

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.	ADVERTISMENT 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 Head of Development Management and Building Control	
Address:	84 EAST ROAD WEST DRAYTON	
Development:	Erection of a two storey 2-bed attached dwelling with associated parking and amenity space and the installation of one new first floor front facing window within no.84 (amended description)	
LBH Ref Nos:	31005/APP/2024/1086	
Drawing Nos:	1031-01__Rev10 1031-02__Rev10 1031-08__Rev10 1031-11__Rev10 1031-12__Rev10 1031-13__Rev10 1031-14__Rev10 1031-30__Rev10 1031-35__Rev10 1031-15__Rev10	
Date Plans received:	26-04-24	Date(s) of Amendments(s):
Date Application valid	26-04-24	

1. SUMMARY

Planning permission is sought for the erection of a two storey 2 bed attached dwelling with associated parking and amenity space and the installation of one new first floor front facing window within no.84.

It should be noted that during the process of the application, revised drawings were sought, removing the first floor front window from no.84 East road, reducing the width of the proposed dwelling and amending the parking arrangements.

The proposed scheme is a resubmission of the previously refused and dismissed appeal reference 31005/APP/2020/3975 (appeal ref. APP/R5510/W/21/3277296). It is considered that refusal reason 3 has been sufficiently overcome. However refusal reasons 1 and 2 have not fully been overcome.

The proposed development would close an important spacious gap between numbers 84 and 86 East Road to the detriment of the character and appearance of the street scene. The design of the proposed development would not appear subordinate to the original dwelling. As such the development does not comply with the relevant planning policies.

As such, the application is recommended for refusal. A full assessment of the development has been made in the below sections of the report.

2. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Harm to C&A of Area

The proposal by reason of its siting in this prominent corner position, size, scale, bulk, width, height, design, proximity to the side boundary and significant paving would result in the loss of an important gap characteristic to the area, resulting in a cramped appearance. The proposal would therefore represent an overdevelopment of the site to the detriment of the character, appearance and visual amenities of the area and to this existing open area of the street scene. Therefore the proposal is contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMH6, DMHB 11, DMHB 12 and DMHB 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies D3, D4, D6 and D8 of the London Plan (2021) and paragraph 135 of the NPPF (2023).

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.

I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan (2021) and national guidance.

DMH 6	Garden and Backland Development
DMEI 12	Development of Land Affected by Contamination
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 GG2	(2021) Making the best use of land
LPP GG4	(2021) Delivering the homes Londoners needs
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP D8	(2021) Public realm
LPP D14	(2021) Noise
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF11 -23	NPPF11 23 - Making effective use of land
NPPF12 -23	NPPF12 23 - Achieving well-designed and beautiful places
NPPF2 -23	NPPF2 2023 - Achieving sustainable development
NPPF5 -23	NPPF5 23 - Delivering a sufficient supply of homes

3. CONSIDERATIONS

3.1 Site and Locality

The application property comprises a two storey end terraced dwelling located on the southern side of East Road in West Drayton. The application site, being located on the bend of the road, has a substantial rear garden and a detached garage to the side/rear. The property benefits from a single storey side and rear extension with large rear dormer.

Part of the site lies within an area at risk of surface water flooding and on potentially contaminated land. The site has a PTAL ranking of 1b.

3.2 Proposed Scheme

Planning permission is sought for the erection of a two storey 2 bed attached dwelling with associated parking and amenity space and the installation of one new first floor front facing window within no.84.

3.3 Relevant Planning History

31005/APP/2023/1607 84 EAST ROAD WEST DRAYTON

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

Decision: 28-06-2023 Approval

31005/APP/2023/788 84 EAST ROAD WEST DRAYTON

Erection of a first floor extension to the rear of the dwelling.

Decision: 18-05-2023 Approval

31005/APP/2023/726 84 EAST ROAD WEST DRAYTON

Erection of outbuilding to rear garden (Application for a Certificate of Lawful Development for a Proposed Development)

Decision: 03-04-2023 Approval

31005/APP/2022/2190 84 EAST ROAD WEST DRAYTON

Conversion of roof space to habitable use to include a rear dormer roof extension with 3 front roof lights and new gable end window (Application for a Certificate of Lawful Development for a Proposed Development).

Decision: 31-08-2022 Approval

31005/APP/2022/2156 84 EAST ROAD WEST DRAYTON

Erection of a single storey rear extension

Decision: 31-08-2022 Approval

31005/APP/2022/2135 84 EAST ROAD WEST DRAYTON

Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.00 metres, for which the maximum height would be 3.00 metres, and for which the height of the eaves would be 3.00 metres

Decision: 15-08-2022 Approval

31005/APP/2020/3975 84 EAST ROAD WEST DRAYTON

Erection of a two storey, 2-bed dwelling house with associated parking and amenity space.

Decision: 27-05-2021 Refusal **Appeal:** 01-03-22 Dismissed

31005/APP/2020/2670 84 EAST ROAD WEST DRAYTON

Part two storey, part single storey rear extension

Decision: 09-10-2020 Approval

31005/PRC/2019/153 84 EAST ROAD WEST DRAYTON

Erection of 3 bedroom dwelling

Decision: 07-02-2020 Objection

Comment on Planning History

The planning history for the site is listed above.

There has been a previous refusal and dismissal at appeal for a new attached property at this site under reference 31005/APP/2020/3975 (appeal ref. APP/R5510/W/21/3277296). The application was refused for the following reasons:

1. The proposal by reason of its siting in this prominent corner position, size, scale, bulk, width and proximity to the side boundary would result in the loss of an important gap characteristic to the area, resulting in a cramped appearance. The proposal would therefore represent an overdevelopment of the site to the detriment of the character, appearance and visual amenities of the area and to this existing open area of the street scene. Therefore the proposal is contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and Policies D3, D4, D6 and D8 of the London Plan (2021).
2. The proposed dwelling, by virtue of its size, scale, bulk, width and design, including the hipped roof, would represent a discordant and incongruous addition which would fail to harmonise with the established character and appearance of development within the immediate locality to the detriment of the character, appearance and visual amenities of the street scene and the wider area. Therefore the proposal is contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and Policies D3, D4, D6 and D8 of the London Plan (2021).
3. The proposal has not demonstrated a satisfactory policy-led approach to the provision of car and cycle parking that would result in sufficient off street parking/manoeuvring arrangements being

provided, and therefore the development is considered to result in substandard car parking provision, leading to on-street parking/queuing to the detriment of public and highway safety and contrary to policies DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and to Hillingdon's Adopted Parking Standards as set out in Appendix C of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

The refused application was appealed by the applicant and subsequently dismissed. Within the appeal, the inspector wrote:

Character and Appearance:

3. The appeal site comprises a 2-storey end-of-terrace dwelling with a large rear garden which is located in a residential area. The local area predominantly consists of a mix of semi-detached and terraced dwellings which are broadly similar in style. A notable characteristic of the area are the gaps commonly found between sets of properties. These gaps are important as they break up the mass of built form and lend an air of spaciousness to the area. I observed that the gap between 84 East Road (No 84) and 86 East Road (No 86) is particularly evident in long views from Blackthorn Avenue, due those dwellings being situated near a bend in the road.

4. Whilst Policy DMHD 1 of the Local Plan: Part 21 relates to alterations and extensions to residential dwellings, rather than new dwellings, and is found under the householder development part of the Local Plan: Part 2, I accept that the proposal would have an acceptable relationship with No 84 as it would be subordinate to No 84 due to its lower ridge line and it would be set-back somewhat from it. Appropriate materials would be used and the proposed dwelling would acceptably follow the boundary line of the site. It would also appropriately have the same eaves level, window proportions and colour as No 84.

5. The proposed dwelling would project very close to the existing single-storey side projection at No 86, thereby removing the majority of the pockets of small visual gaps that presently exist between Nos 84 and 86 at ground-floor level. More importantly, although it would not completely erode the existing gap between Nos 84 and 86 at first-floor level, it would subsume a substantial portion of that gap. As such, the proposal would unduly reduce the sense of spaciousness referred to above. Moreover, the proposed hipped roof, with its lower 'link' detail, would appear incongruous in the street scene considering the absence of this feature on many nearby properties. Taking all this into account, the proposal would cause material harm to the character and appearance of the area.

7. I therefore find that the proposal would have an unacceptable and harmful effect on the character and appearance of the area. It would conflict with Policy BE1 of the Local Plan: Part 13 and Policies DMHB 11 and DMHB 12 of the Local Plan: Part 2, which collectively provide that, amongst other things, all new developments should achieve a high quality of design in all new buildings, alterations, extensions and the public realm which enhances the local distinctiveness of the area. It would also conflict with Policies D3, D4, D6 and D8 of The London Plan (published 2021) which collectively provide that, amongst other things, development proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness.

Car Parking:

9. The proposal seeks to provide 2 off-street parking spaces for No 84 and 2 off-street parking spaces for the proposed new dwelling (one within the proposed garage). The first space serving No 84 would be parallel to the road and the second space would be at right angles to the road. This would mean that the first space would not be available for access if a vehicle were to be parked in

the second space. The Local Highway Authority has also confirmed that they would not support a dropped kerb for the proposal, for a number of reasons, including that parallel parking to the carriageway should not be permitted. Consequently, on the basis of the evidence before me I am not convinced that the proposal would provide 4 useable spaces.

10. I therefore find that the proposal would not make adequate provision for car parking. It would conflict with Policies DMT 2 and DMT 6 of the Local Plan: Part 2 which collectively provide that, amongst other things, 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.

Conclusion:

13. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, the appeal is dismissed.

OFFICER COMMENT:

The proposed development has overcome refusal reason 3 of the previous planning permission. However, it is not considered that refusal reasons 1 and 2 have been fully overcome. A full assessment of the proposed development has been made in the below sections of the report.

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date: Not applicable

4.2 Site Notice Expiry Date: Not applicable

5. Comments on Public Consult

EXTERNAL CONSULTEES:

16 neighbouring properties were consulted on the application by letter dated 07-05-24. The consultation period expired 29-05-24. one objection was received and is summarised as:

- The new development will create more overlooking and a loss of privacy to neighbouring gardens
- The existing loft conversion is already an intrusion
- The thought of building work going on for another year is a problem as building work has been on going for the last 2 years.

OFFICER COMMENT:

- As assessment of the harm to neighbouring properties has been made in section 07.1 of this report.
- Buildings works and noise are governed under separate legislation and as such will not be discussed further.

INTERNAL CONSULTEES:

Access Officer:

This proposal for the erection of a two storey 2-bed attached dwelling has been reviewed with reference to London Plan Policy D7. No accessibility concerns are raised subject to the following Conditions attached to any approval:

Prior to any works on site above damp proof course level, details of step free access via all points of entry and exit shall be submitted to, and approved in writing, by the Local Planning Authority. The measures implemented as approved shall be retained thereafter.

REASON To ensure housing of an inclusive design is achieved and maintained in accordance with Policies D5 and D7 of the London Plan (2021).

The dwelling hereby approved shall accord with the requirements of Policy D7 of the London Plan and shall not be occupied until certification of compliance with the technical specifications for an M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, has been submitted to, and approved in writing, by the Local Planning Authority. All such provisions must remain in place for the life of the building.

REASON To not only allow the Building Control body to require the development to comply with the optional Building Regulations standards, but to also ensure the appropriate quantity and standard of accessible and adaptable housing is constructed and maintained in accordance with policy D7 of the London Plan.

Highway Officer:

Site Description

The application site is located at the south eastern end of East Road, a residential road with a 30mph speed limit where it forms junction with Blackthorn Avenue.

Transport for London use a system called PTAL (Public Transport Accessibility Level) to measure access the public transport network. PTAL assesses walk times to the nearest public transport location taking into account service frequency. The location is then scored between 0 and 6b where 0 is the worst and 6b the best. According to the Transport for London WebCAT service the application site has a PTAL ranking of 1b indicating access to public transport is very poor compared to London as a whole suggesting that opportunities for trips to be made to and from the application site by modes other than the private car would be limited which fails to concur with National Planning Policy Framework (NPPF) 9: Promoting Sustainable Transport and The Mayor's Transport Strategy which aims to encourage people to walk, cycle and travel by public transport.

Access

The application proposes to extend the existing dwelling to provide an additional attached two-bedroom detached dwelling. Vehicular access to the proposed dwelling would be gained over the existing vehicle crossover to 84 East Road which would require extension to provide vehicular access to the existing dwelling which should concur with the London Borough of Hillingdon Domestic Vehicle Footway Crossover Policy (DVFC) and would need to be constructed under s.184 Highways Act 1980 at the applicant's/developer's expense.

Drawing 1031-11_Rev05 titled Proposed Site Plan shows that a 1.2m boundary wall would be provided between the existing and proposed dwellings which would not be acceptable. Pedestrian visibility splays of 2.4m x 2.4m in which there is no obstruction over 0.6m as shown in DVFC (2022) Paragraph 4.7.1 Fig: 8 - Pedestrian

Visibility Splay would be required and should be shown on revised drawings which could be conditioned.

Parking

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The London Plan Table

10.3 - Maximum Residential Parking Standards allows dwellings in outer London with a PTAL of 1b to have a maximum of 1.5 spaces per dwelling. Drawing 24/3551/1 titled Land At 19 Beacon Close, Uxbridge shows 2no. parking spaces for each dwelling which would exceed the maximum standard. 1no. car parking space should be removed from the drawing.

Electric Vehicle Charging Points (EVCP's)

The published London Plan (2021) requires that 20% car parking spaces have active EVCPs and 80% of spaces have passive EVCPs. A suitable condition should be applied to secure provision and retention on 1no. 7Kw active EVCP for each dwelling.

Cycle Parking

The published London Plan (2021) Table 10.2 - Minimum Cycle Parking Standards requires two-bedroom dwellings to have a minimum of 2no. cycle parking spaces. Drawing 1031-11_Rev05 titled Proposed Site Plan shows 1nobike shed for the proposed dwelling which would be an acceptable level of parking, however, the London Cycling Design Standards (LCDS) 8.5.3 Residential Cycle Parking requires cycle parking to be 'well located: close to the entrance of the property and avoiding obstacles such as narrow doorways (less than 1.2 metres wide) and tight corners'. the cycle store should therefore be relocated to the front forecourt of the site which could be conditioned.

Recommendation

The Highway Authority are satisfied that the proposal would not discernibly exacerbate congestion or parking stress and would not raise any measurable highway safety concerns and would therefore offer no objection to the application but would require the following conditions to be applied to any approval:

Conditions

No works shall commence on site until a scheme for the parking of 2no. cycles to concur with LCDS has been submitted to and approved in writing by the LPA. The scheme shall be fully implemented before the development is first occupied and thereafter retained for this purpose.

REASON: To be in accordance with the published London Plan 2021 Policy T5 Cycle Parking

No works shall commence on site until a scheme for the parking of 3no. cars has been submitted to and approved in writing by the LPA. The scheme shall be fully implemented before the development is first occupied and thereafter retained for this purpose.

REASON: To be in accordance with the published London Plan 2021 Policy T6.1 Residential Cycle Parking

Prior to the commencement of construction works, details of 2no. 7Kw active EVCP shall be submitted to and approved in writing by the LPA. The works shall be installed in accordance with the approved details prior to first occupation of the development and thereafter retained in accordance with the approved details.

REASON: To be in accordance with the published London Plan 2021 Policy T6.1 Residential Parking.

Prior to commencement of use hereby permitted the vehicular crossover shall be provided and constructed in accordance with the London Borough of Hillingdon Domestic Vehicle Footway Crossover Policy (2023). Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

REASON: To be in accordance with the published London Plan 2021 Policy T6.1 Residential Parking.

Informatives

The development hereby approved includes the carrying out of alterations to a vehicular access. Prior to undertaking work on the adopted highway you will require a Section 184 licence from the Highway Authority. The works shall be to the specification and constructed to the satisfaction of the Highway Authority. Fees are payable for the approval of the highway details, and inspection of the works. Further information and an application form are available on the London Borough of Hillingdon website <https://www.hillingdon.gov.uk/dropped-kerb-form>

Contaminated land Officer:

Having consider the applicant submitted application in relation to our land contamination record, please be advise that we have no objection to the proposed development. However, our land contamination record shows the proposed development site to be on a former contaminated land use identified as Nursery/Orchard as well as within 250m of a landfill buffer. Therefore, the following land contamination condition is recommend should the planning application be approved.

OFFICER COMMENT:

During the process of the application, revised drawings were sought. It is now considered that the proposed development has overcome the highway officers concerns. Should the application have been recommended for approval, it would have been requested that vehicular visibility splays of 2.4m x 2.4m would have been added to the plans. A full assessment of the parking arrangements and highway safety has been made in section 07.3 of this report.

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
PT1.H1	(2012) Housing Growth

Part 2 Polices:

DMH 6	Garden and Backland Development
DMEI 12	Development of Land Affected by Contamination
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 GG2	(2021) Making the best use of land
LPP GG4	(2021) Delivering the homes Londoners needs
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP D8	(2021) Public realm
LPP D14	(2021) Noise
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF11 -23	NPPF11 23 - Making effective use of land
NPPF12 -23	NPPF12 23 - Achieving well-designed and beautiful places
NPPF2 -23	NPPF2 2023 - Achieving sustainable development
NPPF5 -23	NPPF5 23 - Delivering a sufficient supply of homes

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) (2023) 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.

Number 84 East Road is the principle neighbouring property that must be considered. The proposed new dwelling would be attached to no.84. No.8 benefits from a large single storey rear extension, the proposed dwelling at ground floor level would not extend beyond this neighbour. The proposed first floor would sit in line with the rear elevation of this neighbour and as such it is not considered that there would be any loss of light, overshadowing, loss of outlook nor would it be significantly overbearing.

Number 86 East Road is located east of the application site. This neighbour has a single storey side extension which includes a garage alongside the boundary with the application site. The proposed dwelling would be set in from the shared boundary with this neighbour and there would be no upper floor side facing windows that would face this neighbour. Given the angled position of the neighbour and the new dwelling and its separation distance it is not considered there would be any unacceptable loss of light, overshadowing, loss of outlook nor would the new dwelling be overbearing.

The properties located to the rear of the site are located a significant distance away from the rear of the new property, as such there would be no unacceptable loss of privacy or overlooking created.

The surrounding area is in residential use and it is considered that the additional of one new residential property will not cause an unacceptable level of noise or disturbance.

7.2 Impact on Street Scene

Paragraph 135 of the NPPF(2023) states:

'Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'

Policy D3 of the London Plan (2021) requires that development proposals should: Form and enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

Policy D4 of the London Plan (2021) states 'Development should have regard to the form, function and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establish an enhanced character for the future function of the area.'

Policy GG4 of the London Plan (March 2021) seeks to ensure that London's housing needs are met. This objective is reiterated in the Mayor of London's Supplementary Planning Guidance (SPG) on Housing, although it is noted that in achieving housing targets, full account must be given to other policy objectives. Policy H1 of The London Plan (2021) promotes the optimisation of housing output within different types of location. Policy H10 of The London Plan encourages the Council to provide a range of housing choices in order to take account of the various different groups who require different types of housing. Consideration will also be given to the accessibility of the site to services and amenities.

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

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

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

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

The surrounding area is largely characterised by a mix of terraced and semi detached properties of a uniform design, with minor variations to add interest. It is also characterised by reasonable gaps between buildings, giving a sense of spaciousness. This sense of spaciousness is more evident at junction properties and where the road takes a sharp turn. The spacious gaps between properties form a key part of the character and appearance of the street scene.

The applicant has sought to address the previously raised concerns with the submission of revised plans to reduce the width of the proposed dwelling, reduce the height of the rear extension and has revised parking arrangements. The proposed dwelling would measure 6m in width at ground and first floor level, it would be set in line with the front elevation of no.84 and would match the main ridge line of no.84. It would be set in from the side boundary by approx. 1.8m and would include a ground floor rear extension to match the depth of no.84. In terms of design the proposed dwelling would be characterised with a gable end roof, a bay window feature and a full width front canopy which are features of the street scene.

The proposed dwelling would infill this spacious gap between number 84 and 86 East Road which the inspector states within the dismissed appeal "A notable characteristic of the area are the gaps commonly found between sets of properties. These gaps are important as they break up the mass of built form and lend an air of spaciousness to the area. I observed that the gap between 84 East

Road (No 84) and 86 East Road (No 86) is particularly evident in long views from Blackthorn Avenue, due those dwellings being situated near a bend in the road." The proposed dwelling would largely infill this gap at both ground and first floor level. The revised drawings have reduced the width of the property marginally, however it is not considered that the revisions have sufficiently overcome the concerns raised regarding the loss of the important gap within the street scene.

The proposed dwelling by reason of its width, no setback and no set down from the main ridgeline would appear to overly extend the already long row of terraced properties. It is noted that number 78 East Road benefits from a two storey side extension which semi infills the gap between properties to some degree, however the existing extension has not been built out in accordance to the approved plans ref. 44628/APP/2006/1045. The approved plans indicate that the extension should be set down from the main ridge to remain subordinate to the main dwelling and row of terraces. As such, this cannot be considered an example of good design and cannot be afforded weight within this application.

During the process of the application, the planning agent has provided examples of appeal decisions and examples of other 'similar' development. These have been noted by the planning officer, however, the application has been determined on its own merits and most of the examples given have not been within the immediate surrounding area and as such limited weight has been afforded to these.

As stated within the inspectors comments Policy DMHD 1 does relate to extensions and alterations to dwellings, however the proposed development must appear subservient as it is attached to the original dwelling. Due to the proposed width and as it is not set back from the front elevation or set down it cannot be considered to appear subordinate to the original dwelling.

Policy DMH6 states that garden land development should appear more smaller and intimate in mass, it is clear that the proposed dwelling is not more intimate to the original dwelling by reason of its width, height and no set back. Whilst it is noted that the application site benefits from a detached garage and ground floor side extension that would be demolished to make way for the construction of the new dwelling, this is solely at ground floor level and therefore does not add additional and more dominant bulk and mass to the upper floor and the roof, therefore is distinctly less prominent and less closing of the spacious gap.

Whilst the style of the proposed dwelling has been improved from the previous refusal, it is not considered that the proposed development has sufficiently overcome all of the refusal reasons due its siting on a prominent corner plot, the width, closure of a spacious gap, height and no set back which would cause harm to the character and appearance of the street scene.

With regards to landscaping, the rear garden for the new dwelling would be heavily paved in patio slabs which is out of keeping with the surrounding area where soft landscaping within gardens is commonly seen. Although number 78 East Road includes paving to the rear garden, this is an anomaly within the surrounding area and a form of bad design which cannot be taken into consideration. The proposed garden would be more than 50% paved with patio slabs and as such it would not comply with Policy DMHB 14.

The proposed development would result in an incongruous and cramped form of development and an overdevelopment of the site. As such the proposed development fails to comply with the relevant policies.

It should be noted that during the process of the application, revised drawings were received removing the first floor window from no.84 East Road. As such, this part of the description does not

apply.

7.3 Traffic Impact/Pedestrian Safety

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

Policy DMT 6 states 'Development proposals must comply with the parking standards outlined in Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity. The Council may agree to vary these requirements when: i) the variance would not lead to a deleterious impact on street parking provision, congestion or local amenity.' The table sets out that 2 parking spaces should be provided for a development of this nature, as well as the retention of 2 spaces for the existing dwelling.

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

Parking and Access:

During the process of the application, revised drawings were sought to overcome the highway officers concerns. The revised drawings show that one parking space would be provided for the new dwelling and as such it would comply with The London Plan Table 10.3 - Maximum Residential Parking Standards. Access to the dwelling would be over an existing vehicle crossover that has been previously approved by the highways delivery team. The boundary wall has been reduced in height to 0.5m, however pedestrian visibility splays of 2.4m x 2.4m should be provided.

Electric Vehicle Charging Points:

The published London Plan (2021) requires that 20% car parking spaces have active EVCPs and 80% of spaces have passive EVCPs. The revised drawing shows that one EVCP would be provided. Should the application have been recommended for approval, a condition would have been added to provide 1 no. 7Kw active EVCP was provided for each dwelling.

Cycle Parking:

The published London Plan (2021) Table 10.2 - Minimum Cycle Parking Standards requires two-bedroom dwellings to have a minimum of 2no. cycle parking spaces. The revised drawings show that 2 cycle spaces would be provided to the side of the dwelling access via a side gate. This is considered an acceptable position, however a condition would have been added to the decision should the application be recommended for approval to ensure that this is adequately secure and covered.

Conclusion:

The highway officer has been consulted on the application and are satisfied that the proposal would not discernibly exacerbate congestion or parking stress and would not raise any measurable

highway safety concerns and therefore offer no objection to the application subject to conditions and informatives. As such, the proposed development would comply with Policies DMT 2 and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

7.4 Carparking & Layout

See above section.

7.5 Urban Design, Access and Security Considerations

INCLUSIVE DESIGN AND ACCESS:

Policy D5 of the London Plan (2021) states that development proposals should achieve the highest standards of accessible and inclusive design.

Policy D7 of the London Plan (2021) states that at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) must meet Building Regulation requirement M4(3) 'wheelchair user dwellings'. All other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) must meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

The Councils access officer was consulted on the application and raised no objection to the proposed dwelling in terms of accessibility subject to the imposition of conditions. Should the application be recommended for approval, the conditions will be added to the decision.

INTERNAL LIVING STANDARDS:

Policy D6 of the London Plan (2021) sets out the minimum internal floor space standards required for residential developments in order to ensure that there is an adequate level of amenity for future occupants.

Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all housing development should have an adequate provision of internal space in order to provide an appropriate living environment. The space standards set out in Table 5.1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) are the same as those found in Table 3.1 of the London Plan (2021).

Policy D6 of the London Plan (2021) requires that 2 bedroom properties with an occupancy level of 3 should have a GIA of 70sqm. The proposed dwelling would have a GIA of approx. 94sqm which exceeds this standard. All proposed habitable rooms would have an adequate source of light and outlook and the bedrooms would be adequality sized.

On the above basis, it is considered that the proposed dwelling would provide satisfactory internal living conditions for future occupants, in accordance with Policy D6 of the London Plan (2021) and Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

EXTERNAL LIVING STANDARDS:

Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all new residential development and conversions will be required to provide good quality and usable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.3.

A two bedroom dwelling is required to provide 60 square metres of private external amenity space. Both the retained and proposed dwelling meet and exceed the minimum standards. As such the

proposal complies with Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

7.6 Other Issues

PRINCIPLE OF THE DEVELOPMENT:

The site is located within an established residential area.

The National Planning Policy Framework has a requirement to encourage the effective use of land.

London Plan (2021) Policy H2 states that well designed housing schemes on small sites should be actively supported. The Hillingdon Local Plan details how small scale sites will make a contribution to housing supply.

The development site is located within a garden which would be visible from the street.

Policy DMH 6 of the Hillingdon Local Plan Part 2 - Development Management Policies (2020) 'Garden and Backland Development' states:

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

- i) neighbouring residential amenity and privacy of existing homes and gardens must be maintained and unacceptable light spillage avoided;
- ii) vehicular access or car parking should not have an adverse impact on neighbours in terms of noise or light. Access roads between dwellings and unnecessarily long access roads will not normally be acceptable;
- iii) development on backland sites must be more intimate in mass and scale and lower than frontage properties; and
- iv) features such as trees, shrubs and wildlife habitat must be retained or re-provided.

Although the site appears to be subdivided, the proposed dwelling would be located within the garden of the existing property and as such Policy DMH 6 would apply with its presumption against the loss of gardens.

As discussed within the impact on street scene section of this report, the proposed development would infill a significant, spacious gap which forms a key part of the character and appearance of the street scene. The proposed development would also not be more intimate in mass and scale with a lower frontage. As such the proposed development would not comply with Policy DMH6 of the Hillingdon Local Plan Part 2 - Development Management Policies (2020).

LANDSCAPING:

Policy DMHB 14 states :

- A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.
- B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.
- C) Where space for ground level planting is limited, such as high rise buildings, the inclusion of living walls and roofs will be expected where feasible.

D) Planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees. Where the tree survey identifies trees of merit, tree root protection areas and an arboricultural method statement will be required to show how the trees will be protected. Where trees are to be removed, proposals for replanting of new trees on-site must be provided or include contributions to offsite provision.

Drawing number 1031-11_Rev10 shows the proposed site plan for the development. The property would benefit from a large rear garden, however significant paving would be seen to the side and rear garden covering more than half of the space. This is out of keeping with the surrounding area where soft landscaping within the rear gardens is more commonly seen. The paving would not promote or enhance biodiversity and as such would fail to comply with Policy DMHB 14.

BIODIVERSITY NET GAIN:

The application is exempt from the Biodiversity Net Gain Condition as the applicant has stated that this is a self build development. However should the application have been recommended for approval, further information and evidence would have been required to ensure this is correct and the Biodiversity Net Gain Condition does not need to be met.

COMMUNITY INFRASTRUCTURE LEVY:

Policy DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that to ensure development is sustainable, planning permission will only be granted for development that clearly demonstrates there will be sufficient infrastructure of all types to support it. Infrastructure requirements will be predominantly addressed through the Council's Community Infrastructure Levy (CIL).

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014, and the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £60 per square metre. CIL rates are index linked. The proposal involves the erection of a new dwelling and would therefore be liable to pay CIL.

CONTAMINATION:

The application site lies on potentially contaminated land. The Council's contaminated land officer has been consulted on the application and has no objection to the proposed development subject to the implementation of conditions. Should the application have been recommended for approval, the condition would have been added to the decision.

CONCLUSION:

The application is recommended for refusal.

8. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)
The London Plan (March 2021)
Technical Housing Standards - Nationally Described Space Standard (March 2015)
National Planning Policy Framework (July 2023)

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