

## Report of the Head of Development Management and Building Control Committee Report Part 2 – Application Report

Case Officer: <b>Daniel Ambrose</b>	<b>77811/APP/2024/442</b>
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Date Application Valid:	<b>20.02.2024</b>	Statutory / Agreed Determination Deadline:	<b>31.07.2024</b>
Application Type:	<b>Full</b>	Ward:	<b>Uxbridge</b>

Applicant: **London Borough of Hillingdon**

Site Address: **Garage Site Hilton Close, Uxbridge**

Proposal: **Erection of two 3-bedroom detached dwellings with associated parking and amenity space following demolition of existing garages**

Summary of Recommendation: **GRANT planning permission subject to section 106 legal agreement and conditions**

Reason Reported to Committee: **Required under Part 6 of the Planning Scheme of Delegation (the Council is the Applicant)**



## Summary of Recommendation:

That delegated powers be given to the Director of Planning, Regeneration and Environment to **GRANT** planning permission subject to the following:

- A) That the Council enters into a legal agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) or any other legislation to secure the following:
  - 1. A financial contribution of £7,000 towards the implementation of a local parking management scheme, if requested by residents through the Council's Petition Scheme.
  - 2. A restriction such that future occupiers of the development are unable to join any parking management scheme in the vicinity of the site.
  - 3. Project management and monitoring fee: A financial contribution equal to 5% of the total cash contributions.
- B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in the review and preparation of the legal agreement and any abortive work, as a result of the agreement not being completed.
- C) That Officers be authorised to negotiate and agree the detailed terms of the proposed agreement and conditions of approval (proposed conditions set out in Appendix 1 to this report).
- D) If the Legal Agreement has not been finalised within 6 months, delegated authority be given to the Director of Planning, Regeneration and Environment to refuse the application for the following reason:

*'The applicant has failed to provide measures to mitigate the impacts of the development on the Highway, as a consequence of demands created by the proposed development. The proposal therefore conflicts with policies DME1 7, and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), the Council's Planning Obligations SPD, the Hillingdon Local Plan: Part 1 - Strategic Policies (2012), the London Plan (2021) and the NPPF.'*

## 1 Executive Summary

- 1.1 This application for full planning permission relates to a garage site situated to the rear (south-east) of Hilton Close, Uxbridge. It is proposed to demolish 20no. existing garages and erect two 3-bedroom detached dwellings, with associated parking and amenity space.

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- 1.2 With regards to the proposed loss of the existing 20no. garages on site, it should be noted that the design/size of the garages does not accord with modern garage standards. As a result, the garages are considered impracticable for the parking of modern vehicles, and are unlikely to be used for such purposes. Having regard to this, the redevelopment of the site is considered a public benefit in principle.
- 1.3 Moreover, the proposal seeks planning consent for 2 new 3-bedroom dwellings on previously developed land. As such, the new dwellings would make effective use of land and contribute towards meeting an identified need for family sized dwellings in the Borough. This weighs in favour of the proposal.
- 1.4 Each proposed dwelling would be provided with 2no. off-street car parking spaces, therefore ensuring adequate parking provision to serve the new development. It is acknowledged that in addition to the loss of the 20no. garages, the proposal would result in the loss of circa 6 car parking spaces which are located within the site area, but not on street. A parking survey has been submitted by the Applicant, which demonstrates that the potential displacement of these 6 spaces on street could be absorbed, however this would result in the on-street parking spaces reaching maximum capacity. A planning obligation has been recommended requiring the applicant to fund the future implementation of a parking management scheme, in the event that residents were to request one through the Council's Petition Scheme. It is considered that this proposed planning obligation satisfactorily mitigates any potential harm arising from parking overspill.
- 1.5 The replacement of the garage blocks with proposed new, well designed residential units would have a positive impact on the character and appearance of the area. The proposed dwellings would provide adequate levels of internal living accommodation for future residents, which would include level access to meet accessibility standards (to be secured by planning condition). The proposed external amenity space provision conforms to the requirements of Policy DMHB 18 of the Hillingdon Local Plan Part 2: Development Management Policies (2020). Overall, it is considered that the development would provide good quality living accommodation for its future residents, and the scheme has been designed such that it would not adversely affect the residential amenity of neighbouring residents.
- 1.6 It is noted that following a formal public consultation during the processing of the planning application, no objections or concerns were received from residents.
- 1.7 Taking all relevant matters into account, it is concluded that the proposal would have an acceptable impact on highway safety, and the development would not cause harm in respect of flood risk, neighbouring residential amenity or other respects. The development would contribute positively to the character and appearance of the area, and would provide high quality family housing, for which there is an identified need. The proposal complies with the Development Plan and is recommended for approval, subject to the completion of a satisfactory S106 agreement to secure the obligations set out in the Heads of Terms (above), and subject to the planning conditions set out in Appendix 1.

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## 2 The Site and Locality

- 2.1 The development site is located at the end of Hilton Close, a cul de sac leading from Cowley Mill Road, Uxbridge. The site comprises 20no. single storey garages, 7no. 'end-on' hardstanding parking spaces and grass verges, with hardstanding being the dominant feature. The site is located within a predominantly residential area, comprising of two storey terraced and semi-detached properties and three storey blocks of flats, finished in brick. Some properties within the local area have on-site parking spaces, others have detached garages or use nearby parking bays. To the south / south-west of the site lies existing industrial and commercial development.
- 2.2 Hilton Close has an unclassified PTAL ranking, indicating there is no access to public transport. This suggests that the occupiers of properties along Hilton Close would be reliant on the private car for trip making.
- 2.3 The site is not within a designated conservation area, or within close proximity of any listed buildings. The site does lie within an Air Quality Management Area and an Archaeological Priority Zone. The site is identified as being one which is at risk of surface water flooding and is potentially contaminated land (historic land-use). There are no other site designations of particular relevance to the proposal. However, it should be noted that the industrial/commercial development to the south/south-west lies within a designated SIL (Strategic Industrial Land) designation.
- 2.4 Figure 1 (below) shows a street-view image, looking towards the application site from Hilton Close. Figure 2 (over the page) shows the location of the application site and relationship with neighbouring buildings.

***Figure 1: Street View Image of the Application Site***



**Figure 2: Location Plan (application site edged red)**



### **3 Proposal**

- 3.1 Planning permission is sought for the demolition of 20no. existing garages and the erection of two 3-bedroom detached dwellings, with associated car parking spaces and private gardens. Extracts from the proposed site layout plan and elevation plans are shown over the page (Figure 3).
- 3.2 It should be noted that amended drawings were received during the application process, to amend the garden boundary of plot 2, to maintain access to an adjacent substation from Hilton Close. Re-consultation on the amended drawings was not considered necessary, having regard to the minor nature of the amendments.

### **4 Relevant Planning History**

- 4.1 A list of the relevant planning history related to the application site can be found in Appendix 2.

### **5 Planning Policy**

- 5.1 A list of planning policies relevant to the consideration of the application can be found in Appendix 3.

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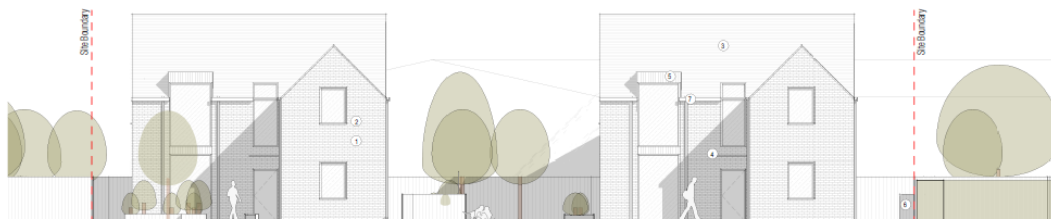


**Figure 3: Proposed Plans** (please note – larger versions of plans can be found in the Committee Plan Pack)

Extract from Proposed Site Layout Plan



Proposed Elevations (north-east and south-west)



Proposed North East Elevation  
1 : 100



Proposed South West Elevation  
1 : 100



Proposed Elevations (north-west and south-east)



**6 Consultations and Representations**

- 6.1 22 neighbouring addresses were notified directly about the proposal on 28<sup>th</sup> February 2024. No comments or objections have been received from members of the public.
- 6.2 Consultee responses received are summarised in Table 1 (below).

***Table 1: Summary of Consultee Responses***

Consultee and Summary of Comments	Planning Officer Response
<p><b>Scottish Southern Electric (SSE)</b></p> <p>No comments received to date. The consultation expires on 17<sup>th</sup> July 2024.</p>	<p>An update will be provided to Members through an Addendum/at Committee.</p>

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<p><b>Contaminated Land Officer</b></p> <p>No objection to the proposal. However, contamination records show that the proposed development site is located on a former potential contaminated land use, identified as 'works (various) land use'.</p> <p>Therefore, it is recommended that contaminated land conditions are imposed should the application be approved.</p>	<p>Noted. The recommended conditions have been included in the Planning Officer's recommendation.</p>
<p><b>Highway Authority</b></p> <p>No objection subject to conditions and S106 Legal Agreement.</p> <p>The land currently hosts 20no. lock up garages and 7no. 'end-on' hardstanding parking spaces. Hilton Close is a residential cul-de-sac providing access to 8no. apartment blocks containing 42no. flats. Hilton Close leads off Cowley Mill Road, which forms part of the Borough's classified road network. Parking along Hilton Close is signed as being for 'Residents Only', though the only enforceable parking restriction pertains to a single on-street disabled person parking bay. On the roads further afield, parking is unrestricted.</p> <p>Beyond the 20no. garages is an electricity sub-station with pedestrian access to it from Cowley Mill Road. The proposal would not impinge upon this access.</p> <p>In support of the planning application, a Transport Statement has been provided that includes a Lambeth Methodology Parking Survey. NOTE: the Lambeth Methodology excludes disabled parking spaces. This survey includes Cowley Mil Road and the streets opposite; however, the Highway Authority considers that people living on Hilton Close would be reluctant to park on Cowley Road or the roads leading off it, anxious that their car would be stolen, broken into, or hit by another vehicle. It is anticipated that the residents of Hilton Close would prefer to park as close to their home as possible.</p> <p>The Transport Statement reports that there are 35no. car parking spaces on Hilton Close, however the</p>	<p>Noted. The recommended conditions, planning obligation and parking permit restriction are all included within the Planning Officer's recommendation.</p>



<p>Highway Authority considers that there are only 33no. usable spaces.</p> <p>The applicant has undertaken a parking survey which found 27no. cars parked. Based on there being 33no. car parking spaces available, this showed a parking stress of 81%, where 85% stress shows parking is at full capacity. With the development built out, 6no. of the 7no. hardstanding car parking spaces would be lost, reducing supply to 27no. spaces.</p> <p>Taking into account the number of car parking spaces available and demand, the Highway Authority require a planning obligation be secured that would fund delivery of a Parking Management Scheme should residents ask for one. This would address this issue. With a Parking Management Scheme in place, only those residents with a parking permit would be allowed to park on Hilton Close, the hours of operation are typically Monday to Friday 09:00 to 17:00h. Furthermore, as both of the new dwellings would have 2no. car parking spaces each, the Highway Authority require that the occupiers of these dwellings are prohibited from applying to join any forthcoming parking scheme. Allowing them access to parking permits would provide them with access to more car parking spaces than permitted in the London Plan 2021 Policy T6.1 Residential Parking.</p> <p>Planning conditions are also required to secure:</p> <ol style="list-style-type: none"> <li>1. That each new property is provided with 1no. active electric vehicle charge point; and</li> <li>2. A Construction Logistics Plan shall be submitted for approval.</li> </ol>	
<p><b>Access Officer</b></p> <p>This proposal has been reviewed with reference to London Plan Policy D7. No accessibility concerns are raised, subject to conditions being imposed to secure step free access and compliance with M4(2) accessibility standard (as set out in Approved Document M to the Building Regulations (2010) 2015).</p>	<p>Noted. The recommended conditions have been included in the Planning Officer's recommendation.</p>

## **7 Planning Assessment**

### Principle of Development

#### *Redevelopment of the Site for Housing*

- 7.1 The NPPF (2023) and Policy GG2 of the London Plan (2021) encourage the effective use of land, and the use of previously developed, vacant and underutilised sites to maximise development potential, in particular for new housing. Chapter 5 of the NPPF supports the delivery of homes, confirming that local authorities should, through their Local Plans, demonstrate how housing targets and objectives will be met. Emphasis is given to housing delivery over the next five years, but authorities are also required to consider growth beyond this.
- 7.2 Policy GG4 of the London Plan (2021) seeks to ensure that London's housing needs are met. Policy H1 of the London Plan promotes the optimisation of housing output within different types of location. Consideration will also be given to the accessibility of the site to services and amenities. Policy H2 of the London Plan advises that Borough's should proactively support well designed homes on small sites in decision and plan making.
- 7.3 At the local level, Policy H1 of the Local Plan: Part 1 - Strategic Policies (November 2012) gives general support to housing provision to meet and exceed the Council's minimum strategic dwelling requirement.
- 7.4 The site comprises a set of garages within an established residential area (albeit adjacent to industrial / commercial buildings). Having consulted with the Local Highway Authority, it is understood that 90% of the garages are vacant and have been for a period of time. It is confirmed that the existing garages are not designed to accommodate modern-day vehicles, which is likely to have led to an increase in the vacancy rates. Furthermore, it is considered that the garages are of a utilitarian and tired appearance and thus do not contribute positively to the visual character and appearance of the area. Having regard to the above points and in light of the planning policy support for the optimisation of brownfield sites to contribute towards delivering new homes, subject to the proposed development's compliance with other relevant planning policies and material planning considerations, the principle of redeveloping the site for housing is supported.

#### *Housing Mix and Tenure*

- 7.5 The planning application proposes the erection of 2 x 3-bedroom dwellings. This proposed housing mix is supported, as it would make a positive contribution towards addressing the identified need for family sized units within Hillingdon Borough. Whilst the application form submitted appears to suggest the proposed dwellings may be offered as affordable units, it is understood from the applicant that this is not the case and the dwellings would be market dwellings. This is acceptable, as there is no policy requirement for provision of affordable dwellings for a development of this scale. The planning permission (if granted) would allow for the dwellings to be either sold as market dwellings or occupied as affordable dwellings.

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### *Density of Development*

- 7.6 Numerical densities are more appropriate to larger sites and what is considered of greater significance to the determination of this application is the local contextual factors. The key consideration is therefore whether the development would acceptably integrate with the character and appearance of the area, and would respect residential amenity considerations, rather than the consideration of the numerical density of the proposal. These matters are discussed below.

### Design / Impact on the Character and Appearance of the Area

- 7.7 Policies D1, D3 and D4 of the London Plan (2021) require development proposals to be of high quality and to enhance the local context by delivering buildings and spaces that positively respond to local distinctiveness.
- 7.8 Policy BE1 of the Hillingdon Local Plan Part 1 – Strategic Policies (2012), and policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan Part 2 – Development Management Policies (2020) seek (in summary) to secure a high quality of design that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character. These aims are also supported by Chapter 12 of the NPPF (2023).
- 7.9 The development site is located at the end of Hilton Close, a small cul de sac that lies off Cowley Mill Road. To the south and south-west of the site are industrial / commercial buildings. A substation is situated adjacent to the site to the south-east and as noted previously, the application has been amended to maintain access to this substation from Hilton Close. To the north of the site lie the 3 storey flats on Hilton Close, which are finished in brick. To the east are the gardens and rear elevations of 2 storey semi-detached and terraced dwellings on Cowley Mill Road. These dwellings are finished in brick, with the semi-detached dwellings featuring render at first floor level.
- 7.10 The proposed new dwellings would be constructed away from the existing three-storey flats where the close ends. As such, they would adhere to an extent to the building lines of the last block of flats and would be built close to the rear site boundary, which would assist in maintaining the openness of Hilton Close at this end. Further, the proposed two storey height and relatively modest scale of the dwellings would ensure the proposal would not appear over-dominant in its setting.
- 7.11 It is considered that the proposed dwellings are of a high-quality design and appearance. Subject to securing appropriate materials for the new development (planning condition recommended), the replacement of the utilitarian and somewhat dilapidated garages with the proposed new dwellings, would result in a positive impact on the character and visual amenity of the area. Whilst the proposed dwellings would be of a more contemporary design when compared with neighbouring properties, it is important to note that the surrounding area contains a mixture of housing types and commercial buildings. The two new dwellings would be set on their own at the end of the close and in this context, it would not be

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necessary for their design to replicate adjacent buildings. Moreover, it is considered that the proposed contemporary (whilst in keeping design, in terms of scale and massing) would provide an appropriate transition between the existing vernacular and the commercial area to which this site borders.

- 7.12 In the event that the application is approved, a landscaping scheme would be secured via condition to ensure that appropriate planting is provided to soften the new development.
- 7.13 Overall and for the reasons outlined above, it is considered that the proposal would have a positive impact on the character and visual amenities of the area.

#### Residential Amenity

- 7.14 Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.
- 7.15 Paragraph 135 of the NPPF (2023) states *'Planning policies and decisions should ensure that developments: f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users...'*

#### *Privacy*

- 7.16 The front elevation windows of the proposed dwellings would front Hilton Close (and the rear elevations of No.s 44 to 47 Cowley Mill Road, at a distance of approximately 21m at their closest point). This separation distance would be sufficient to ensure that the proposal does not have an unduly detrimental impact upon the privacy of the occupiers of No.s 44 to 47 Cowley Mill Road.
- 7.17 The side elevations of the proposed dwellings contain first floor and ground floor windows. It is noted from the submitted Design and Access Statement that the north-west facing elevation openings are proposed to be obscure glazed. This is considered necessary, as those openings on Plot 1 would face towards windows in an adjacent block of flats at approximately 14m separation distance. Similarly, the north-west facing windows serving Plot 2 would face towards habitable room windows in Plot 1 at close proximity. The windows to be obscurely glazed either serve non-habitable rooms, or in the case of a ground floor kitchen window in each Plot, are one of multiple openings serving the same room. Accordingly, obscure glazing these openings would be acceptable and can be secured by condition in the event of the grant of planning permission. The proposed south-east facing side elevation windows of Plot 1 would face the aforementioned north-west elevation obscure glazed windows of Plot 2, and the proposed south-east facing side elevation windows of Plot 2 would face towards commercial properties. These would be acceptable relationships. There are no windows proposed to the rear elevations of the new dwellings.

- 7.18 At present, properties within Hilton close and the surrounding area have first floor rear windows which provide views into their gardens and neighbouring gardens. As such, a degree of mutual overlooking is not uncommon in this dense residential location. The development would cause no loss of privacy or overlooking which is above and beyond the established level of overlooking that exists between properties in the local area.

#### *Light and Outlook*

- 7.19 The proposed dwellings would be sited far enough away from neighbouring properties so as not to unduly impact upon light received or outlook. It is also considered that proposed Plots 1 and 2 would relate acceptably to one another in these respects.

#### *Noise and Disturbance*

- 7.20 The addition of 2 new homes within an established residential area would not lead to any significant increase in noise or disturbance levels for existing residents that would warrant a refusal of planning permission on these grounds. If the application is approved, a condition has been recommended to ensure that the construction process is managed in a manner which limits the development impacts on neighbours as far as practicable.
- 7.21 It is noted that the application site is adjacent to a designated SIL (where permitted and established industrial and commercial uses would be expected to generate significant noise). Having regard to this, the applicant was advised to submit a Noise Assessment and this was duly submitted as part of the planning application submission. The assessment report concludes: *'The BS 4142 assessment, taking context considerations into account as guided by the standard, particularly the ability to design and achieve appropriate sound levels inside dwellings can be classified as low.'*
- 7.22 Having regard to the Agent of Change principle, it is considered that the proposed development has been carefully designed (i.e. by ensuring no rear elevation windows). The relationship of these proposed new properties with the adjacent SIL would be similar to that of the existing established residential properties in this location, and having regard to the conclusions of the submitted Noise Assessment report, the siting of the new residential units in this location is considered acceptable. A condition has been included to ensure that the recommendation of the Noise Assessment report (to secure good internal acoustic conditions within the dwellings) is taken forward in the development.

#### *Residential Amenity - Conclusion*

- 7.23 Having regard to the points discussed above, and subject to the aforementioned planning conditions, it is considered that the development would have an acceptable impact on residential amenity. The quality of the proposed residential accommodation is assessed in further detail below.

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## Quality of Proposed Residential Accommodation (Internal and External)

### *Internal Amenity*

- 7.24 Policy D6 of the London Plan (2021) requires that all housing should be of high-quality design and provide adequately sized rooms with comfortable and functional layouts, which are fit for purpose and meet the needs of all Londoners without differentiating between tenures.
- 7.25 Policy DMHB 16 of the Hillingdon Local Plan: Part Two – Development Management Policies (2020) requires that all housing developments should have an adequate provision of internal space in order to provide an appropriate living environment.
- 7.26 The above policies require that a 3-bedroom 6-person dwellinghouse should benefit from a GIA of at least 102sqm. The proposed development comprises the following internal accommodation:  
Plot 1: 135.9 m<sup>2</sup>  
Plot 2: 135.9 m<sup>2</sup>
- 7.27 The dwellings would therefore exceed required internal floor space standards.
- 7.28 Each dwelling features habitable rooms which are served by windows providing adequate daylight, sunlight, and outlook for future occupiers. The buildings have been designed so that (subject to the obscure glazing condition previously discussed) there are no direct views between habitable room windows, in order to ensure that adequate levels of privacy are provided.

### *External Amenity*

- 7.29 Policy DMHB 18 of the Hillingdon Local Plan Part 2: Development Management Policies (2020) requires all new residential developments to provide good quality and usable private outdoor amenity space. For 3-bedroom dwellings, at least 60sqm of private amenity space should be provided.
- 7.30 The proposed amenity space provisions are as follows:  
Plot 1: 253 m<sup>2</sup>  
Plot 2: 177m<sup>2</sup>
- 7.31 As demonstrated above, the proposal would provide internal and external living spaces above the policy required standards, demonstrating that good quality living accommodation would be provided.

### Highways and Parking

- 7.32 Policies DMT 2, DMT 5 and DMT 6 of the Hillingdon Local Plan set out to ensure that developments provide safe and convenient access for pedestrians, vehicles, and cyclists; that developments do not result in a significant impact upon the local highway network due to the displacement of parking or parking overspill; and that



developments provide a range of travel choice in order to promote more sustainable methods of transport.

- 7.33 The application site is located within an area which does not benefit from a PTAL ranking; however, it is located nearest to a 1b rated road. As such, it is considered that there would be a strong reliance on the motor vehicle to travel to and from the site. It is also noted that Hilton Close is not subject to a Parking Management Scheme, meaning that residents are free to park where there are no parking controls.

#### *Loss of Garages*

- 7.34 The land currently hosts 20no. lock up garages. As stated in the Principle of Development section of this report, 90% of the existing garages are vacant and have been for some time. The design/size of the garages does not accord with modern garage standards, and as a result, they are considered unsuitable for the parking of modern vehicles. The loss of the existing garages is therefore considered acceptable in terms of parking and Highway safety considerations.

#### *Loss of Car Parking*

- 7.35 The proposal would result in the loss of circa 6 off street car parking spaces. These spaces are contained within the car park area which leads up to the existing garages. The applicant has submitted a parking stress survey in support of the application, which has been reviewed by the Highway Authority (please refer to Section 6, Table 1 for a summary of comments).
- 7.36 The Highway Authority has concluded that the loss of the 6 parking spaces could be absorbed on-street, however this would lead to reaching the maximum on-street capacity. They therefore request that a financial contribution of £7,000 should be secured to pay for the implementation of a Parking Management Scheme (should this be requested by residents) to mitigate the potential harm arising from the displacement of the 6 spaces. It is noted that no objections have been received to this planning application in response to the public consultation undertaken by the LPA. If parking issues were to arise, residents could raise a Petition (under the Council's Petition Scheme) for the implementation of a Local Parking Management Scheme, which would be funded by the contribution. The recommended planning obligation has been included in the Heads of Terms set out at the beginning of this report. It should be noted that the contribution would be held for a period of time by the Local Planning Authority and returned if not required, in accordance with terms set out in the Section 106 agreement.

#### *Proposed Parking*

- 7.37 The drawings submitted provide comfort that two vehicles could be parked on site at each property. Parking provision for two vehicles would be the maximum expected for a residential dwelling and would be an appropriate provision in light of the unclassified PTAL ranking of the site. The Highway Officer has recommended that a restriction is applied, such that future occupiers of the development would be

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prohibited from joining any parking management scheme in the vicinity of the site. This could be secured in the S106 legal agreement and has been included in the Heads of Terms set out at the beginning of this report.

#### *Access*

- 7.38 2 new vehicle accesses are proposed to serve the new dwellings. These are considered of suitable design and it is noted that no comments or objections have been received from the Highway Officer in respect of the proposed new accesses.

#### *Cycle Parking*

- 7.39 Appendix C, Table 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires the provision of cycle parking facilities for new residential units. A cycle store would be provided for each of the proposed dwellings ensuring that adequate cycle parking is provided for new residents. Full details of the cycle stores would be secured through the proposed landscaping condition in the event of an approval.

#### *Refuse and Recycling Collection*

- 7.40 Policy DMHB 11-part (d) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals should make sufficient provision for well-designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. Bin storage and collection locations have been identified on the drawings for each dwelling in suitable locations. Full details of the waste storage facilities would be secured through the proposed landscaping condition in the event of an approval.

#### *Electric Vehicle Charging Provision (EVCP)*

- 7.41 Part G) of Policy T6 and part C) of Policy T6.1 of the London Plan (2021) state that all residential car parking spaces must provide infrastructure for electric or Ultra-Low Emission vehicles. In relation to this, the Highway Officer has recommended a planning condition to secure 1 active electric vehicle charging point for each of the proposed new dwellings. This has been included within the recommended landscaping condition (refer to Appendix 1).

#### *Construction Logistics/Management*

- 7.42 As per the recommendation of the Highway Officer, a construction logistics/management plan condition has been included in the Planning Officer's recommendation (refer to Appendix 1 for conditions). This condition would ensure that the development does not have a significant adverse impact on traffic and pedestrian safety during construction, given the constraints of the site.

### *Highways and Parking – Conclusion*

- 7.43 Subject to the imposition of the conditions and planning obligations discussed in the paragraphs above, it is concluded that the proposal would have an acceptable impact on parking and Highway safety, in accordance with the relevant planning policies referenced.

### Accessibility

- 7.44 London Plan (2021) Policy D7 states:

*‘To provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children, residential development must ensure that:*

*1) at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(3) 'wheelchair user dwellings'*

*2) all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'*

- 7.45 The Council's Access Officer has been consulted and is satisfied with the proposals, subject to the imposition of conditions to secure the submission of details demonstrating step free access for both units and conformity to M4(2) standards. These conditions have been included in the officer recommendation (refer to Appendix 1) and it is considered that the proposal satisfies planning requirements in respect of accessibility.

### Trees and Landscaping

- 7.46 Policy D5 of the London Plan (2021) states that development proposals should integrate green infrastructure to contribute to urban greening, including the public realm.
- 7.47 Policy DMHB 14 of the Hillingdon Local Plan: Part Two – Development Management Policies (2020) requires that all development retains or enhances existing landscaping, trees, and biodiversity.
- 7.48 It is considered that the proposal would not impact adversely upon significant trees and the proposal provides an opportunity to increase the level of planting and landscaping at the site. A landscaping condition has been included to secure the detailed landscaping proposals. A condition has also been included to ensure adequate tree protection measures to protect adjacent trees/trees to be retained during construction.

### Ecology and Biodiversity

- 7.49 Policy DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that if development is proposed on or near to a site considered

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to have features of ecological or geological value, applicants must submit appropriate surveys and assessments to demonstrate that the proposed development will not have unacceptable effects. The development must provide a positive contribution to the protection and enhancement of the site or feature of ecological value.

- 7.50 The site predominantly comprises buildings and hard surfaces and there are no protected sites of ecological interest adjacent to or near to the site. It is therefore considered that the likelihood of protected species being present at the site is low and the submission of an ecological survey is not necessary.
- 7.51 With regards to Biodiversity Net Gain (BNG), an exemption for non-major developments was in place until 2<sup>nd</sup> April 2024. Therefore, as this planning application was submitted prior to 2<sup>nd</sup> April 2024, it is exempt from the statutory BNG condition. Notwithstanding the above, it is considered that the proposal will in any event enhance the biodiversity potential of the site, through the addition of landscaping and garden areas. As noted previously, soft landscaping will be secured through the imposition of a landscaping condition.

#### Air Quality

- 7.52 Policies SI 1 of the London Plan (2021), EM8 of the Hillingdon Local Plan: Part 1 (2012) and DMEI 14 of the Hillingdon Local Plan: Part 2 (2020) are all directly relevant to the proposal. These policies can be read in full in the Committee Report Part 3 - Policy Appendix, and in summary, seek to safeguard and improve air quality in order to protect existing and new sensitive receptors. These aims are also supported by the NPPF (2023) at chapter 15.
- 7.53 The development site is located within an Air Quality Management Area. Whilst the proposal would introduce new residential units and associated vehicular trips, this is not considered significant in air quality terms, having regard to the previous use of the garages, which would have generated vehicular trips (and associated impact on air quality). As noted previously, a condition will secure an active EVCP for each dwelling, which will facilitate the use of electric vehicles.

#### Security

- 7.54 The proposed development is not considered to compromise the security of the application site or adjoining sites. The new dwellings would enable greater surveillance of Hilton Close, in comparison with the existing situation.

#### Sustainability

- 7.55 Policy DMEI 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires all developments to make the fullest contribution to minimising carbon dioxide emissions in accordance with the London Plan targets.
- 7.56 The proposed development is of a minor scale, therefore whilst the principle of SI 2 (carbon reduction) is applicable, the London Plan Policy applies more specifically to

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major scale applications. The applicant is therefore not required to submit an energy statement with the application or demonstrate a policy level of on-site savings. Notwithstanding this point, the modern construction of the development would be considered as providing sufficient energy savings itself and therefore the development would comply with the principles of the carbon saving development plan policies.

- 7.57 A condition would be secured requiring the proposed development to achieve as a minimum, a water efficiency standard of no more than 110 litres per person per day maximum water consumption (to include a fixed factor of water for outdoor use of 5 litres per person per day in accordance with the option requirement defined within Approved Document G of the Building Regulations).
- 7.58 The proposal would therefore be considered compliant with Policy SI 2 of the London Plan (2021) and Policy DMEI 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

#### Flooding and Drainage

- 7.59 Policy SI12 and SI13 of the London Plan (2021) require, in summary, that flood risk is minimised and mitigated, and that surface water runoff is managed close to source.
- 7.60 The site lies within Flood Zone 1 (low risk of fluvial flooding); however, it is identified as being at high risk from surface water flooding. The applicant submitted a Flood Risk Assessment with the planning application which concludes: *'To deal with flood risk from surface water and groundwater, Finished Floor Levels should be raised as much as possible, in the range of 450-600mm. Further site investigation, including CCTV surveys and soil testing is recommended before a SuDS design is progressed.'* Having regard to the findings of the Flood Risk Assessment, a planning condition has been included to ensure construction accords with the recommended mitigation measures. In addition, conditions have been included to require approval of the finished floor levels and to require submission and approval of sustainable drainage details.
- 7.61 Subject to the aforementioned conditions, the proposals are considered to be in compliance with Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policies SI 12 and SI 13 of the London Plan (2021).

#### Airport Safeguarding

- 7.62 The development would have no impact on airport safeguarding.

#### Land Contamination

- 7.63 Policy DMEI 12 of the Local Plan Part 2 (2020) states that for sites which are identified as being at potential risk from land contamination, a contaminated land

report detailing the history of contamination on site, relevant survey work and findings should be submitted in support of the application.

- 7.64 The site is identified as being located within an area potentially at risk from land contamination according to the Council's mapping system. Having consulted the Council's contaminated land specialist, no objection is raised subject to the inclusion of contaminated land conditions. These are captured in the Planning Officer's recommendation in condition 12 (Appendix 1 to this report). Subject to this condition, the development is acceptable in respect of land contamination.

#### Electricity Infrastructure

- 7.65 It is noted that the development is to be constructed close to the boundary of an electricity substation located adjacent to the site. A consultation letter was issued to the electricity provider (SSE) dated 26-06-24 after undertaking a Land Registry search to identify the owner of the asset. No comments have been received to date, however an update will be provided to Members via an Addendum Report/at the Committee meeting. Notwithstanding the above, as had been previously explained, the scheme has been amended to retain clear access to the substation from Hilton Close and no concerns are identified in respect of the relationship with the existing substation.

#### Fire Safety

- 7.66 Policy D12 of the London Plan states that all developments must achieve the highest standards of fire safety. Having regard to the scale and nature of the development, all relevant matters related to fire safety will be addressed through the Building Regulations.

#### Heritage

- 7.67 As noted, the site is not within a designated conservation area or close to listed buildings, therefore no issues are raised in this respect. Whilst the site does lie within an Archaeological Priority Zone, having regard to the scale of development and the brownfield nature of the site (i.e. any archaeological remains are likely to have been disturbed previously), no archaeological conditions are recommended.

#### Planning Obligations

- 7.68 The Community Infrastructure Levy Regulations 2010 (Regulations issued pursuant to the 2008 Act) and the NPPF have put three tests on the use of planning obligations into law. It is unlawful (since 6th April 2010) to request planning obligations that do not meet the following tests:
- i. necessary to make the development acceptable in planning terms;
  - ii. directly related to the development; and
  - iii. fairly and reasonable related in scale and kind to the development.
- 7.69 The planning obligations set out in the Heads of Terms at the start of this report are considered necessary to make the development acceptable in planning terms and

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meet the above tests. No other planning obligations are considered to be required, having regard to the scale and nature of the proposed development.

## **8 Other Matters**

### Human Rights

- 8.1 The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

### Equality

- 8.2 Due consideration has been given to Section 149 of the Equality Act with regard to the Public Sector Equality Duty in the assessment of this planning application. No adverse equality impacts are considered to arise from the proposal.

### Local Finance Considerations and CIL

- 8.3 It is acknowledged that the Council is the applicant.
- 8.4 The proposal involves the creation of residential units and is CIL liable. The Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £60 per sq metre.

## **9 Conclusion / Planning Balance**

- 9.1 Planning permission is sought for the erection of 2 x 3 bedroom dwellings following the removal of 20 existing garages.
- 9.2 The proposal would result in the redevelopment of an underutilised brownfield site, providing high quality family housing (for which there is an identified need), and contributing positively to the character and visual appearance of the area. Subject to the conditions and planning obligations recommended in this report, the proposal would have an acceptable impact on highway safety, would not be at unacceptable risk from flooding and would not cause harm to neighbouring residential amenity. The proposal is acceptable in all other respects. It is considered that the proposal complies with the Development Plan and no material considerations indicate that the policies of the Development Plan should not prevail. It is recommended that planning permission is granted, subject to the completion of a satisfactory S106 agreement to secure the obligations set out in the Heads of Terms (above) and subject to the planning conditions set out in Appendix 1 (below).

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## **10 Background Papers**

Relevant published policies and documents taken into account in respect of this application are set out in the report. Documents associated with the application (except exempt or confidential information) are available on the [Council's website here](#), by entering the planning application number at the top of this report and using the search facility. Planning applications are also available to inspect electronically at the Civic Centre, High Street, Uxbridge, UB8 1UW upon appointment, by contacting Planning Services at [planning@hillington.gov.uk](mailto:planning@hillington.gov.uk).