

DELEGATED DECISION

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

APPROVAL RECOMMENDED: GENERAL

Select an Option

1.	No valid planning application objection in the form of a petition of 20 or more signatures, has been received	☐
2.	Application complies with all relevant planning policies and is acceptable on planning grounds	☐
3.	There is no Committee resolution for the enforcement action	☐
4.	There is no effect on listed buildings or their settings	☐
5.	The site is not in the Green Belt (but see 11 below)	☐

REFUSAL RECOMMENDED: GENERAL

6.	Application is contrary to relevant planning policies/standards	☐
7.	No petition of 20 or more signatures has been received	☐
8.	Application has not been supported independently by a person/s	☐
9.	The site is not in Green Belt (but see 11 below)	☐

RESIDENTIAL DEVELOPMENT

10.	Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha	☐
11.	Householder application in the Green Belt	☐

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

12.	Change of use of retail units on site less than 1 ha or with less than 1000 sq. m other than a change involving a loss of A1 uses	☐
13.	Refusal of change of use from retail class A1 to any other use	☐
14.	Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use.	☐

CERTIFICATE OF LAWFULNESS

15.	Certificate of Lawfulness (for proposed use or Development)	☐
16.	Certificate of Lawfulness (for existing use or Development)	☐
17.	Certificate of Appropriate Alternative Development	☐

CERTIFICATE OF LAWFULNESS

18.	ADVERTISEMENT CONSENT (excluding Hoardings)	☐
19.	PRIOR APPROVAL APPLICATION	☐
20.	OUT-OF-BOROUGH OBSERVATIONS	☐
21.	CIRCULAR 18/84 APPLICATION	☐
22.	CORPSEWOOD COVENANT APPLICATION	☐
23.	APPROVAL OF DETAILS	☐
24.	ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where the Heads of Terms have already received Committee approval	☐
25.	WORKS TO TREES	☐
26.	OTHER (please specify)	☐

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

Case Officer:

Signature:

Date:

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

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

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

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

Address: 1372 UXBRIDGE ROAD HILLINGDON

Development: Variation of Condition 2 (approved plans) of planning permission ref. 5625/APP/2019/917 dated 10-05-2019 'Three storey building for use as 3 x studio flats and 2 x 1-bed self contained flats, installation of 2 x vehicular crossovers and demolition of existing two storey building' to enlarge two studio flats.

LBH Ref Nos: 5625/APP/2023/937

Drawing Nos: 4971-8B PROPOSED GROUND FLOOR PLAN AND ELEVATIONS
4971-9C PROPOSED PLANS
4971-7A PROPOSED SITE PLAN AND ELEVATIONS

Date Plans received: 29-03-23 **Date(s) of Amendments(s):**

Date Application valid 29-03-23

1. SUMMARY

The application seeks Variation of Condition 2 (approved plans) of planning permission ref. 5625/APP/2019/917 dated 10-05-2019 'Three storey building for use as 3 x studio flats and 2 x 1-bed self contained flats, installation of 2 x vehicular crossovers and demolition of existing two storey building' to enlarge two studio flats. The overall bulk of the building is proposed to be increased and the two balconies serving the 2 x studio flats are removed.

2. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Non Standard reason for refusal

The proposal, by reason of its forward projection towards Hewens Road and the increase in the undercroft, in close proximity to the site boundaries, would result in a cramped and incongruous form of development which would detract from the character and appearance of the surrounding area and the visual amenities of the street scene. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11, DMHD 12 and DMHD 1 of the Hillingdon Local Plan Part Two - Development Management Policies (2020).

INFORMATIVES

1. 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.

3. CONSIDERATIONS

3.1 Site and Locality

The application property is currently a House of Multiple Occupation (HMO) consisting of 6 studio flat units over two storeys. The site is an 'end of terrace' building located in a mixed use location in Uxbridge and fronts the Uxbridge Road which is designated as Classified in the Council's hierarchy of roads. There are currently two carriageway crossings to the rear of the address accessed from Hewens Road which is predominantly residential in nature.

3.2 Proposed Scheme

The application seeks Variation of Condition 2 (approved plans) of planning permission ref. 5625/APP/2019/917 dated 10-05-2019 'Three storey building for use as 3 x studio flats and 2 x 1-bed self contained flats, installation of 2 x vehicular crossovers and demolition of existing two storey building' to enlarge two studio flats. The overall bulk of the building is proposed to be increased and the two balconies serving the 2 x studio flats are removed.

The application has been amended throughout the course of consideration to remove the internal layout which originally proposed 2 x 1 bed flats in place of the 2 x studios. The amended scheme seeks to enlarge the 2 x studios but retains the description as studio flats.

3.3 Relevant Planning History

5625/APP/2022/1248 1372 UXBRIDGE ROAD HILLINGDON

Details pursuant to the discharge of Conditions 3 (Materials) and 4 (Soft and Hard Landscaping) of planning permission ref. 5625/APP/2019/917, dated 10/05/2019 (Three storey building for use as 3 x studio flats and 2 x 1-bed self contained flats, installation of 2 x vehicular crossovers and demolition of existing two storey building)

Decision: 18-10-2022 Approval

5625/APP/2019/917 1372 UXBRIDGE ROAD HILLINGDON

Three storey building for use as 3 x studio flats and 2 x 1-bed self contained flats, installation of 2 x vehicular crossovers and demolition of existing two storey building

Decision: 10-05-2019 Approval

5625/APP/2018/2518 1372 UXBRIDGE ROAD HILLINGDON

Three storey building for use as 3 x studio flats and 2 x 1-bed self contained flats, installation of vehicular crossover to front and demolition of existing two storey building

Decision: 09-10-2018 Withdrawn (P)

5625/APP/2008/770 1372 UXBRIDGE ROAD HAYES

ERECTION OF A TWO STOREY SIDE EXTENSION WITH NEW MANSARD ROOF OVER BOTH EXISTING BUILDING AND PROPOSED EXTENSION.

Decision: 16-07-2008 Refusal

5625/APP/2006/2436 1372 UXBRIDGE ROAD HAYES

CHANGE OF USE OF GROUND FLOOR OFFICES (CLASS B1(a)) TO RESIDENTIAL (CLASS C3) TO ALLOW THE FORMATION OF A THREE-BEDROOM SINGLE FAMILY DWELLING AND EXTERNAL ALTERATIONS, INVOLVING THE BLOCKING OFF OF A FRONT DOOR AND RE-POSITIONING OF A REAR DOOR

Decision: 31-10-2006 Refusal **Appeal:** 12-09-07 Allowed

5625/APP/2006/2231 1372 UXBRIDGE ROAD HAYES

CHANGE USE OF EXISTING OFFICES (CLASS B1(a)) AND RESIDENTIAL UNIT (CLASS C3) TO A DOCTORS SURGERY (CLASS D1) AND ALTERATION TO FRONT ELEVATION BY BLOCKING AN ENTRANCE AT GROUND FLOOR LEVEL.

Decision: 17-08-2006 Withdrawn (P)

ENF/226/06/

Converted from offices to some form of 6 bed HMO. Unoccupied, landlady claims architect has submitted planning application for change of use

Decision: No Further
Action(P)

5625/ADV/2006/36 1372 UXBRIDGE ROAD HAYES

INSTALLATION OF A NON-ILLUMINATED ADVERTISEMENT HOARDING.

Decision: 31-08-2007 Refusal

5625/J/96/0656 1372 UXBRIDGE ROAD HAYES

Change of use from solicitors office (Class A2) to storage (Class B8) with ancillary office and retail at ground floor and offices (Class B1) at first floor

Decision: 07-08-1996 Approval

5625/H/84/3109 1372B UXBRIDGE ROAD HAYES

Advertisement (P)

Decision: 17-09-1984 Approval

5625/G/84/1328 1372B UXBRIDGE ROAD HAYES

Change of use to Office use 56sq.m.(P)

Decision: 16-11-1984 **Approval**

Comment on Planning History

The relevant planning history is listed above.

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date: **29th April 2023**

4.2 Site Notice Expiry Date: Not applicable

5. Comments on Public Consultation

There was no local response from neighbours

Highways - No objection

Access - No objection

Environmental Health - No objection

6. Local Plan Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP D14	(2021) Noise
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design

LPP D6 (2021) Housing quality and standards
LPP D8 (2021) Public realm

In addition: Development Plan
Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)
The Local Plan: Part 2 - Development Management Policies (2020)
The Local Plan: Part 2 - Site Allocations and Designations (2020)
The West London Waste Plan (2015)
The London Plan (2021)

Material Considerations

The National Planning Policy Framework (NPPF) (2021) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

7. MAIN PLANNING ISSUES

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

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.

The proposed three storey building would replace the existing two storey HMO building of similar footprint. It is considered that the replacement building would not give rise to an unacceptable loss of light, outlook or privacy to the occupants of nearby dwellings. Therefore, it is considered that the proposed development would not constitute an un-neighbourly form of development in compliance

7.2 Impact on Street Scene

Paragraph 126 of the NPPF (2021) seeks the creation of high quality, beautiful and sustainable buildings. Parts b) and c) of paragraph 130 of the NPPF (2021) states that planning policies and decisions should ensure that developments are visually attractive as a result of good architecture and are sympathetic to local character and history, including the surrounding built environment.

Policies D1, D3 and D4 of the London Plan (2021) require development proposals to be of a high quality and to enhance the local context, delivering buildings and spaces that positively respond to local distinctiveness

Policy BE1 of the Hillingdon Local Plan (November 2012) requires that all new development achieves a 'high quality of design in all new buildings, alterations and extensions'.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that 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.

There are a diverse range of styles, designs and materials in the make up of the existing properties within the street scene. The application site is in a particularly prominent and visible location at the end of the a row of properties of similar scale and two-storeys on the corner of Uxbridge Road with Hewens Avenue. The submitted streetscene indicates the approved but not implemented three storey building at number 1380 Uxbridge Road under application reference 71035/APP/2016/4048 for the erection of a three storey building to provide 5 x 2-bed self-contained flats with associated parking, cycle and waste storage. The existing building is not considered to be of any architectural merit and its loss and replacement with a 3 storey building of similar scale to that approved at the nearby site at 1380 is considered acceptable. The proposed amended building would increase the overall bulk of the building towards Hewens Road. The visual impact would appear acceptable from Uxbridge Road, but the additional massing towards Hewens Road, with the additional massing making the upper floors appear top heavy and would be an incongruous alteration to the approved building, of particular concern in this prominent corner location. The undercroft as extended would be a dark and uninviting space, detrimental to the street scene.

The proposal, by reason of its forward projection towards Hewens Road and the increase in the undercroft, in close proximity to the site boundaries, would result in a cramped and incongruous form of development which would detract from the character and appearance of the surrounding area and the visual amenities of the street scene. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11, DMHD 12 and DMHD 1 of the Hillingdon Local Plan Part Two - Development Management Policies (2020).

7.3 Traffic Impact / Pedestrian Safety

See below

7.4 Carparking & Layout

Policy DMT 2: Highways Impacts states:

Development proposals must ensure that:

- i) safe and efficient vehicular access to the highway network is provided to the Council's standards;
- ii) they do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents;
- iii) safe, secure and convenient access and facilities for cyclists and pedestrian are satisfactorily accommodated in the design of highway and traffic management schemes;
- iv) impacts on local amenity and congestion are minimised by routing through traffic by the most direct means to the strategic road network, avoiding local distributor and access roads; and

v) there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing and committed roads, including along roads or through junctions which are at capacity.

Policy DMT 6: Vehicle Parking states:

A) Development proposals must comply with the parking standards outlined in Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity.

The Council may agree to vary these requirements when:

- i) the variance would not lead to a deleterious impact on street parking provision, congestion or local amenity; and/or
 - ii) a transport appraisal and travel plan has been approved and parking provision is in accordance with its recommendations.
- B) All car parks provided for new development will be required to contain conveniently located reserved spaces for wheelchair users and those with restricted mobility in accordance with the Council's Accessible Hillingdon SPD.

The proposed amendment does not alter the parking or cycling provision and the Highways Officer has confirmed no objection is raised to the amendment.

7.5 Urban Design, Access and Security Considerations

Policy DMHB 16: Housing Standards states:

All housing development should have an adequate provision of internal space in order to provide an appropriate living environment. To achieve this all residential development or conversions should:

meet or exceed the most up to date internal space standards, as set out in Table 5.1. A one bedroom (2 person) flat is required to provide 50 square metres of floorspace and a one person studio is required to provide 37 square metres which all flats exceed.

Policy DMHB 18: Private Outdoor Amenity Space states:

All new residential development and conversions will be required to provide good quality and useable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.2.

The original approval included balcony provision for all flats. This provision, given the proximity to the nearby public park, was considered acceptable. In this case, the proposal would result in a re-arrangement of balconies with the 2 enlarged studios being provided with inverted balconies. All units would achieve a satisfactory outdoor amenity space provision.

7.6 Other Issues

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

8. Reference Documents

The Local Plan: Part 1 - Strategic Policies (2012)

The Local Plan: Part 2 - Development Management Policies (2020)

The Local Plan: Part 2 - Site Allocations and Designations (2020)
The West London Waste Plan (2015)
The London Plan (2021)

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