

- Today in 2023 evidence has been compiled to show that for the last 10 years (and considerably more for many) none of the garages has been occupied by any resident of the 24 flats at Blackmore Way.

5.7 Consequently, not only has planning in its broadest sense moved on since both 2002/3 and 2012 but the situation at the garage court has also changed and, furthermore, the LPA has not instigated any non-compliance or enforcement proceedings. Having set the scene, we now turn to the proposal and an assessment judged against the relevant development plan policies and material considerations.

The Proposal

- 5.8 Following demolition of the existing garages the proposed scheme will utilise the existing access point adjacent to 14-36 Blackmore Way giving a natural visual break between the two blocks. The proposed block is orientated with its front elevation facing south west to reflect the adjacent 1980s block.
- 5.9 In order to make best use of the site the proposed block is a two storey structure with additional accommodation within the roof space, following the pattern established by Sandown Court, the block of flats built in 2007 fronting Bawtree Road. The cross section application drawing (23/3541/3) illustrates how the profile of the proposed block fits in with both the flats in Bawtree Road and the houses in Fairfield Road.
- 5.10 Internally the building is arranged around a central circulation core with a lift (to Part M standards) serving all floors. There are two flats per floor and these are multi aspect, allowing for good levels of natural light and ventilation. A range of unit sizes is proposed with the ground and first floor units being two bedroom and the second floor units being one bedroom. All flats have been designed to meet the needs of modern living.

- 5.11 The building will be of a traditional form with gable ends to reflect the adjacent block articulated with front feature gables breaking down the scale and giving the building its own identity. The balconies are a positive feature, providing all the flats with south west facing private amenity spaces. The window pattern and proportions together with subtle brick detailing result in high quality of design with these features continued across all elevations.
- 5.12 In terms of materials, the proposal would be to use a light red multi brick with a plain smooth red feature brick. This, along with dark red profiled tiles, will compliment the surrounding buildings. The building will be built to the highest standards of construction including thermal performance and green energy features.
- 5.13 Strategic principal policies have been set out in the policy review and referred to in the Introduction to this section (para 5.4). There is nothing to add regarding the step change in required housing supply or how it should be met. Rather the proposal, as summarised above and portrayed on the application drawings, will now be assessed against the detailed policies and guidance in respect of which the applicants and their architect have of course paid due cognisance in developing the scheme.

Detail Assessment

Design

- 5.14 The architect is based and has worked extensively in the Borough and is responsible for the design of Sandown Court. His rationale for this proposal is set out above. The height and design reflects Sandown Court rather than the somewhat plain and monolithic original flats which very much reflect their architectural period.

- 5.15 Unlike the original flats the roof has a steeper pitch and unlike Sandown Court it does not incorporate a flat top. The facing bricks and detail design also bear a closer resemblance to Sandown Court as opposed to the original flats.
- 5.16 Despite having a second floor of accommodation its eaves are only 0.65m higher than 14-36 Blackmore Way and the main ridge some 1.3m higher, whilst the projecting front gables are barely any higher at all. Similarly, the front projecting ridges are barely 1m taller than the intersection of the ridge and flat roof at Sandown Court. The relationship between the proposal and the existing flats may be seen on the site section and the elevations drawing. The section drawing also shows the relationship with the house to the immediate rear (37 Fairfield Road) the main ridge of which is a good 1 to 2m above that of the proposal.
- 5.17 In terms of separation distance, the balconies on the proposal would be; 27m distant from the rear of Sandown Court, 25m distant from the extended ground floor of No 37 and 28.5m from its first floor. When considering intervisibility though, the new outbuilding at 37, which stands on the boundary with the garage court, has a roof-line 4.5m above the ground level of the proposed flats or 1.5m below the eaves line. To put this into perspective, that aligns with the mid point (horizontally) of the bedroom windows in the easternmost first floor rear flat.
- 5.18 With regard to No 39 Fairfield Road, the aforementioned vegetation which includes a fir tree does much to prevent intervisibility between the proposed flats and that existing house. There are, therefore, no concerns in this regard.
- 5.19 Having regard to the original flats in Blackmore Way, the proposal would present a flank wall to 14-36. There is one window at first floor in the flank of 14. The proposal has three flank windows at first floor level and one on the top floor. The one on the first floor is an en-suite and will be obscure glazed.

The other two are side windows in the living, dining and kitchen and could be obscure glazed if considered necessary.

- 5.20 The existing 1980's front block, which along with Sandown Court straddles the access road, is 3 storeys tall and unlike Sandown Court is on the diagonal with the application site. The block has habitable room windows facing inwards but these are closer to 14-36 Blackmore Way than they would be to the current proposal and parallel to it rather than at an oblique angle as with the garage court. The minimum separation distance between the original flats is 26.5m and between 15 Bawtree Road and the proposed flats is 27m (to the balconies).
- 5.21 Consequently, the proposal has had regard to and is compliant with London Plan policies D4, D5 and Local Plan policies DMHB 11 and DMHB 12.

Space standards and accessibility

a. Internal space/accessibility

- 5.22 The proposed flats are 4 2-bed, 3 person units and 2 1-bed, 2 person units and they are compliant with the national space standards and the London Plan standards in respect of overall area, room sizes and dimensions (including floor to ceiling heights).
- 5.23 In terms of access, the proposed building can be approached via the existing step free footpath network. The scheme is designed to allow full disabled access with gently sloping ramped access paths, flush thresholds and a lift serving all floors. The flats are all designed to meet Part M4(2) and are also (see application form) readily adaptable to meet the requirements of Part M4(3). Consequently the proposal accords with London Plan policies D6 and D7 and Local Plan policies DMHB 16.

b. External amenity space

- 5.24 The London Plan post-dates the Local Plan and it has more generous standards for private balconies depending on the size of the flat. It also says that where more generous, its standards should prevail. That being the case, it proposes a minimum of 6m² for a 3 person flat and 5m² for a 2 person flat. All the flats are shown with a 6m² (1.5m x 4m) south facing, enclosed balcony. The two ground floor flats also have defensible planting around their terraces/balconies which add visual amenity space.
- 5.25 The London Plan does not specify communal private open space figures, not surprising in view of the fact that many new developments have none and rely entirely on balconies. Local Plan policy DMHB 18 (Tab 5.3) gives minimum totals for private outdoor amenity space of 20m² per 1-bed flat and 25m² per 2-bed flat or 40m² (2 x 1-bed) and 100m² (4 x 2-bed). If the proposed balconies are deducted that leaves a "to find" figure of 28m² for the smaller flats (40-12) and 76m² for the larger flats (100-24) or 104m².
- 5.26 Leaving aside the buffers around the ground floor flats patios, which provide visual if not usable amenity space, there is a rectangular parcel of land to the rear of the flats. This is secluded owing to the levels difference and vegetation/buildings along the common boundary with Fairfield Road (see 2.15, page 7) and extends to 90.0m² owing to its shape and orientation (it will receive morning and late evening sun) it is an eminently usable alternative to the large south facing balconies should the occupants wish to utilise it. It is, however, considered that they will be more than content with their private space.

Car and cycle parking and bin storage

- 5.27 The London Plan policies (T5 and T6) set out minimum and maximum bicycle and car parking standards respectively. Compliant cycle parking is provided in a secure store integrated into the design of the building. In addition, a cycle hoop is allowed for to cater for visitor or casual cycle parking.
- 5.28 With regard to the maximum car parking standards Blackmore Way, along with Bawtree Road, has a PTAL of 4 and this dictates parking provision. The maximum for a 1 to 2 bedroom flatted development is up to 0.5-0.75 spaces per unit and the advice is to take the lower limit where the development is either high density or in a more accessible location. The accessibility of the site is reflected in the PTAL but the proximity to a range of facilities including the underground network, and not just a good bus service, is clear to see so 0.5 spaces should be the appropriate figure. The scheme provides for 3 spaces and one disabled space and all with active EV charging.
- 5.29 The bin/recycling store has also been integrated into the building and is conveniently located for both the occupants and the refuse/recycling operatives. The refuse freighter can use the existing access and turning facilities which have sufficed for 40 years.

Landscaping and biodiversity

- 5.30 A tree adjacent to the site did form a reason for dismissing the last appeal. However as will be clear that beech tree, which stood behind the garage court and in the rear grounds of Sandown Court, no longer exists. Similarly all the vegetation within 37 Fairfield Road which spanned the common boundary with the court has been removed by the owner of that property.
- 5.31 The nearest trees to the site, shown on the site plan, are: an ash growing at a lower level where the access between 39 and 41 Fairfield Road enters the

club car park, a fir tree in the rear garden of 39 and a pine tree in the garden of 41. These trees are closer to the existing garage blocks than they would be to the proposed flats and are considered to have no physical or visual impact upon the proposed building or conversely it upon them should it be built.

- 5.32 The site itself is completely bereft of any existing vegetation or a habitat for any flora or fauna. It is 100% surfaced or built upon. Siting a new building within the site, as opposed to as currently along and up to the boundaries, affords the opportunity not only to introduce borders and lawns but also to plant appropriately sized shrubs and trees. The site layout plan shows indicatively what may be achieved and the applicants are happy to either provide more illustrative material or alternatively, accept a suitably worded condition. Although a small site, it is clear that an increase in biodiversity can be achieved easily.

6.0 **SUMMARY AND CONCLUSIONS**

- 6.1 The acceptability in principle of the residential redevelopment of the application site is in policy terms indisputable. It is supported by local policy but in particular by the current London Plan and recent national policy and statements.
- 6.2 It is a small parcel of previously developed land in a very sustainable location. This is not just in terms of bus routes and the frequency of them but the facilities available within easy walking distance of the site including the underground train network.
- 6.3 It is precisely the type and location of site where the London Plan exhorts the Boroughs to facilitate development and this advice is underpinned by an acceptance and acknowledgement that this will “densify” and lead to a change in the appearance and character of existing areas.
- 6.4 Having regard to matters of character, amenity and appearance previous Inspectors, in considering similar proposals, found no concerns on the impact upon the area or the existing buildings. On one occasion there were concerns about a tree, now long gone along with other perimeter vegetation.
- 6.5 The only remaining issue is the loss of parking to the existing 24 flats. As has been demonstrated this is more perceived than real as for very many years the garages have had alternative uses and none has been used by an occupant of the 24 flats for at least 10 years.
- 6.6 Furthermore, since the last appeal over a decade ago and certainly since the original one in 2002-03, there has been a sea change in policies for and attitudes to the use of private motor cars and changes in parking standards. Today 24 one and two bedroom flats built in Blackmore Way would not be required to have 17 garages.

- 6.7 On detailed matters it has been demonstrated that the proposal satisfies policies relating to design, internal space, external space, landscaping and provision of refuse, recycling, cars and bicycles. Consequently, it is commended for approval.



APPENDIX 1
PLANNING APPROVAL 20978/F/79/1335

London Borough of Hillingdon
TOWN AND COUNTRY PLANNING ACT 1971

TO

G F Dunsell Esq
18 Gilbert Road
Finchley
Middlesex
HA5 1AP

LOCAL PLANNING AUTHORITY REF

79/12/79/2.138

The Council of the London Borough of Hillingdon as the local planning authority within the meaning of the above mentioned Act and Orders made thereunder hereby GRANT permission for the following development.

Erection of 24 flats, 12 garages, one parking space, access road and footpath at 1-13 and land to rear of 1, 17, 19 & 21 Barrow Road, Uxbridge.

In accordance with the application dated 16 July 1979 and illustrated by plans nos. 7912/79, 79 & 81, 94 (amended plans) received 23.11.79 and 3.1.80

Permission however is given subject to the conditions listed on the attached schedule

Dated this

1

day of

February

1980

Signature

DIRECTOR OF PLANNING

London Borough of Hillingdon,
Civic Centre,
Uxbridge,
Middlesex. UB8 1UW

NOTES (i) If you wish to appeal against any of the conditions please read the back of this sheet which explain the procedure
(ii) This decision does not purport to convey any approval or consent which may be required under any bye laws, building regulations, or under any enactment other than the Town & Country Planning Act 1971.

CONDITION 1.

This permission shall cease to have effect unless the development hereby authorized has begun before the expiration of five years from the date of this permission.

REASON

To comply with section 41 of the Town and Country Planning Act 1971.

CONDITION 2.

Details and/or samples of all materials to be used for the exposed external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority before commencement of any part of the development.

REASON

To ensure that the development presents a satisfactory appearance.

CONDITION 3.

No part of the development hereby permitted shall be commenced until detailed drawings have been submitted to and approved by the Local Planning Authority in writing showing elevations of the garages.

REASON

To ensure that the development does not prejudice the appearance of the locality.

CONDITION 4.

The garages shall be used only for the accommodation of private motor vehicles incidental to the use of the dwellinghouse as a residence and shall not be used for the garaging of any commercial vehicles or the carrying out of any industrial or commercial activity. Notwithstanding anything contained in the Town and Country Planning General Development Order 1977 the garages shall not be used for any other than their designed purpose without the prior written permission of the Local Planning Authority.

REASON

To ensure that the garages are used for their designed purpose and are not used for activities which are unsightly or detrimental to the amenities of the locality by reason of noise, fumes, dust, smoke or other nuisance inappropriate in a residential area, also to ensure that adequate off-street parking is retained.

CONDITION 5.

The parking facilities shown on your deposited plan shall be constructed before use of the development hereby permitted commences, and such shall be permanently maintained and the space used for no other purpose at any time without the consent of the Local Planning Authority.

REASON

To ensure that adequate facilities are provided and retained to service the development without creating conditions prejudicial to the free flow of traffic or causing danger and inconvenience.

CONDITION 6.

Unobstructed visibility shall be provided and maintained for so long as the development hereby permitted remains in use above a height of 0.9 metre from footway level $2.4 \times 60m$ on both sides of the point of access to Burtree Road.

REASON

To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety along the neighbouring highway.

CONDITION 7.

The access road and/or parking area shall be constructed in concrete, bitumen or asphalt or other durable material and be retained for so long as the development remains in use.

REASON

To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their property by reason of emission of dust and to prevent the deposit of mud on adjoining highways.

CONDITION 8.

Bushings shall be sited not more than 15m carrying distance from the carriageway. Where this provision is not met by facilities within individual units communal facilities shall be provided within enclosure(s) constructed of materials matching those used in the remainder of the development and designed and sited so as to prevent nuisance arising from litter, smells, flies, birds and rodents.

REASON

To ensure that the Council's standard requirements are met without detriment to the amenities of the neighbourhood.

CONDITION 9.

None of the trees shown to be retained on your deposited plans shall be felled or otherwise removed or pruned without the prior written consent of the Local Planning Authority. Any tree felled, or otherwise removed, or pruned otherwise than in accordance with British Standard No. 3998, without the written consent of the Local Planning Authority shall be replaced by one of an appropriate size and specie in accordance with details approved in writing by the Local Planning Authority.

REASON

The existing trees make a valuable contribution to the amenity of the area.

CONDITION 10.

(a) Before commencement of any part of the development a 1.5 metres (5') high chestnut paling fence shall be erected to the full extent of the canopy of each tree or group of trees to be retained on the site or at such lesser distance as may be agreed with the Local Planning Authority and this fencing shall be erected before the commencement of the clearing, demolition and building operations hereby approved and retained in position at all times until the completion of the development; the land so enclosed shall be kept clear of all contractors materials and machinery at all times.

(b) The existing soil levels around the bases of the trees so retained shall not be altered.

REASON

To ensure that the trees are not damaged during the period of construction and that their contribution to the amenity of the area is maintained.

CONDITION 11.

Before any part of the approved development is commenced, a scheme of planting of trees and/or shrubs on the site shall be submitted to and approved by the Local Planning Authority. The scheme shall also incorporate details of any measures required to protect the planting from accidental damage by vehicles.

Such scheme shall be completely implemented within 8 months of the first date on which any part of the approved development is commenced, unless the period is extended with the written consent of the Local Planning Authority.

REASON

To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the visual amenities of the locality.

CONDITION 12.

The trees and/or shrubs planted in accordance with the approved scheme shall be maintained for so long as the development remains extant and any which die or are removed shall be replaced by trees and/or shrubs of types and in locations to be approved in writing by the Local Planning Authority.

REASON

To ensure that the trees and/or shrubs continue to make a satisfactory contribution to the visual amenities of the locality.

CONDITION 13.

The whole of the land shown on the deposited plan as being within the curtilage of the site of the development hereby approved shall be used exclusively for purposes in connection with the development hereby approved.

REASON

To ensure that no separate use is allowed to become established on the site and to ensure that the standards applied to the consideration of the approved development are retained in connection with the completed development as approved.

CONDITION 14.

Notwithstanding anything contained in the Town and Country Planning General Development Order 1977 no additional windows shall be constructed in the walls of Block A hereby approved and facing 1 and 17 Hartree Road.

REASON

To ensure that the development does not give rise to overlooking of adjoining property injurious to the reasonable privacy of the occupants.

CONDITION 15.

The windows mentioned in condition 14 shall be glazed with obscured glass for so long as the development hereby approved remains in existence.

REASON

To ensure that the development does not give rise to overlooking of adjoining property injurious to the reasonable privacy of the occupants.

CONDITION 16.

Notwithstanding anything contained in the Town and Country Planning General Development Order 1977 no further enlargement extension improvement or alteration of any dwellinghouse as therein defined shall be carried out, nor shall any additional window be provided or any garage or garden shed or livestock enclosure be created or extended without the prior written permission of the Local Planning Authority.

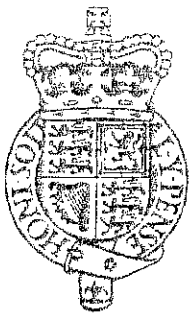
REASON

Having regard to the density, character and layout of the estate the Local Planning Authority consider such structures, extensions or alterations would be likely to adversely affect the amenity of neighbouring occupiers and the character of the estate and consider it is in the public interest to require an application to enable the merits of any proposal to be assessed.

INFORMATION

1. You are advised that the Local Planning Authority will normally expect details of all reserved matters to be submitted at the same time, although an exception may be made for final selection of materials. This procedure is being adopted for the following reasons:
 - (i) to ensure that all aspects of the proposal are considered comprehensively
 - (ii) to save successive administration and consequent costs and delay
 - (iii) to ensure that site operatives are fully briefed on all planning requirements before work commences.
2. Your attention is drawn to the fact that planning permission does not override property rights and this permission does not empower you to enter onto land not in your ownership without the specific consent of the owner.
3. You are advised that the submitted means of enclosure of the site will not be enforced until you obtain written agreement independently with the adjoining occupiers on an alternative form of screening.
4. You are advised to consult a tree surgeon with regard to any pruning of the Scots Pine (no. 25 on Drawing no. 7012/78) in the rear garden of no. 19 Sarsfield Road to avoid any damage to the tree during construction and in order to maintain the shape and balance of the tree.

APPENDIX 2
PLANNING APPEAL DECISION APP/R5510/A/02/1086910



Appeal Decision

Hearing held on 09 January 2003

Site visit made on 09 January 2003

by **David Ward** BSc(Hons) CEng MICE FIHT

an Inspector appointed by the First Secretary of State

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquiries@planning-
inspectorate.gsi.gov.uk

Date

23 JAN 2003

Appeal Ref: APP/R5510/A/02/1086910

Land at Blackmore Way, Uxbridge

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by W E Black Ltd against the decision of Council of the London Borough of Hillingdon.
- The application (Ref.20978/APP/2002/48), dated 3 January 2002, was refused by notice dated 25 February 2002.
- The development proposed is the erection of a two storey block of four flats with associated parking (involving demolition of 17 lock up garages).

Summary of Decision: The appeal is dismissed.

Background matters

1. The appeal site is the garage court of a development of 24 flats permitted in 1979. The garages are subject to a condition, which although poorly drafted, is intended to require that the garages are used only by residents of the flats. The flats are served by a cul-de-sac, Blackmore Way, on which there are three parking spaces also covered by a condition of the planning permission, and where there are also residents parking bays managed under the Council's controlled parking zone.
2. The flats are situated in a residential area, but no dwelling is closer than 30m to the proposed building. There are some mature trees within the development. The town centre, with major shopping facilities, a London Underground station and bus station is an easy walk some 4-500m away. Parking in the surrounding streets is controlled, with large numbers of residents parking spaces, all of which are occupied overnight.

Main Issues

3. The main issues in the appeal are whether the proposed block of flats would unacceptably harm the visual amenity of any nearby resident; and whether the reduction in parking space would lead to increased parking on street, to the detriment of safety and the free flow of traffic.

Planning Policy

4. The appeal is to be determined according to the development plan, unless material considerations indicate otherwise. The development plan is the adopted Hillingdon Unitary Development Plan (UDP). Policy BE21 states that permission will not be given for new buildings which would by reason of their siting, bulk or proximity result in a significant loss of residential amenity. In pursuit of this policy the Council has published two design guides

- on residential extensions, and on residential layout and house design. Although the Council explained that it is their practice to apply the guidance on extensions to all development in respect of massing, design and overlooking, the appeal proposal is not an extension, and it is unreasonable to apply this guidance to it.
5. Policy AM 14 requires that the Council's parking standards should be met. The parking policies of the UDP are under review following the change to the Government's transport policies in PPG13, and the reflection of these into the housing policies of PPG3. There was no dispute between the parties that the revised policy proposal should be given significant weight. The revision alters the standards from a minimum requirement of 1.5 parking spaces per dwelling to a maximum requirement of the same figure. Policy AM 7 seeks (in some detail) to prevent development where traffic generation would adversely affect the function of surrounding streets.

Reasons

Issue 1 – visual amenity

6. The Council contended that the proposal would harm the open views from 2 flats across the low roofs of the garages. To the extent that this is an important planning consideration, it seems to me that the impact of the proposal would be substantially reduced, even in winter, by the large beech tree intervening in this view. Open views would remain across the proposed parking area to the east of the proposed flats. In any event, the 4 flats would be in a building entirely in character with, and smaller in scale than the existing flats, over 30m distant from the nearest window having a view towards the site.
7. Nearby residents object on similar grounds. The separation of dwellings from the appeal proposal would be over 30m in all cases, well in excess of the 21m advised in the Council's guidance. There is substantial intervening tree cover in most instances. Although I appreciate that building of this sort would not be welcomed by those living nearby, additional building within urban areas helps prevent the outward spread of development, and, as emphasised by the appellant, accords in principle with Government policy. In my view there is no reason to withhold permission on either of these grounds.

Issue 2 – Effect on the surrounding streets due to displacement of car parking

8. The essence of the Council's case was that the parking available to the existing flats would be reduced by demolition of the garages, the 20 spaces available for the 24 flats being reduced so that 10 or 11 were available to 28 flats. The development as a whole would be short of parking, leading to increased pressure for parking provision on street, to the detriment of the safe traffic carrying function of the surrounding roads.
9. The appellant points out that none of the garages is presently rented by a resident of the flats, and that most are licensed to people from outside the locality. As a result, the removal of the garages would lead to less traffic being drawn into the locality; and because the 7 open spaces now proposed would be in clear view, they would be policed by residents, and as a result parking space would be more accessible to residents than at present. In any event, there would be no increased pressure for on street parking, since any resident who had a car would be parking on street already.
10. The garages are at present being occupied in breach of condition 4 of the 1979 permission. This is acknowledged by the appellant, who points out that in at least 10 cases the

occupation is so long standing that it is immune from enforcement action. Nevertheless, the occupation remains unlawful. Contrary to the appellant's assertion that in his experience few residents of such a development own cars, the residents deduced at the hearing that there were some 20 cars owned by them and their neighbours in the flats. When the flats had first been constructed all the garages had been occupied in association with them. However, as rents had been increased, residents had vacated the garages, where rents were now about £200pa, for residents' parking space on street, where charges were about £20pa. Thus in this locality a substantial amount of on street parking takes place contrary no doubt to the intention of the permission granted in 1979, because the residents have vacated the garages.

11. I do not accept the appellant's view that this is simply a consequence of residents being unwilling to pay the market rate for the garages. The consequence of the condition on the original planning permission is that the garages cannot be treated as a commodity in the open market, because their use is barred to non residents. For a significant proportion of the garages compliance with the condition may arise as a result of the enforcement action being contemplated by the Council. To allow the proposed development on the basis that the residents for whom the garages were provided in the first instance have as a result of the appellant's flouting of the planning condition migrated to parking on street would invite widespread abuse of planning conditions by the appellant in his other similar developments, and by others.
12. The situation which now pertains is exactly that which would occur were the garages to be demolished when managed according to the condition. The residents are parking on the street. It is often the case, particularly where children may be using the streets, that parked vehicles are a contributory factor in road accidents. Further, the free movement of vehicles may be inhibited, with serious consequences where the emergency services need access. Thus the conflict with policy AM7 alluded to by the Council has already occurred, and would be perpetuated in the event that the appeal proposal were to be implemented.
13. Government policy seeks to reduce car use, and in urban areas developers not wishing to provide more car parking space than they or potential occupiers might want should not be required to provide more. I accept that in this location a case may be made for lower provision than the Council seek in desiring the maximum standard of their policies to be met. Indeed the 20 spaces now provided fall well short of that standard of provision, but would be adequate, given some freeing of on street space for visitors and servicing. Nevertheless there is a clear demonstration in this appeal that whatever the developer's view of the requirements, the residents do want the parking space originally provided, and thus the development as it stands shows no conflict with government policy.
14. In my view it would be wholly wrong to grant the permission sought. Whilst policy AM7 deals only with the traffic generated by a development, the considerations of road safety with which it is concerned are material planning considerations, and the displacement of residential parking onto the streets would harm these interests whose importance is acknowledged by the policy. I do not consider that the undoubted advantages of the provision of further dwellings within the urban area outweigh the harm which would be caused. Nor do I consider that there is any modification to the development which could be achieved by reasonable planning condition which would overcome the harm which would flow from the implementation of the proposal.

Conclusions

15. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Formal Decision

16. In exercise of the powers transferred to me, I dismiss the appeal.


INSPECTOR

Information

A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court.

APPEARANCES

FOR THE APPELLANT:

Stephen J Barker MA(Cantab) MA MRTPI	Partner in Barker Parry Town Planning, 33 Bancroft Hitchin, Herts SG5 1LA
Mr Bill Macleod	Partner in the Gillet Macleod Partnership, Chartered Architects & Town Planning Consultants, 1 High Road, Pinner, Middlesex, HA5 2EW.
Mr E Gadsden	W E Black Ltd, Hawridge Place, Hawridge, Chesham, Bucks, HP5 2UG

FOR THE LOCAL PLANNING AUTHORITY:

Mr Ralph Adenego, MRTPI	Planning Officer with the Hillingdon LB Council
Mr M S Ranger, CEng	Engineering adviser to the Council.

INTERESTED PERSONS:

Mr N Johnson	10 Bawtree Road, Uxbridge
Mr L Stubbings	15 Bawtree Road, Uxbridge
Mrs A Boxall	Flat 9, 15 Bawtree Road, Uxbridge
Mrs B W Willis-Walton	32, Blackmore Way, Uxbridge
Mrs P Whysall	16 Blackmore Way, Uxbridge
Mrs S Butler	19 Bawtree Road, Uxbridge
Mr R F Brooks	37, Fairfield Road, Uxbridge

APPENDIX 3
PLANNING APPEAL DECISION APP/R5510/A/12/2172186



Appeal Decision

Site visit made on 27 June 2012

by J D Westbrook BSc(hons) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 9 August 2012

Appeal Ref: APP/R5510/A/12/2172186

Land at Blackmore Way, Uxbridge, UB8 1PT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Eric Gadsden (W E Black Ltd) against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 20978/APP/2011/1521, dated 21 June 2011, was refused by notice dated 11 January 2012.
 - The development proposed is the demolition of existing garages and the erection of a two-storey block of 4 flats with associated parking and landscaping.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are the effects of the proposed flats on:
 - Highway safety in the vicinity, with particular regard to on-street car parking, and
 - The character and appearance of the area with regard to trees.

Reasons

3. The appeal site is a block of 17 garages located to the west and north-west of a development of 24 flats, in two blocks, permitted in 1980. A condition of the permission for the flats required that the garages be used only for the accommodation of private motor vehicles incidental to the use of the dwellinghouse (sic) as a residence, and not for any commercial activity. At the time, there was also apparently an additional three on-street parking spaces available for occupiers of the flats.
 4. The surrounding area is residential in nature. In addition to the two blocks of flats constructed as a result of the earlier permission, there is a relatively new block of 6 flats (Sandown Court) to the south of the appeal site. These blocks have their main vehicular access from Blackmore Way, which is a short cul-de-sac off Bawtree Road. Bawtree Road comprises mainly two-storey houses, many of which, especially on the northern side, have off-road parking facilities. There are permit holder only parking bays on Blackmore Way, for some 7 cars, and also along sections of Bawtree Road.
-

5. The proposed development would involve the demolition of the existing block of garages and the construction in their stead of a block of 4, one-bedroom flats with 7 external parking spaces. A previous application for a similar development was dismissed on appeal in 2003 (ref: 1086910). The garages are currently rented out to a number of different occupants, very few of whom are from the original flats on Blackmore Way. It is difficult to identify actual users of some of the garages since there may be some "sub-letting".

Effect on highway safety and car parking.

6. The Inspector at the earlier appeal stated that "the garages are at present being occupied in breach of condition 4 of the 1980 permission. This is acknowledged by the appellant, who points out that in at least 10 cases the occupation is so long standing that it is immune from enforcement action. Nevertheless, the occupation remains unlawful." He concluded that it would be wrong to grant the permission sought since the displacement of residential parking onto the streets would be harmful to considerations of road safety.
7. The appellant contends that circumstances have changed since the appeal decision and that permission should now be granted. He notes that since 2003, two residents of the Blackmore Way flats have rented garages, where previously there were none, but that the others remain rented by persons from outside of the development, and that more of the garages would therefore be immune from enforcement action. He goes on to indicate that the proposed flats would have 7 parking spaces, and that any surplus spaces not used by residents could be used by occupiers of the Blackmore Way flats.
8. From the evidence before me it would appear that currently at least 2 garages are rented by occupiers of the Blackmore Way flats, and that at least 3 more are rented by occupiers of houses on Bawtree Road (albeit in breach of the earlier planning condition) who do not currently have facilities for off-street parking. Since the previous appeal decision, it would appear that one of the on-street parking spaces for the flats may have been lost, possibly due to conversion of one of the remaining spaces to a larger disabled space. Furthermore, there is some evidence that the potential for a further 3 on-street spaces (possibly unrestricted) on Blackmore Way was lost in the creation of the entrance to the parking area to the rear of Sandown Court.
9. Whilst the situation regarding parking provision in Blackmore Way and the garage court has been somewhat fluid over the past few years, it appears likely that the loss of the garages would result in at least 5 additional vehicles having to resort to on-street parking in the immediate vicinity. This is in addition to a small loss of on-street provision over the past few years. Furthermore, demolition of the garages would result in the loss of any potential opportunities for local residents to acquire access to a garage in the future.
10. The appellant and local residents have differing views on the existing pressure on current permit parking provision along Blackmore Way and Bawtree Road. I have limited actual information as to the usage of the permit parking spaces during different periods of the day. However, there is some evidence that the permit parking provision in the vicinity is available to permit holders from a wide area, and that this increases pressure on the spaces available.

11. The appellant contends that the Council has failed to take any enforcement action against any use of garages that might have been considered unlawful at the time of the previous appeal. However, the appellant has also failed to provide a Certificate of Lawful Development for these garages. Whilst it would seem likely that a significant number of the garages might well be immune from enforcement action, I have no firm evidence of that fact.
12. Finally, the appellant indicates that any surplus car parking spaces from the development would be available for use by residents of the existing Blackmore Way flats. However, there can be no guarantees that there would be any surplus, and if ownership of the appeal site were to be severed from that of the existing flats at any time, it seems unlikely that such a flexible arrangement would remain available.
13. In conclusion on this issue, and on the balance of the evidence before me, I find that the proposal would be likely to increase the pressure on limited on-street parking facilities in the vicinity, and that this would lead to harm to highway safety in the vicinity by way of adverse effects on free flow of traffic. On this basis the proposal would conflict with saved Policy AM7 of the London Borough of Hillingdon Unitary Development Plan (UDP). Since this policy is consistent with the general thrust of guidance on transport issues given in Section 4 of the NPPF, in particular regarding matters relating to conflict minimisation, I give it significant weight.

Effect on character and appearance of the area, including trees

14. The application form states that there are no trees adjacent to the site that could influence the development. In fact there is a large copper beech close to the southern boundary of the appeal site, on which there is a Tree Preservation Order. A significant part of the crown of this tree overhangs almost the whole depth of a number of the existing garages along the southern boundary. The southern elevation of the proposed block of flats would be only some 3 metres from the boundary and within the area of the crown of the tree.
15. The proposal would, therefore, require significant pruning of the tree, resulting in an unbalanced appearance and potential damage to its health, both during the construction process and after the completion of the development, when continuous cutting back might become necessary. The tree is a significant landscape feature in Blackmore Way and important to the character and appearance of the area. This is particularly the case given the recent development of Sandown Court and the scale of built form and hard surfacing associated with that property.
16. On this issue, therefore, I find it likely that the proposal would be seriously detrimental to the appearance and health of the tree, and that it would, on this basis, be harmful to the overall character and appearance of the area. It would conflict with saved Policy BE38 of the UDP which relates to landscape features of merit. Since this policy is consistent with the general thrust of guidance on design given in Section 7 of the NPPF, I give it significant weight.

Other Matters

17. The Council contends that the development would result in unacceptable overlooking of the ground floor flats from the communal ground floor space.

However, the proximity of ground floor windows to communal space is quite normal in the case of flats, and in any case this could be dealt with by way of a suitable landscaping condition.

18. The Council also contends that the development would give rise to a number of children of school age and that legal provision should be made to deal with the issue of additional provision of school places. It refers to details on Educational Facilities Section 106 Calculations contained in Section 4 of a recently revised Supplementary Planning Document (SPD).
19. The details relate to rooms in different types of dwelling, and are based upon dwellings with 3 rooms or more (including kitchens). The appellant contends that the proposed flats have only 2 rooms each and should, therefore, not be counted in the calculations.
20. The proposed flats would have combined living/kitchen areas. These would appear to have a floor area of around 20 sq metres in the ground floor flats and some 28 sq metres in the first floor flats. The Council indicates that it may, at its discretion, consider rooms in excess of 20 sq metres as potentially 2 separate rooms for the purposes of assessment. However, it is not clear to me whether the ground floor flats have a living/kitchen room of greater than 20 sq metres. Furthermore, the Council has given no justification as to why it has chosen to exercise its discretion in this particular case.
21. In view of what appears to be potential for confusion over the relevant number of rooms, and the lack of information as to the use of discretionary powers, I do not consider that this can be clearly considered a main issue in this case.

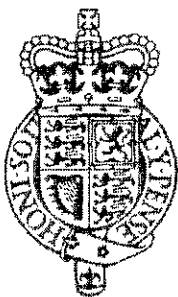
Conclusion

22. I find that the proposal would be harmful to highway safety in the vicinity and also harmful to the character and appearance of the area. On this basis, I dismiss the appeal.

J D Westbrook

INSPECTOR

APPENDIX 4
PLANNING APPEAL DECISION APP/R5510/A/06/2015644



Appeal Decision

Site visit made on 18 October 2006

by Jeffrey Cohen Dip TP MRTPI

an Inspector appointed by the Secretary of State for
Communities and Local Government

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Date: 21 November 2006

Appeal Ref: APP/R5510/A/06/2015644

1 Bawtree Road, Uxbridge, Middlesex, UB8 1PT.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by W. E. Black Ltd. against the Council of the London Borough of Hillingdon.
- The application Ref: 38751/APP/2006/789, was dated 13 March 2006.
- The development proposed is demolition of existing house and construction of a 2.5 storey block of 6no. flats.

Summary of Decision: The appeal is allowed and planning permission granted subject to the conditions set out in the Formal Decision below.

Procedural Matters

1. I have taken account of the Council's statement, setting out the reasons why it would have refused planning permission had the appeal not been lodged. I have also had regard to the applicant's submission of drawing No. 06/3045/1A, dated 20 June 2006, indicating revised car and cycle parking arrangements, together with drawing No. 06/3045/2 and site location plan.

Main Issues

2. Based on the Council's evidence, I consider that there are three main issues in this case:
 - whether the proposed development would include sufficient amenity space for future occupiers;
 - the effect of the proposed development on the living conditions of adjacent occupiers in terms of noise, disturbance and loss of privacy; and
 - whether the proposed amount of off-street parking would be sufficient to avoid prejudice to conditions of highway safety.

Planning Policy

3. The development plan for the area includes the Hillingdon Unitary Development Plan, (UDP) adopted in 1998. Although containing no specific standards, policy BE23 states that new residential buildings should provide sufficient external amenity space to protect the amenity of occupants of the proposed and surrounding buildings. The policy is supported by Supplementary Planning Guidance (SPG) in the form of the Council's Design Guide: "Residential Layouts and House Design" which contains further advice on the provision of amenity space for flats.

4. Policy H6 seeks to strike a balance between the effective use of housing land, density of development, quality of design and compatibility with surrounding development. Policy AM7 seeks to avoid prejudice to the free flow of traffic and to maintain highway and pedestrian safety, while policy AM14 requires developments to include an appropriate level of car parking in accordance with the Council's adopted standards.

Reasons

5. The appeal site comprises a detached house with side garage and rear garden. The flank boundary of the site adjoins a short cul-de-sac serving a part-two, part-three storey development of flats, including a group of lock-up garages located to the rear. A car park and outbuildings at the rear of neighbouring dwellings adjoin the opposite side boundary. Although described as a two and a half storey development, the proposal is effectively a three-storey block, comprising 6 flats, and represents a revised proposal following permission granted in 2004 for a two-storey block of 4 flats.

Amenity space

6. An amenity area would be provided at the rear and would reflect a similar ratio of external space to that of the adjoining flats. To my mind, this is not untypical of urban flatted developments and I do not see the limited size of this area or its location to the rear of the block as a significant disadvantage to prospective occupants. I conclude on the first issue that the available space would be sufficient to serve the development and find no conflict with the relevant aspects of UDP policies BE23 and H6 or with the Council's SPG.

Adjacent occupiers' living conditions

7. In my opinion, use of the amenity space would be limited, particularly during the winter months. I have also taken into account that a substantial level of noise would already be generated by use of the adjoining Conservative Club car park and access road. I am not persuaded, therefore, that any activity which might arise from use of the amenity area would bring about any material increase in local levels of noise and disturbance. I am satisfied that there would be no significant deterioration in the living conditions of adjacent occupiers. I also consider that the means of separation between the rear patio and amenity space adjoining the proposed car parking area could be strengthened by means of screen planting to prevent overlooking into rear bedroom windows. This could be addressed by means of a landscaping condition. On the second issue, I consider that the proposals again demonstrate compliance with UDP policies BE23 and H6.

Parking provision

8. Six car spaces are proposed to serve the development, plus a further disabled space at the front of the property. While this would fall short of the Council's Interim Parking Standard of 1.5 spaces per unit, the Council's evidence indicates that allowance may be made for a lower provision for sites close to town centres and public transport interchanges. With this in mind, I note that the appeal property lies within walking distance of shops, services and public transport in Uxbridge town centre and consider that occupiers of the flats would not be dependent on the use of private cars. In coming to this view, I have taken into account that the proposal is in an urban area and that Government advice records that reduced parking can promote sustainable travel choices. I note also that the submitted plan indicates provision for cycle parking which I consider could accommodate up to 12 cycles and could be secured through a planning condition.

9. I have also taken into account that a high proportion of properties in Bawtree Road and other nearby streets have private garages or parking forecourts. As there are also resident-only on-street parking controls in operation, I consider that the proposed total of seven spaces would be sufficient to serve the development without inconveniencing other neighbouring households or causing undue on-street congestion. I am satisfied that the proposals would include appropriate measures for both cars and cycles and that no undue pressure would be placed on on-street parking provision or conditions of highway safety. I conclude on the third issue, therefore, that there would be no conflict with UDP policies AM7 and AM14.

Other Matters

10. I have noted the comments of local residents regarding the size of the proposed block. However, I consider that sufficient separating distance would be maintained from neighbouring properties to avoid any undue loss of amenity in terms of outlook or loss of light and that the block would be of a scale and appearance appropriate to the street scene. I am also satisfied that any potential overlooking can be overcome through use of obscure-glazed windows where appropriate.

Conditions

11. I have considered the Council's suggested conditions against the advice contained in Circular 11/95. I agree that a condition controlling the use of external materials would be necessary and reasonable in order to maintain a satisfactory appearance. As there is potential for overlooking from the proposed bathroom windows towards the rear parts of neighbouring properties in Harefield Road, I consider that condition 3, requiring the use of obscure glazing would be necessary in order to maintain neighbour privacy. Proposed condition 4 would also be appropriate in order to ensure adequate car and cycle parking provision within the development.
12. In the interests of precision and enforceability I have replaced proposed conditions 5-9 with the standard model conditions relating to retained trees and hedges, remedial works and provision of details of hard and soft landscaping and other ancillary items and structures. Finally, I agree that details of site levels should be provided to supplement the information indicated on the submitted elevations in order to ensure that the scale of the development bears an appropriate relationship to neighbouring buildings.

Conclusions

13. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Formal Decision

14. I allow the appeal and grant planning permission for demolition of existing house and construction of a 2.5 storey block of 6no. flats at 1 Bawtree Road, Uxbridge, Middlesex, UB8 IPT, in accordance with the terms of the application Ref: 38751/APP/2006/789, dated 13 March 2006 and the plans submitted therewith, namely No. 06/3045/2 and site location plan, plus No. 06/3045/1A, dated 20 June 2006, subject to the following conditions:
1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
3. The proposed windows facing 42 and 44 Harefield Road shall be obscure-glazed and non-opening except at top-vent level for so long as the development remains in existence.
4. The parking areas (including where appropriate the marking out of the rear parking spaces and the disabled space) and including the cycle storage area shown on the approved plan shall be constructed prior to occupation of the development hereby permitted and thereafter permanently retained and used for no other purpose.
5. No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development
6. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work). If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written approval of the local planning authority.

7. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.).
8. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

9. No development shall take place until plans of the site showing the existing and proposed ground 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. The development shall be carried out in accordance with the approved details.

Jeffrey Cohen

INSPECTOR

APPENDIX 5
LOCAL PLAN POLICY H2 AND SUPPORTING TEXT

Policy H2 Small sites

- A Boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making in order to:
- 1) significantly increase the contribution of small sites to meeting London's housing needs
 - 2) diversify the sources, locations, type and mix of housing supply
 - 3) support small and medium-sized housebuilders
 - 4) support those wishing to bring forward custom, self-build and community-led housing
 - 5) achieve the minimum targets for small sites set out in [Table 4.2](#) as a component of the overall housing targets set out in [Table 4.1](#).
- B Boroughs should:
- 1) recognise in their Development Plans that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites
 - 2) where appropriate, prepare site-specific briefs, masterplans and housing design codes for small sites
 - 3) identify and allocate appropriate small sites for residential development
 - 4) list these small sites on their brownfield registers
 - 5) grant permission in principle on specific sites or prepare local development orders.

- 4.2.1 For London to deliver more of the housing it needs, small sites (below 0.25 hectares in size) must make a substantially greater contribution to new supply across the city. Therefore, **increasing the rate of housing delivery from small sites** is a strategic priority. Achieving this objective will require positive and proactive planning by boroughs both in terms of planning decisions and plan-making.
- 4.2.2 Increasing housing output of this scale can also help to support a number of **related housing and planning policy objectives**. This includes:
- reviving the role of small and medium-sized developers in delivering new homes in London

- diversifying the sources, locations, type and mix of housing supply and the type of sites available in addition to large brownfield sites
- increasing housing provision in accessible parts of outer London to help address the substantial housing need in these areas and deliver market homes in more affordable price brackets
- providing opportunities for custom-build housing and community-led housing projects⁴⁶
- supporting town centre economies
- as with large sites, providing opportunities to support the use of modern methods of construction.

4.2.3 The **small sites minimum targets** in [Table 4.2](#) are informed by the 2017 London SHLAA and show the potential capacity for additional housing on sites of less than 0.25 hectares in size. The targets are based on trends in housing completions on sites of this size and the estimated capacity for net additional housing supply from intensification in existing residential areas, taking into account PTAL, proximity to stations and town centres, and heritage constraints. The small sites targets are a component of, and not additional to, the overall housing targets. The relative contribution from large and small sites in each borough may fluctuate across the target period, providing the overall 10 year borough target is met in a way that is consistent with the policies in the Plan. The small sites target can be taken to amount to a reliable source of windfall sites which contributes to anticipated supply and so provides the compelling evidence in this respect required by paragraph 70 of the National Planning Policy Framework of 2019.

4.2.4 **Incremental intensification** of existing residential areas within PTALs 3-6 or within 800m distance of a station⁴⁷ or town centre boundary⁴⁸ is expected to play an important role in contributing towards the housing targets for small sites set out in [Table 4.2](#). This can take a number of forms, such as: new build, infill development, residential conversions, redevelopment or extension of existing buildings, including non-residential buildings and residential garages, where this results in net additional housing provision. These developments should generally be supported where they provide well-designed additional housing to meet London's needs.

⁴⁶ See [Glossary](#)

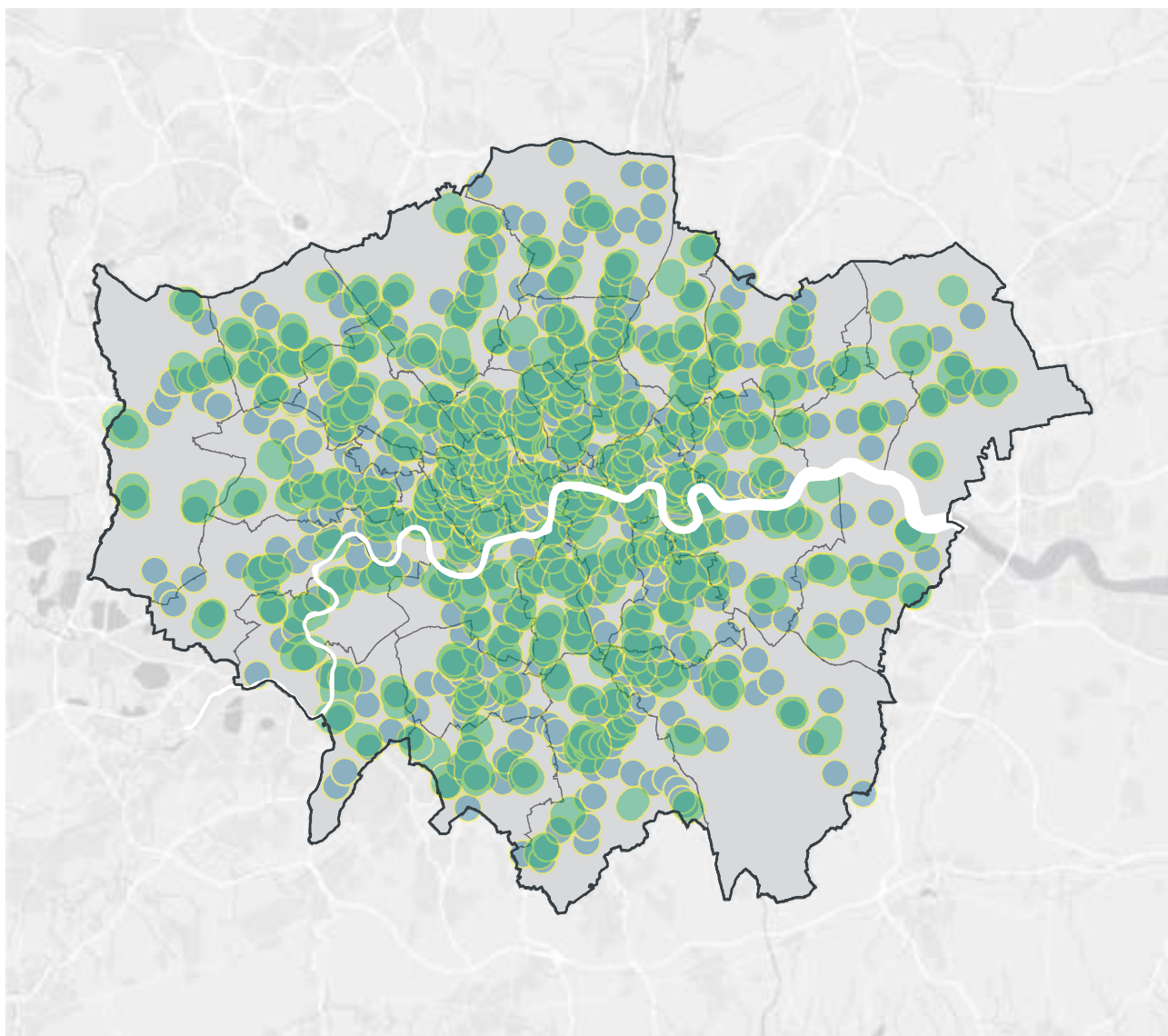
⁴⁷ Tube, rail, DLR or tram station

⁴⁸ District, major, metropolitan and international town centres

Table 4.2 - 10 year targets (2019/20 -2028/29) for net housing completions on small sites (below 0.25 hectares in size)

Planning Authority	Ten-year housing target
Barking & Dagenham	1,990
Barnet	4,340
Bexley	3,050
Brent	4,330
Bromley	3,790
Camden	3,280
City of London	740
Croydon	6,410
Ealing	4,240
Enfield	3,530
Greenwich	3,010
Hackney	6,580
Hammersmith & Fulham	2,590
Haringey	2,600
Harrow	3,750
Havering	3,140
Hillingdon	2,950
Hounslow	2,800
Islington	4,840
Kensington & Chelsea	1,290
Kingston	2,250
Lambeth	4,000
Lewisham	3,790
London Legacy Development Corporation	730
Merton	2,610
Newham	3,800
Old Oak Park Royal Development Corporation	60
Redbridge	3,680
Richmond	2,340
Southwark	6,010
Sutton	2,680
Tower Hamlets	5,280
Waltham Forest	3,590
Wandsworth	4,140
Westminster	5,040
Total	119,250

Figure 4.3 - Proximity to town centres and stations



Proximity to town centres and stations

- 800m distance to a underground, rail, DLR or tram station
- 800m distance to a district, major, metropolitan or international town centre

Source: Transport for London (TfL)

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- 4.2.5 The small sites target represents a small amount of the potential for intensification in existing residential areas, particularly in Outer London, therefore, they should be treated as minimums. To proactively increase housing provision on small sites through incremental development, Boroughs are encouraged to prepare **area-wide housing design codes**, in particular, for the following forms of development: residential conversions, redevelopment, extensions of houses and/or ancillary residential buildings.
- 4.2.6 The Mayor will set out design principles for housing developments on small sites across London in **design guidance**, which boroughs should draw on and supplement when preparing housing design codes. Housing design codes can be combined with local development orders, where appropriate. As a key purpose of housing design codes is to provide clarity and certainty for potential applicants, boroughs should support design proposals which accord with any published housing design code.
- 4.2.7 When assessing the benefits of additional housing provision, boroughs should recognise that schemes that provide relatively low numbers of new homes play an important cumulative role in helping to deliver housing targets alongside larger developments, subject to the scheme in question making the most efficient use of land.
- 4.2.8 Where existing houses are redeveloped or subdivided, boroughs may require the provision of **family-sized units** (3 bed + units) providing sufficient design flexibility is provided to allow the existing footprint of a house to be enlarged in order to meet this requirement. Where the amalgamation of separate flats into larger homes is leading to the sustained loss of homes and is not meeting the identified requirements of large families, boroughs are encouraged to resist this process.
- 4.2.9 Homes located on the ground floor on minor developments should meet the requirements of Policy D7 Accessible housing. Homes that are not on the ground floor on minor developments can comply with the M4(1) standard, which does not require step-free access, where provision of step-free access would be unfeasible.
- 4.2.10 Impacts on existing biodiversity or **green space**, as a result of minor housing developments, should be minimised and mitigated through measures such as returning hard standing to green space, the installation of green roofs and green walls, or the provision of landscaping that facilitates sustainable urban drainage in order to achieve the **principle of no net loss** of overall green cover.

- 4.2.11 Small sites can be particularly suitable for well-designed **community-led housing**⁴⁹ projects. Boroughs should support such projects where these developments are integrated with existing neighbourhoods and support mixed and inclusive communities.

Policy H3 Meanwhile use as housing

- A Boroughs are encouraged to identify opportunities for the meanwhile use of sites for housing to make efficient use of land while it is awaiting longer-term development

- 4.3.1 Meanwhile uses are a range of temporary uses on land and property awaiting longer-term development. Some vacant land is suitable for meanwhile use as housing. To make efficient use of land that would otherwise be left vacant, boroughs are encouraged to identify sites that are suitable for residential occupation to be used for **meanwhile housing** including land in both public and private ownership. Opportunities for the meanwhile use of land for housing on large-scale phased developments should be identified during the planning process. The meanwhile use of a site for housing does not change the established land use of the site, and this should be made clear in the temporary planning permission. However, meanwhile housing should count towards meeting a borough's housing target.
- 4.3.2 The meanwhile use of a site must not result in an unacceptable impact on residential amenity or prevent development sites from being brought forward for development in a timely fashion. **Parameters** for any meanwhile use, particularly its longevity and associated obligations, should be established from the outset and agreed by all parties.
- 4.3.3 Meanwhile housing can be provided in the form of **precision-manufactured homes**. This can reduce construction time and the units can potentially be reused at a later date on another site.
- 4.3.4 The **time period** for meanwhile uses will vary and temporary permission may be renewed with consideration for site circumstances. Boroughs should consider starting the time period for the meanwhile use from the date of occupation rather than the date of planning permission, in order to support the viability and delivery of meanwhile housing developments.

⁴⁹

See [Glossary](#)

