

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

Case Officer: **Christos Chrysanthou**

78464/APP/2024/3196

Date Application Valid:	05.12.24	Statutory / Agreed Determination Deadline:	14.03.25
Application Type:	Full	Ward:	Hillingdon West

Applicant: **c/o Total Planning**

Site Address: **Dyson Drive, Uxbridge, UB10 0GJ**

Proposal: **The creation of 9no. off-street parking spaces and planting of 3no. new trees.**

Summary of Recommendation: **REFUSE planning permission**

Reason Reported to Committee: **Required under Part 3 of the Planning Scheme of Delegation (Petition received)**



Summary of Recommendation:

REFUSE planning permission for the reasons specified in Appendix 1.

1 Executive Summary

- 1.1 The application proposes to increase the car parking provision at Dyson Drive to provide residents with 9 additional car parking spaces and would result in the loss of soft landscaping. The application has come before the Committee due to the submission of a petition with 54 signatures in support of the proposal. The site is located within a Public Transport Accessibility Level (PTAL) rating area of 2 and therefore it is considered that there would be a moderate reliance on the private car to travel to and from the site, even though the site is within walking distance to the Uxbridge Town Centre. Notwithstanding this point, the additional spaces in combination with the existing spaces would exceed maximum car parking standards, which seek to reduce vehicle trips and promote sustainable travel modes.
- 1.2 As such the development would result in the exacerbation of the overprovision of parking, detrimentally impact on highway safety and fail to promote sustainable modes of transport, which has resulted in an objection from the Highway Authority. The planning application is therefore recommended for refusal for the reasons set out in Appendix 1.

2 The Site and Locality

- 2.1 The application site refers to a relatively recently constructed residential development that forms part of St Andrews Park (the former RAF Uxbridge Site). Dyson Drive is located within Phase 3B of this development and lies within an area of land located in the southwestern part of the site. Dyson Drive is a private road (unadopted) and the site is bounded by Hillingdon Road to the west, the built out Phase 2A to the south, spine road and pocket park to the east and future phases to the north. The northern boundary of the site is occupied by a double line of mature horse chestnut trees which are to be retained, forming an important strategic landscape green link and frame to the former parade ground. The site is situated within a Developed Area as identified in the policies of the Hillingdon Local Plan (2012).

Figure 1: Location Plan (application site edged red)

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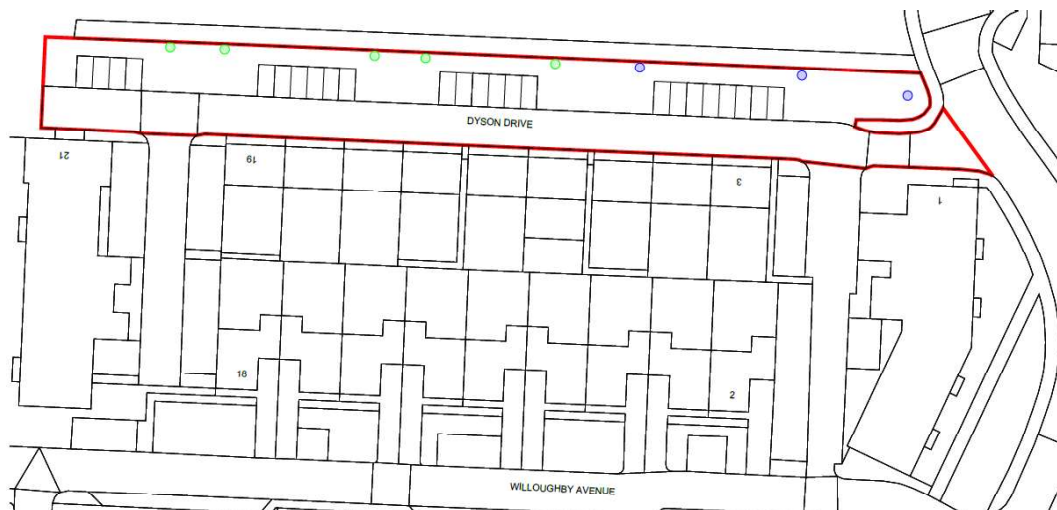
Figure 2: Street View Image of the Application site



3 Proposal

- 3.1 The application proposes the creation of 9no. off-street parking spaces replacing current soft landscaping and the planting of 3no. new trees.

Figure 3: Proposed Plan (please note – larger version of plan can be found in the Committee Plan Pack)



4 Relevant Planning History

- 4.1 A list of the relevant planning history related to the property can be found in Appendix 2.
- 4.2 The application is a follow up to application ref: 78464/APP/2023/3668 (Alteration to car parking layout) which was refused by Planning Committee on 14th March 2024. The main differences between the previously refused scheme and the current application are the orientation of the car parking spaces (which have increased by one space from 8no. to a total of 9no. spaces), which has resulted in the loss of soft landscaping, and the provision of 3no trees. The design and location of the proposed new car parking spaces have been moved off the existing shared surface and are now proposed to be sited adjacent to the existing car parking spaces within the soft landscaped area.

5 Planning Policy

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

6 Consultations and Representations

- 6.1 48 neighbouring properties were consulted on 20th December 2024. A site notice was erected on 2nd January 2025.
- 6.2 Representations received in response to public consultation are summarised in Table 1 (below). Consultee responses received are summarised in Table 2 (below). Full copies of the responses have also separately been made available to Members.

Table 1: Summary of Representations Received

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Representations	Summary of Issues Raised	Planning Officer Response
A petition in support was received with 54 signatories.	1. The petition states: 'That planning application ref: 78464/APP/2024/3196 be approved as all the residents of the houses on the road support the proposal.	Noted.
12 letters of objection have been received.	I. Concerns are raised regarding highway safety, encroachment, existing road congestion.	The application has been reviewed by the Highway Authority. A summary of their comments is provided at Table 2.
	II. Concerns are raised regarding the fairness of the application; other residents of Dyson Drive would not benefit and parking options would be reduced.	Noted.
12 letters of support have been received.	III. The homeowners support the application as it would increase the parking provision available to them.	Noted.
	IV. The proposal would reduce parking congestion, enhance safety, align with sustainability practices, comply with local regulations and reduce visual clutter.	An assessment of the proposal having regard to current planning policy is provided in Section 7 of this report.
	V. All houses have 2 parking spaces, only these houses have one parking space.	Since the original permission was granted the policy landscape has changed and the consented level exceeds the maximum allowed

		under the current London Plan.
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Table 2: Summary of Consultee Responses

Consultee and Summary of Comments	Planning Officer Response
Highway Authority There are robust highway objections to this proposal because it is contrary to Policy T1 which seeks to deliver the strategic target of 80 per cent of all trips to be made by foot, cycle or public transport by 2041. The proposal is also contrary to Policy T2 Healthy streets which requires that development should reduce the dominance of vehicles on streets – not increase them; Policy T4 Assessing and mitigating transport impacts, this requires that developments do not increase road danger and Policy T6.1 residential parking – this policy would allow Dyson Drive as a new build a maximum of 9no. car parking spaces, the proposal would create 18no. allocated car parking spaces, plus 6 unallocated spaces. Furthermore, Policy T6.1 requires all residential car parking spaces must provide infrastructure for electric or Ultra-Low Emission Vehicles. At least 20 per cent of all spaces should have active electric vehicle charging facilities with all the others having passive provision. None of the proposed 9no. additional car parking spaces would have EV provision which is contrary to Policy.	Noted.

7 Planning Assessment

Principle of Development

- 7.1 The proposal is for the construction of new parking spaces on a residential street, however the additional car parking is contrary to the relevant Development Plan policies as set out within this report.

Highways and Parking

- 7.2 The application site is known as Dyson Drive, an unadopted residential cul de sac which forms a junction with Churchill Road. The site is located within a PTAL 2 rated area meaning that there is a reliance on the motor vehicle to travel to and from the site.

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- 7.3 Dyson Drive is part of the wider St Andrews's Park development and is located within Phase 3B. Planning application 585/APP/2015/4494 gave approval for 56 residential units and 70 car parking spaces resulting in a parking ratio of 1.25 spaces per unit. In combination with the 8 additional spaces proposed as part of this application the ratio would be raised to 1.41 per unit.
- 7.4 As this is a new planning application it must be assessed in consideration with the most up to date planning policy. The London Plan (2021) Table 10.3 - Maximum Residential Parking Standards allows dwellings with one or two bedrooms in outer London with a PTAL of 2 to have up to 0.75no. parking spaces per dwelling and dwellings with three or more bedrooms to have a maximum of 1no. spaces per dwelling. The table below provides a breakdown of the maximum number of spaces permitted for each unit type and an overall total in accordance with the London Plan.

Table 3: Breakdown of Maximum spaces allowed under the London Plan

No. of Bedrooms	No. of Dwellings	London Plan T10.3	Max Allowed
1	14	0.75	10.5
2	24	0.75	18
3	18	1	18
			46.5

- 7.5 The above table states 46.5 spaces should be provided for the 56 units therefore the 79 spaces proposed would result in a significant over provision of parking. The Design and Access Statement refers to preventing cars parking along the road as one of the main drivers for submitting the application. Whilst noted, given the site is unadopted land, the lack of parking controls cannot be resolved by the Council. This is also not a material consideration which could outweigh a potential harm.
- 7.6 The proposed 9no. parking spaces would be allocated to homeowners on Dyson Drive. The Design and Access Statement suggests that the proposal would result in the removal of cars parking along the road and would improve the openness within the street scene. Drawing FLU.CP.02 titled 'Proposed Location and Site Plans' shows the proposed layout, which provides the additional car parking spaces adjacent to the existing rows of car parking spaces. Whilst the proposed arrangement would provide additional allocated parking spaces, due to the lack of parking controls on Dyson Drive, it is considered that the proposal would not resolve the existing informal parallel parking that currently occurs on the shared surface at Dyson Drive. It is therefore considered that the proposal could exacerbate the level of car parking and congestion on Dyson Drive.
- 7.7 As noted by the Highway Authority, the highway is a shared surface and the increase in formal parking spaces would increase the volume of traffic using Dyson Drive. The uplift in traffic volume would increase the potential for conflict with pedestrians and cyclists, which raises concerns on highway safety grounds. The proposal would fail to accord with the published NPPF Chapter 9 Promoting Sustainable Transport, the London Plan (2021) and London Borough of Hillingdon Local Plan Part 2 - Development Management Policies (2020).

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- 7.8 Taking the above points into consideration, the proposed development would result in an overprovision of car parking. As such the development fails to comply with Policies DMT 1, DMT 2, DMT 5 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies T2, T4, T6 and T6.1 of the London Plan (2021) and Paragraphs 116 and 117 of the NPPF (2024).
- 7.9 The Highway Authority's comments regarding the lack of electric vehicle charging points are noted. Had the application been recommended for approval, a condition could have been imposed to secure the appropriate level of provision. As this matter could be resolved by condition, it is considered that a refusal on these grounds would not be sustainable.
- 7.10 The resubmission is not considered to suitably address or overcome the previous reason for refusal of Application ref: 78464/APP/2023/3668. For the reasons given above, the application is recommended for refusal.

Trees and landscaping

- 7.11 The proposal would require the removal of green spaces alongside the existing parking bays to accommodate the new parking spaces. The new parking spaces are proposed to be surfaced with 'grasscrete'. Whilst an effort has been made to retain a green visual aspect, the proposed use of grasscrete is not considered to be a suitable or effective solution to offset the loss of green space.
- 7.12 The additional car parking spaces, the loss of green space, the proposed surfacing and the resulting proliferation of parked cars would be detrimental to the character of the area and would detract from the visual quality and usability of the landscaped pedestrian link, which is seen as an important part of the estate. The level of harm identified, is however on balance, not considered to be significant to warrant a separate reason for refusal.
- 7.13 The proposal does include the planting of 3no trees, which goes some way to balance the harm to the visual amenity of the street scene caused by the proposal. However, the proposed tree planting is not considered to outweigh the overall detriment to the character of the area or the highways reason for refusal detailed in Paragraphs 7.2-7.10 of this report.

Access

- 7.14 There are no direct issues that are purely related to accessibility matters. However, it is worth noting that the proposed layout shows the car parking to be accessed via the shared surface, increasing the number of vehicle movements and therefore the potential risks for pedestrians and cyclists. This raises concerns on highway safety grounds, but is not considered to be a separate reason for refusal.

Air Quality

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- 7.15 The site lies within the Uxbridge Air Quality Focus Area and the Hillingdon Air Quality Management Area. It is considered that the proposal would not give rise to significant harm which would require mitigation.

Land Contamination

- 7.16 The application site lies within a former contaminated land use as identified from the Council's land contamination database. The development is not considered to pose a risk in terms of potential contamination. Had the application been recommended for approval, an informative would have been attached to the decision notice, pointing to a possibility that there may be some contaminating substances present in the ground and to advise persons working on site to take basic precautions.

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 Not applicable to this application.

9 Conclusion / Planning Balance

- 9.1 The neighbour representations and the petition are noted and the matters raised have been considered in full. In this instance, as discussed in this report, the development is not considered to comply with the development plan. The development would result in the exacerbation of the overprovision of parking, impact on highway safety, fail to promote sustainable modes of transport and detrimentally impact the character of the area. Therefore, having regard to the material considerations and all matters raised, the application is recommended for refusal.

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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@hillingsdon.gov.uk.

Appendix 1: Recommended Reason(s) for Refusal and Informatives.

The application is recommended for REFUSAL for the following Reasons for Refusal:

1 The development would result in an overprovision of car parking and fails to encourage sustainable modes of transport including cycling, walking and the use of public transport, in conflict with Policies DMT 1, DMT 2, DMT 5 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies T2, T4, T6 and T6.1 of the London Plan (2021) and Paragraphs 116 and 117 of the NPPF (2024).

INFORMATIVES

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

2 On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2021). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

3 In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service. We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

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APPENDICES

Planning Application

78464/APP/2024/3196

Appendix 1: Recommended Reason(s) for Refusal and Informatives

Reasons for Refusal

1. NON2 **Parking, highway safety and sustainable modes of transport**

The development would result in an overprovision of car parking and fails to encourage sustainable modes of transport including cycling, walking and the use of public transport, in conflict with Policies DMT 1, DMT 2, DMT 5 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies T2, T4, T6 and T6.1 of the London Plan (2021) and Paragraphs 116 and 117 of the NPPF (2024).

Informatives

1. I52 **Compulsory Informative (1)**

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

2. I59 **Councils Local Plan : Part 1 - Strategic Policies**

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2021). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

3. I71 **LBH worked applicant in a positive & proactive (Refusing)**

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service. We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

Appendix 2: Relevant Planning History

78464/APP/2023/3668 Dyson Drive Uxbridge
Alteration to car parking layout
Refused

Appendix 3: List of Relevant Planning Policies

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMHB 11 Design of New Development

DMHB 14 Trees and Landscaping

DMT 1 Managing Transport Impacts

DMT 2 Highways Impacts

DMT 5 Pedestrians and Cyclists

DMT 6 Vehicle Parking

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

LPP T1 (2021) Strategic approach to transport

LPP T2 (2021) Healthy Streets

LPP T4 (2021) Assessing and mitigating transport impacts

LPP T6 (2021) Car parking

LPP T6.1 (2021) Residential parking