



Appeal Decision

Site visit made on 14 February 2022

by Alexander O'Doherty LLB (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 March 2022

Appeal Ref: APP/R5510/W/21/3277296

84 East Road, West Drayton UB7 9HA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Agrawal against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 31005/APP/2020/3975, dated 1 December 2020, was refused by notice dated 27 May 2021.
 - The development proposed is described as, "New Dwelling House".
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the proposal on the character and appearance of the area, and whether the proposal makes adequate provision for car parking.

Reasons

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.

¹ Hillingdon Local Plan: Part 2 - Development Management Policies (adopted 2020)

5. Nevertheless, 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.
6. I have had regard to full range of examples provided by the appellants. I note that several of these examples relate to 2-storey side extensions, rather than new dwellings, which limits their relevance to the proposal before me. I observed the nearby examples referred to². I note that these examples demonstrate that new dwellings have been constructed on corner plots, thereby filling some of the gap between the adjacent dwellings, and that new dwellings can assimilate into the broader area. However, the gap between Nos 84 and 86 is especially prominent due to the line of sight down Blackthorn Avenue which leads directly to it, meaning that the site is in a particularly sensitive location in this respect. Hence, whilst of some relevance, those examples do not change my findings.
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

8. The appellant has highlighted that the 222 bus service stops every 5 to 10 minutes at a bus stop which is within walking distance of the site. However, as minimal details have been provided regarding the availability of other public transport options (such as train services) within the vicinity of the site, I have little substantive evidence to doubt the Council's analysis that the site has a very poor Public Transport Accessibility Levels rating. Moreover, East Road has unrestricted parking in principle but as the site is situated on a bend and East Road and Blackthorn Avenue are not particularly wide roads, parking availability in the vicinity is somewhat restricted in reality. On this basis, it is reasonable to expect the proposal to provide the maximum requirement of 2 spaces per dwelling, as set out in Appendix C of the Local Plan: Part 2. This equates to a requirement for 4 spaces to be provided on site.
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

² Including 27A Beech Close, 2A Maxwell Road, 8A Keats Way, 7A Cherry Lane, and 91 Cherry Lane

³ Hillingdon Local Plan: Part 1 - Strategic Policies (adopted 2012)

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.

Other Matters

11. The appellants have engaged in constructive dialogue with the Council, resulting in the revised scheme before me. However, in terms of the planning merits of this appeal, this is a neutral matter, which does not weigh in favour of the proposal. Considering that the site is already in residential use, it has not been demonstrated that the proposal would support the development of under-utilised land, and therefore this is also a neutral matter.
12. The proposal would create a new dwelling in an existing residential area. In doing so it would contribute to the Government's objective of significantly boosting the supply of homes, and the future occupiers of the new dwelling would likely contribute to the local economy, albeit considering that only one new dwelling is proposed the benefits in these respects would be limited. The proposal would be constructed using sustainable materials. It would replace some existing built structures, thereby partially using land that is already built-on. These matters would be in compliance with a number of the Council's development plan policies. However, they would not, either individually or collectively, outweigh the harm I have identified to the character and appearance of the area and the lack of adequate provision for car parking and thus to the conflict with the development plan overall.

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.

Alexander O'Doherty

INSPECTOR



Mr Gary Pottle
Pottle & Co. Ltd.
Suite A
128 Manor Way
Ruislip HA4 8HR

Application Ref:
31005/APP/2020/3975

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
REFUSAL OF PLANNING PERMISSION

The Council of the London Borough of Hillingdon as the Local Planning Authority within the meaning of the above Act and associated Orders **REFUSES** permission for the following:-

Description of development:

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

Location of development: 84 East Road West Drayton

Date of application: 11 December 2020

Plan Numbers: See attached Schedule of plans

Permission is refused for the reason(s) listed on the attached schedule:-

Head of Planning, Transportation and Regeneration

Date: 27 May 2021

NOTES: (i) Please also see the informatives included in the Schedule of Reasons.

(ii) Should you wish to appeal against this decision please read the attached sheet which explains the procedure.

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

REFUSAL OF PLANNING PERMISSION

Application Ref: 31005/APP/2020/3975

SCHEDULE OF 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).

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 . 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.

Part 1 Policies:

PT1.BE1 (2012) Built Environment

SCHEDULE OF REASONS

PT1.H1	(2012) Housing Growth
Part 2 Policies	
DMH 4	Residential Conversions and Redevelopment
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
DMHD 1	Alterations and Extensions to Residential Dwellings
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 T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places
3 . 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. 4 . 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	

SCHEDULE OF REASONS

and negotiation could not overcome the reasons for refusal.

- 5 . This is a reminder that Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), should an application for appeal be allowed, the proposed development would be deemed as 'chargeable development' and therefore liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This would be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. For more information on CIL matters please visit the planning portal page at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

END OF SCHEDULE

Address:

Residents Services
London Borough of Hillingdon
3 North Civic Centre, High Street, Uxbridge UB8 1UW
Tel: 01895 250230
www.hillingdon.gov.uk

REFUSAL OF PLANNING PERMISSION

Application Ref.No.: 31005/APP/2020/3975

SCHEDULE OF PLANS

Design and Access Statement: May 2021 - received 04 May 2021

4415/02 Rev. B - received 04 May 2021

4415/03 Rev. A - received 04 May 2021

Location Plan (1:1250) - received 01 Dec 2020

4415/01 - received 01 Dec 2020

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the office of the First Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Planning Inspectorate at Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel 0117 372 8424). Appeal forms can be downloaded from the Planning Inspectorate's website at www.Planning-inspectorate.gov.uk

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal.

Further details are available at www.gov.uk/government/collections/casework-dealt-with-by-inquiries

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances, which excuse the delay in giving notice of an appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices.

If either the local planning authority or the officer of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use by carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

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 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 Heads of Terms have already received Committee approval | ☐ |
| 25. WORKS TO TREES | ☐ |
| 26. OTHER (please specify) | ☐ |

The delegation powers schedule has been checked. Director of Residents Services can determine this application.

Case Officer

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives 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 DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

Item No. **Report of the Head of Planning, Transportation and Regeneration**

Address 84 EAST ROAD WEST DRAYTON

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

LBH Ref Nos: **31005/APP/2020/3975**

Drawing Nos: Design and Access Statement: May 2021
4415/02 Rev. B
4415/03 Rev. A
Location Plan (1:1250)
4415/01

Date Plans received : 11/12/2020 **Date(s) of Amendment(s):** 01/12/2020

Date Application Valid: 11/12/2020

1. SUMMARY

The application seeks planning permission for the erection of a two storey, 2-bed dwelling house with associated parking and amenity space.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

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 NON2 Non Standard reason for refusal

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 NON2 Non Standard reason for refusal

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

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 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 4	Residential Conversions and Redevelopment
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
DMHD 1	Alterations and Extensions to Residential Dwellings
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 T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places

3 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.

4 171 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.

5 174 Community Infrastructure Levy (CIL) (Refusing Consent)

This is a reminder that Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), should an application for appeal be allowed, the proposed development would be deemed as 'chargeable development' and therefore liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This would be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. For more information on CIL matters please visit the planning portal page at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

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 area is residential in character and lies within a Critical Drainage Area.

3.2 Proposed Scheme

The application seeks planning permission for the erection of a two storey, 2-bed dwelling house with associated parking and amenity space.

It should be noted that revised plans have been submitted throughout the course of the application in an attempt to overcome the concerns raised.

3.3 Relevant Planning History

31005/APP/2020/2670 84 East Road West Drayton
Part two storey, part single storey rear extension

Decision: 09-10-2020 Approved

31005/PRC/2019/153 84 East Road West Drayton
Erection of 3 bedroom dwelling

Decision: 07-02-2020 OBJ

Comment on Planning History

Planning permission was recently granted under application reference 31005/APP/2020/2670 for the erection of a Part two storey, part single storey rear extension.

An application for pre-app advice was submitted under application reference 31005/PRC/2019/153 for the erection of a 3 bedroom dwelling. The conclusion of this advice was:

The principle of redevelopment of the site is considered unacceptable by virtue of the fact that the scheme fails to harmonise with its surroundings and provides a poor standard of residential accommodation for its future occupiers.

The scheme would result in a loss of amenity to neighbours by way of an overdominant outlook. Concerns are also raised in terms of outlook from some rooms, and insufficient on site car parking and cycle storage.

At the pre-app meeting the applicant advanced an argument that there is no specific character to the street and the scheme retains a reasonable corner gap and that there would be limited harm to the character of the area. The applicant was advised to submit a full and reasoned case for the visual impact on the development should he decide to pursue a formal application.

The applicant also questioned whether an internal re-arrangement of accommodation could overcome the amenity concerns, ie if the first floor rear facing bedroom at 84 was swapped with the bathroom. The applicant was advised that the proposal would need to ensure that there was no breach of the 45 degree line from the mid point of the closest first floor window serving a habitable room.

The applicant questioned the parking layout and considered that a re-arrangement of the layout could provide 2 spaces for the proposed dwelling and one for the retained. He suggested that a parking survey could justify the minor under-provision as there as likely to be sufficient on street capacity. The applicant was advised that a parking survey using the Lambeth methodology would be required.

The applicant accepted that internal re-configuration would be required to meet the Housing Standards

A formal submission would be subject to public consultation which may raise other issues.

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

31 neighbouring properties were consulted by letter dated 16.12.20. 2 letters of objection have been received raising concerns about:

1. Loss of light and outlook
2. Building over sewers
3. Bin store attracting vermin
4. Loss of trees

5. Crime safety

Access Officer:

I have considered the detail of this planning application for a two storey, two bedroom, dwelling and deem there to be no accessibility issues raised by the proposal. However, the following Conditions should be attached to any grant of planning permission:

Prior to works commencing, details of step free access via the principal private entrance shall be submitted to, and approved in writing, by the Local Planning Authority. Such provision shall remain in place for the life of the building.

REASON: To ensure that an appropriate standard of housing stock, in accordance with the 2016 London Plan policy 3.8(c) and policy D7 of the 2019 (Intend to Publish) London Plan, is achieved and maintained.

The dwellings hereby approved shall be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

REASON: To ensure that an appropriate standard of housing stock, in accordance with the 2016 London Plan policy 3.8(c) and policy D7 of the 2019 (Intend to Publish) London Plan, is achieved and maintained.

Landscape Officer:

This site is occupied by a two-storey end of terrace house, located on the south side of East Road. Situated on the outer curve of the road, the site benefits from a notably larger garden than is typical for this residential area. There are no TPO' or Conservation Area designations which might constrain the site.

COMMENT: No trees or other features of merit will be affected by the proposal. If you are minded to approve this application, please add landscape conditions to ensure that the associated hard and soft landscape enhances the character and appearance of the area.

RECOMMENDATION: No objection subject to conditions RES9 (parts 1, 2, and 5).

Highways Officer:

Planning application has been received to build a two-bedroom dwelling house with an integral garage. The proposal would be built within the curtilage of 84 East Road, West Drayton. The land required to build the proposal would be created by demolishing a garage that forms part of 84 East Road; to compensate for this loss 2no. new parking space would be created by building a hardstanding at the front of 84 East Road. The applicant has provided plans showing how 2no. cars would park on this hardstanding, the first would park parallel to the highway and the second in front of it at right angles to the highway. Notwithstanding the difficulties manoeuvring in and out of the first space this space could not be accessed when a car is parked in the second space. Transport for London use as system called PTAL (Public Transport Accessibility Level) to measure access to 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 1a bordering 0 indicating access to public transport is very limited compared to London as a whole suggesting that there will be a strong reliance on the private car for trip making. The Highway Authority notes that the second parking space proposed at right angles to the highway would not conform with the Council' s Domestic Vehicle Footway Crossover Policy (2019). This policy states that 'a crossover will only be approved where a standard

car parking space (2.4m wide x 4.8m deep) at 90 degrees to the highway can be accommodated on the front garden / forecourt of the application site (minimum 5.8m if parking space is in front of the main entrance to house)'. When a car is parked in the second space access to the front door of property would be partially blocked. Given that the first parking space would be unusable when a car is parked in the second space and that the second space does not conform with the Council's Domestic Vehicle Footway Crossover Policy (2019) construction of the proposal would effectively result in 84 East Road not having access to car parking resultant in cars being displaced on-street leading to parking stress which would be contrary to the Hillingdon Local Plan: Part 2 Development Management Policies (2020) Policy DMT 6: Vehicle Parking. There are highway objections to this proposal.

Highways Officer Revised comments:

Highways Comments:

The proposal involves the demolition of the donor sites existing detached garage and the erection of a 2 bed dwelling with parking for 2 cars consisting of an integral garage and driveway, a cycle store is shown at the rear of the site, also a widening of the existing dropped kerb/vehicle access for the donor dwelling for the proposed new 2 car parking spaces sited in the donor dwellings front forecourt.

The Hillingdon Local Plan: Part 2 Development Management Policies (2020) Policy DMT 6: requires that development proposals must comply with the relevant parking standards. For dwellings with curtilage the maximum car parking requirement is 2 spaces per dwelling and 1 cycle parking spaces per 1 or 2 bed unit which should be secure and sheltered.

Parking provision:

The site has a very poor PTAL rating of 1b, validating the relative isolation of the site from public transport services which gives rise to a higher dependency on the ownership and use of private motor transport, the maximum parking requirement of 2 car parking spaces will be required for both dwellings. The applicant is proposing 2 on-site car parking spaces for both the new and existing donor dwellings.

Car parking layout:

The car parking layout proposed for the existing dwelling appears to be impractical (no supportive swept path drawings submitted) and unsafe due to the physical constraint of the site's forecourt curtilage, inconsiderate parked cars could potentially obstruct the dwellings entrance/pedestrian path to the highway. The applicant has not submitted any detailed plans with annotated dimensions and supportive material to substantiate that both the pedestrian access to the dwelling and car parking spaces are accessible, practical, safe and policy compliant.

The Council's domestic vehicle footway crossover policy sets out the framework in relation to requests made for front garden, open plan parking.

The LHA would not support dropped kerb/vehicle access in excess of the policy maximum widths allowed. In addition, a vehicle must be able to leave the parking space at right angles to the kerb. Parallel parking to the carriageway shall not be permitted.

The applicant will be required to provide a physically protected pedestrian visibility splay at the proposed widened end, 1.5m long with no obstruction more than 0.6m high, from and along where the widened vehicle access meets the back edge of the footway.

Whilst the applicant has shown cycle store for the new dwelling in the front forecourt, however no detailed information has been provided to demonstrate how the store

(dimensions and style) complies with policy and guidance/manufacture specifications.

RECOMMENDATION: Refuse

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 Policies:

DMH 4 Residential Conversions and Redevelopment

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

DMHD 1 Alterations and Extensions to Residential Dwellings

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 T6 (2021) Car parking

LPP T6.1 (2021) Residential parking

NPPF- 2 NPPF-2 2018 - Achieving sustainable development

NPPF- 5 NPPF-5 2018 - Delivering a sufficient supply of homes

NPPF- 11 NPPF-11 2018 - Making effective use of land

NPPF- 12 NPPF-12 2018 - Achieving well-designed places

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)

Material Considerations

The National Planning Policy Framework (NPPF) (2019) 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 dwelling would effectively replace the single storey side extension with a part two storey, part single storey dwelling attached to Number 84 East Road. The dwelling would project 3.6m to the rear of number 84 East Road along the shared boundary before stepping out a further 2.8m at a distance of 3.65m from the shared boundary. The submitted plans confirm that the 45 degree line would not be breached from the first floor windows of the host dwelling. Given the staggered form of the proposed dwelling, it is considered, on balance, that the proposal would not result in an unacceptable loss of light or outlook to the occupants of this property.

Number 86 has a single storey side extension which includes a garage alongside the boundary with the application site. It is considered that given the degree of separation and the built form at Number 86 that the proposed dwelling would not result in an unacceptable loss of amenity to the occupiers of this property.

7.2 Impact on Street Scene

The NPPF (2019) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

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 (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.

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 proposal, as amended, would maintain a gap of approximately 6m between the upper levels of the proposed dwelling and the attached neighbouring dwellings to the east. A gap of approximately 1m would be retained at ground floor level. The dwelling would also exceed half the width of the original dwelling. The proposed dwelling would infill, to a large extent, this characteristic open gap, giving the impression of having been squeezed into the site. This is further emphasised by the design of the property with its width, although being staggered back into the site, which would be at completed odds with the prevalent character of the surrounding properties and the road in general.

The applicant has sought to address the previously raised concerns with the submission of revised plans to reduce the width of the proposed dwelling. The design and access statement as amended advises:

"In this specific case, the property is situated at an angle to its neighbour, No 86 East Road, being at an almost 45 degree angle to this neighbour, and therefore the rear garden widens towards the rear, creating an extremely large triangular shaped rear garden, as shown below. So, in terms of "closing the air gap", the revised drawings show a distance of at least 6 metres between the proposed new dwelling and the flank - side wall of No86, whilst also being set back 2 ½ metres from the facade/front.

It is acknowledged that this scheme was perhaps too wide, with the additional narrow two storey element used to accommodate the proposed stairwell, plus lack of front and rear windows, which might have created a blank facade from the street. The revised plans hereby submitted therefore aim to respond to the concern about closing of the air gap"

The proposed dwelling, as amended however, remains unacceptable in visual terms. The form and layout of the proposed dwelling and the resultant loss of the important gap in the streetscene, would result in an incongruous form of development. The proposed design of the dwelling, as amended, would also introduce a hipped roof form which would be out of keeping with the established character of the area. As such the proposal would be contrary to the requirements of Policy DMHB 11 that new buildings should be designed to quality standards and incorporate principles of good design including 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.

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 land required to build the proposal would be created by demolishing a garage that forms part of 84 East Road; to compensate for this loss 2no. new parking space would be created by building a hardstanding at the front of 84 East Road. The applicant has provided plans showing how 2no. cars would park on this hardstanding, the first would park parallel to the highway and the second in front of it at right angles to the highway.

The Highways Officer has advised that notwithstanding the difficulties manoeuvring in and

out of the first space this space could not be accessed when a car is parked in the second space. Transport for London use a system called PTAL (Public Transport Accessibility Level) to measure access to 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 1a bordering 0 indicating access to public transport is very limited compared to London as a whole suggesting that there will be a strong reliance on the private car for trip making. The Highway Authority notes that the second parking space proposed at right angles to the highway would not conform with the Council's Domestic Vehicle Footway Crossover Policy (2019). This policy states that 'a crossover will only be approved where a standard car parking space (2.4m wide x 4.8m deep) at 90 degrees to the highway can be accommodated on the front garden / forecourt of the application site (minimum 5.8m if parking space is in front of the main entrance to house)'. When a car is parked in the second space access to the front door of property would be partially blocked. Given that the first parking space would be unusable when a car is parked in the second space and that the second space does not conform with the Council's Domestic Vehicle Footway Crossover Policy (2019) construction of the proposal would effectively result in 84 East Road not having access to car parking resultant in cars being displaced on-street leading to parking stress which would be contrary to the Hillingdon Local Plan: Part 2 Development Management Policies (2020) Policy DMT 6: Vehicle Parking.

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 two bedroom (4 person) two storey house is required to provide 79 square metres which the proposal complies with.

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. A two bedroom dwelling is required to provide 60 square metres. Both the retained and proposed dwelling meet the minimum standards.

7.6 Other Issues

Landscaping

Policy DMHB 14: Trees and Landscaping requires:

- 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.

It is noted from neighbour comments that a number of trees have been removed from the rear garden. In the event of an approvable scheme a full landscaping condition would be imposed to mitigate the impact of the development along with securing high w=quality outdoor amenity spaces.

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)

Contact Officer: Nicola Taplin

Telephone No: 01895 250230



Metres
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Scale: 1:1250

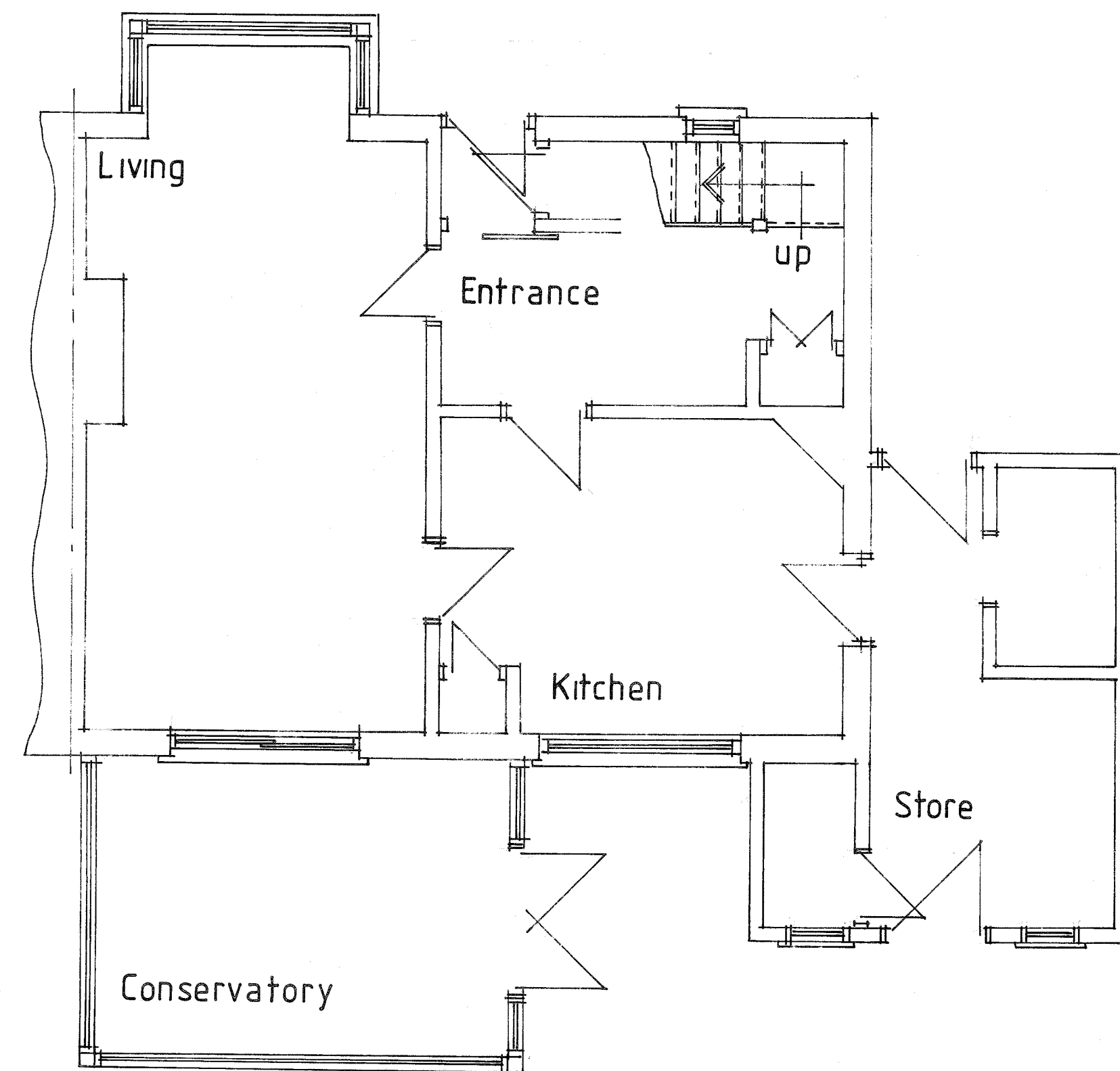
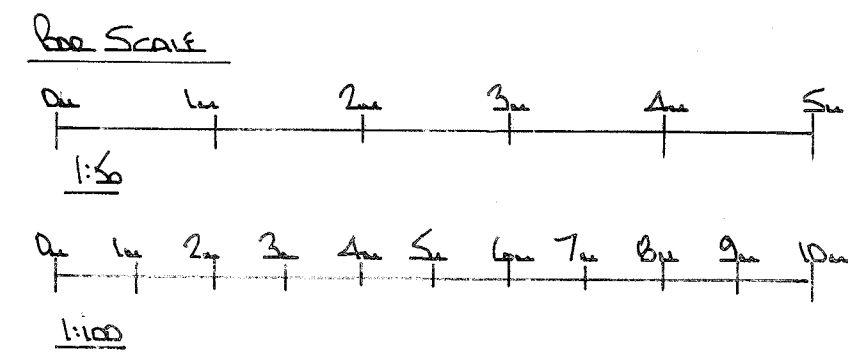


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West Drayton
UB7 9HA

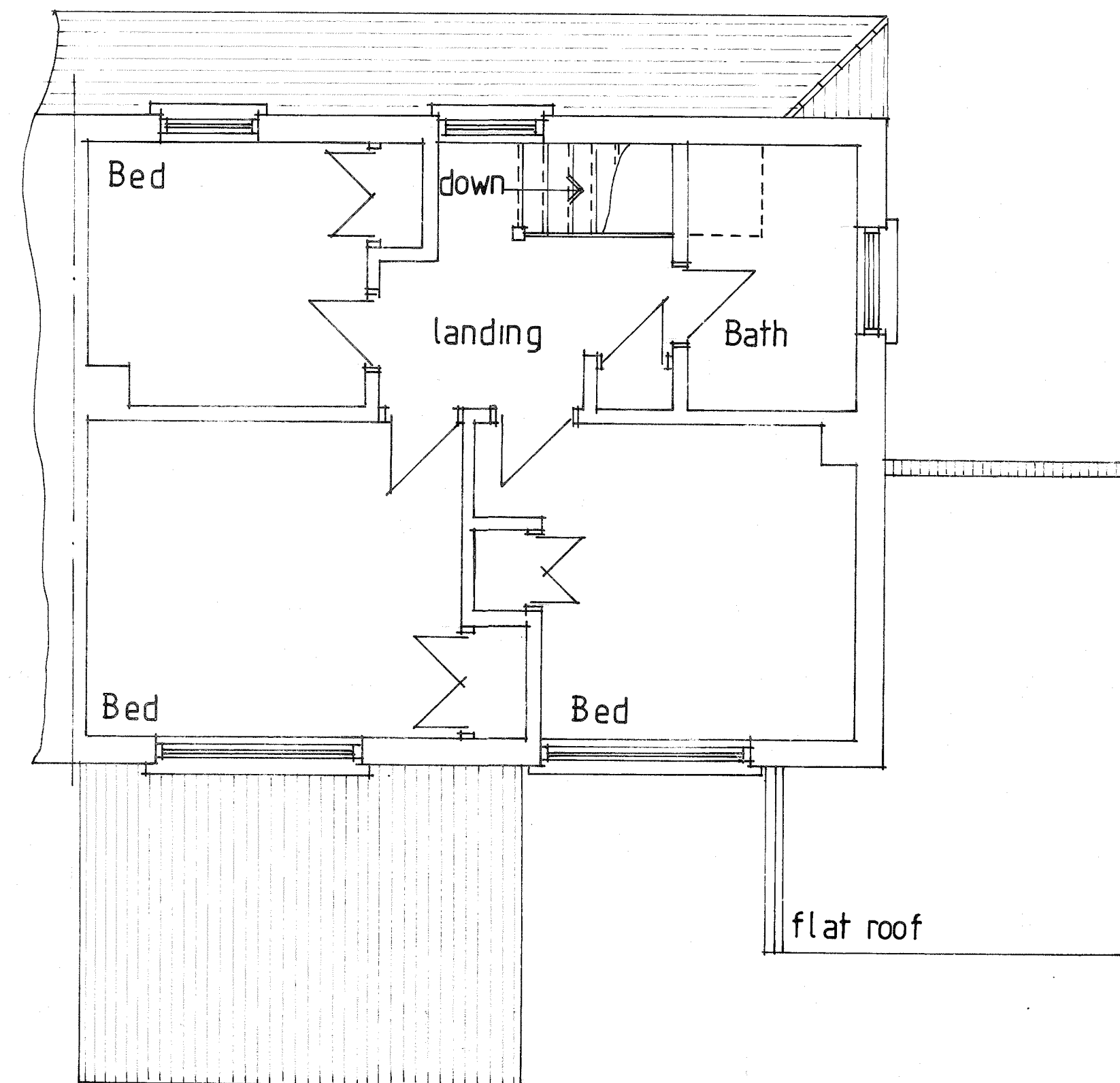
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NOTES:
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GROUND FLOOR PLAN



FIRST FLOOR PLAN

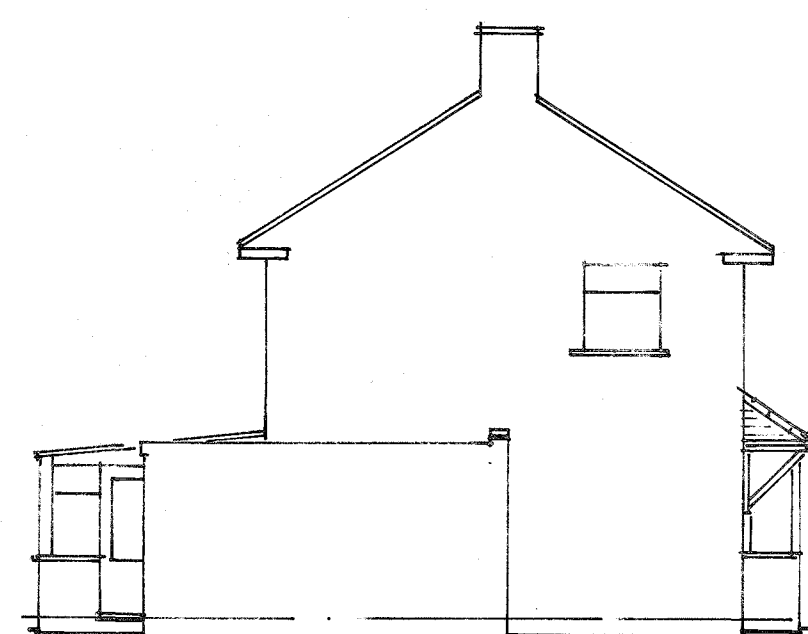
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No 4415 /02 & 03



FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION

A	Date	Revisions

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Client

MR MRS AGRAWAL

Job Title

84 EAST ROAD
WEST DRAYTON
MIDDXX

Drawing Title

EXISTING FLOOR PLANS
AND ELEVATIONS

Scale 1:50, 100.

Date August 2020

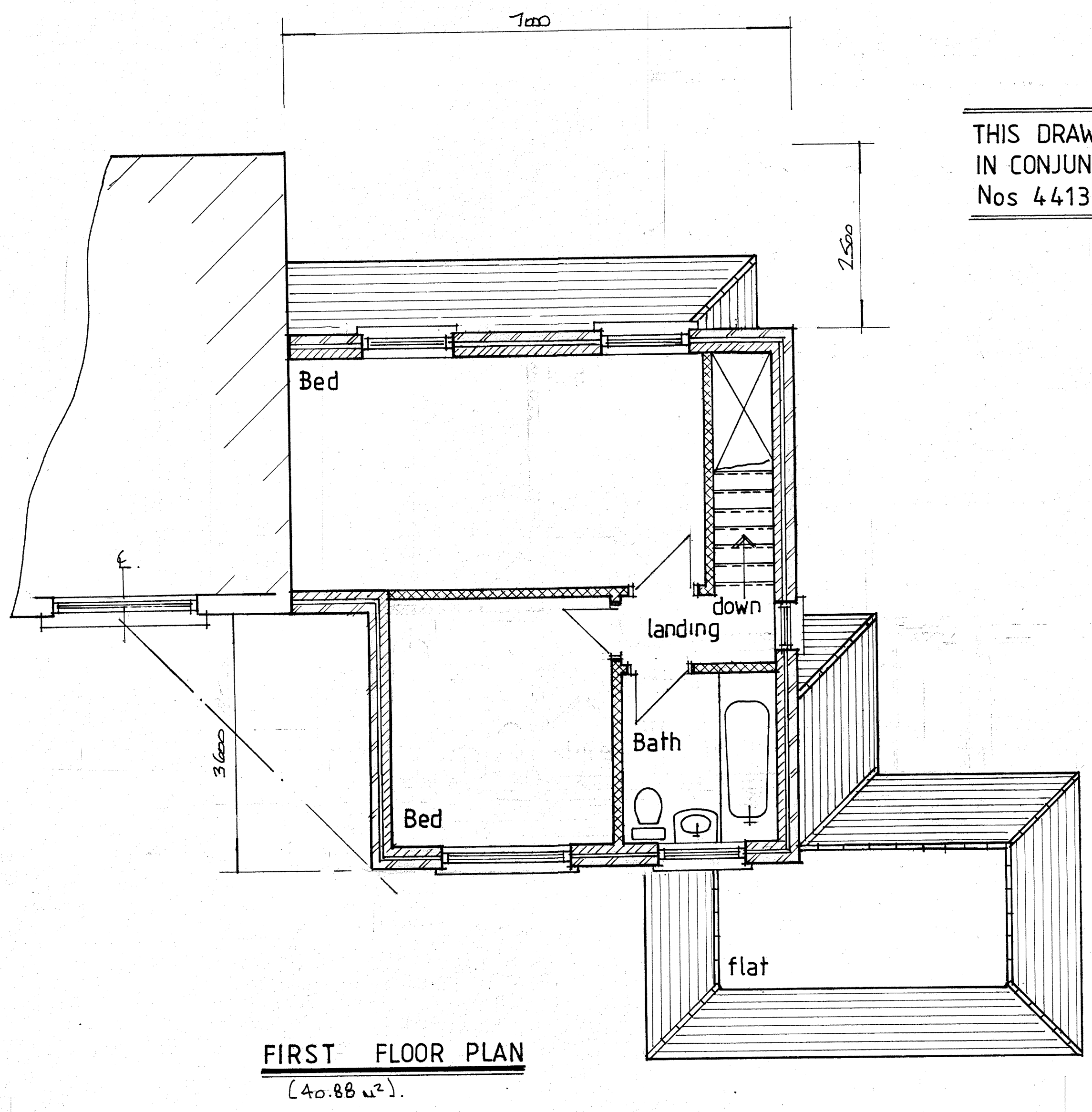
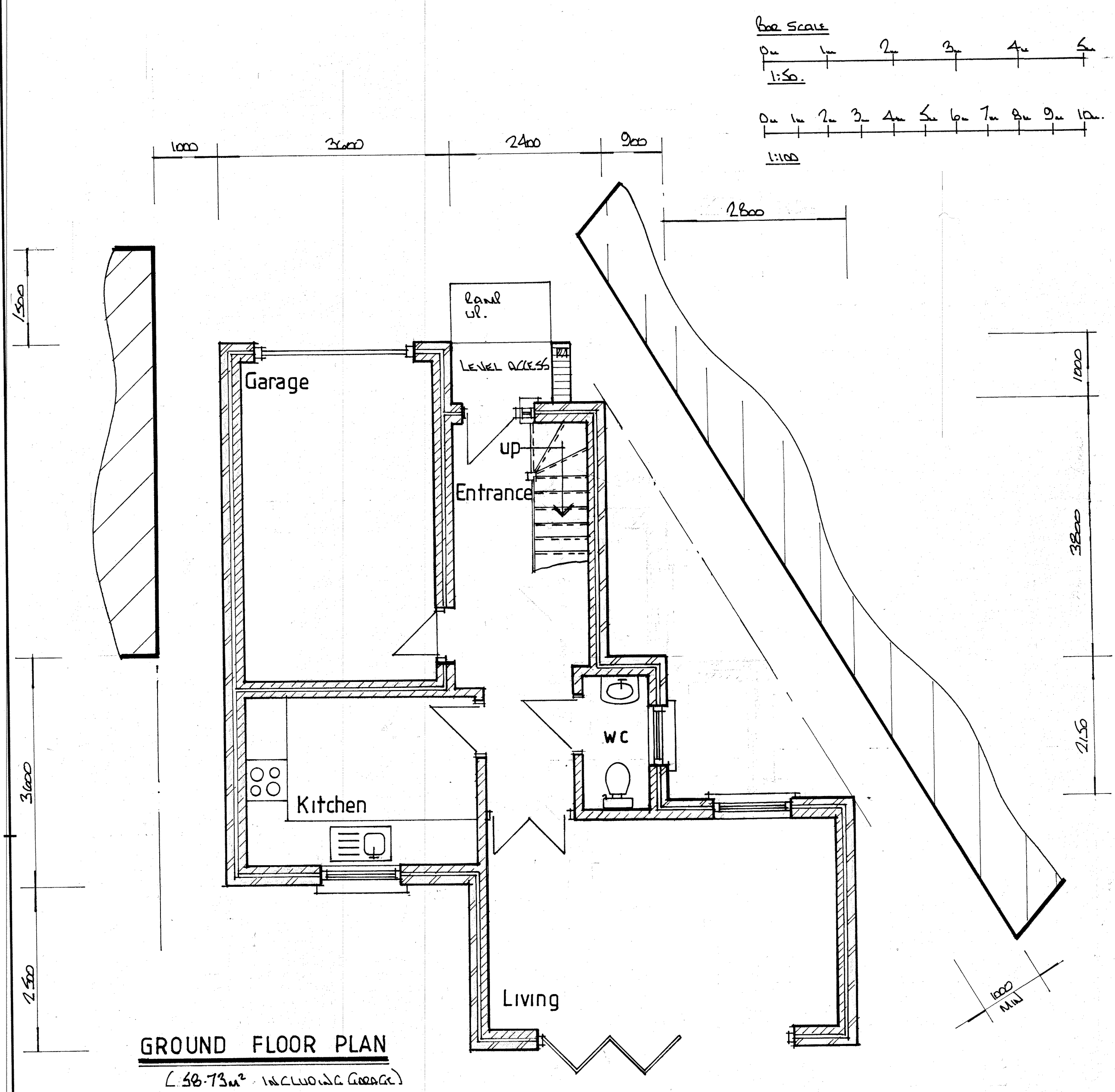
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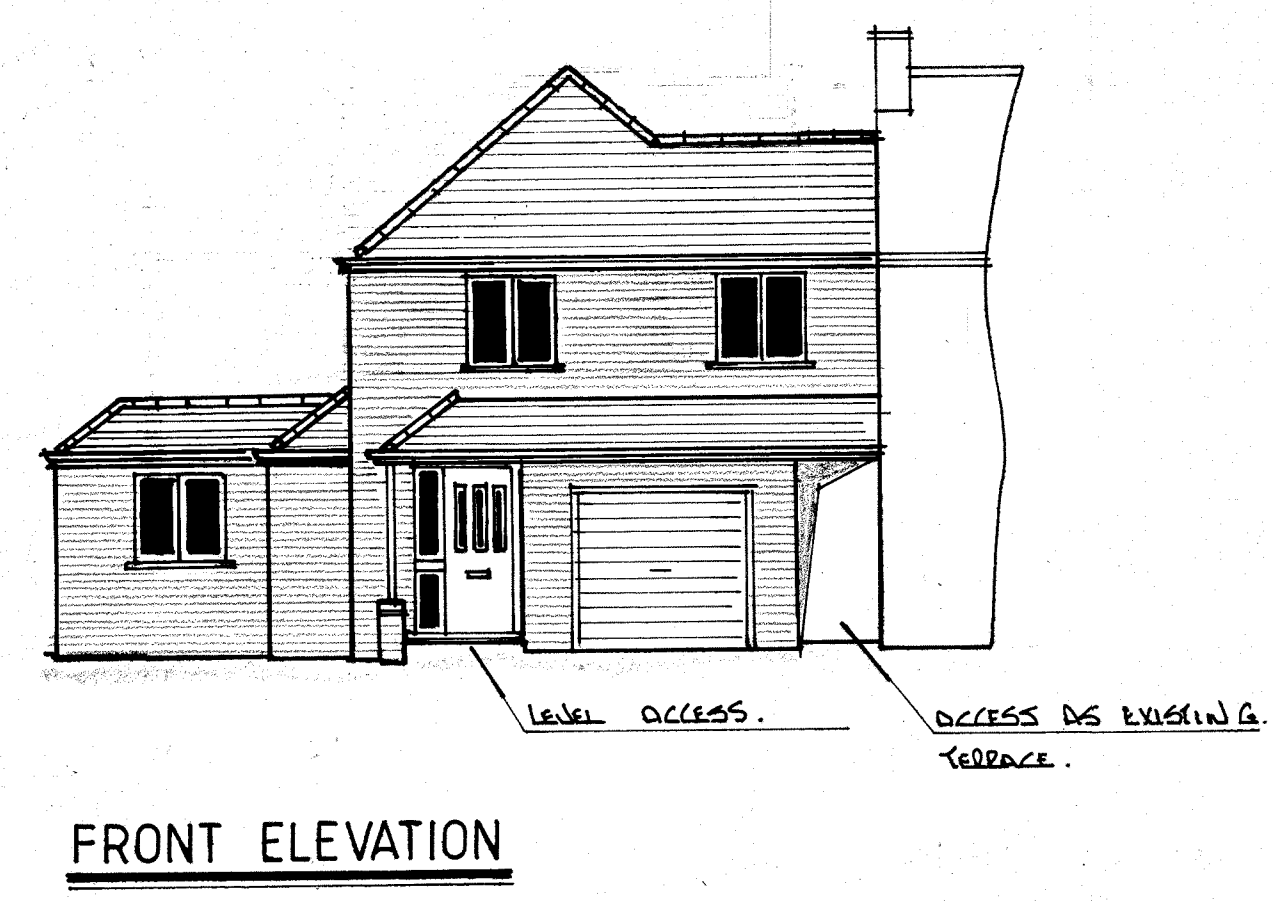
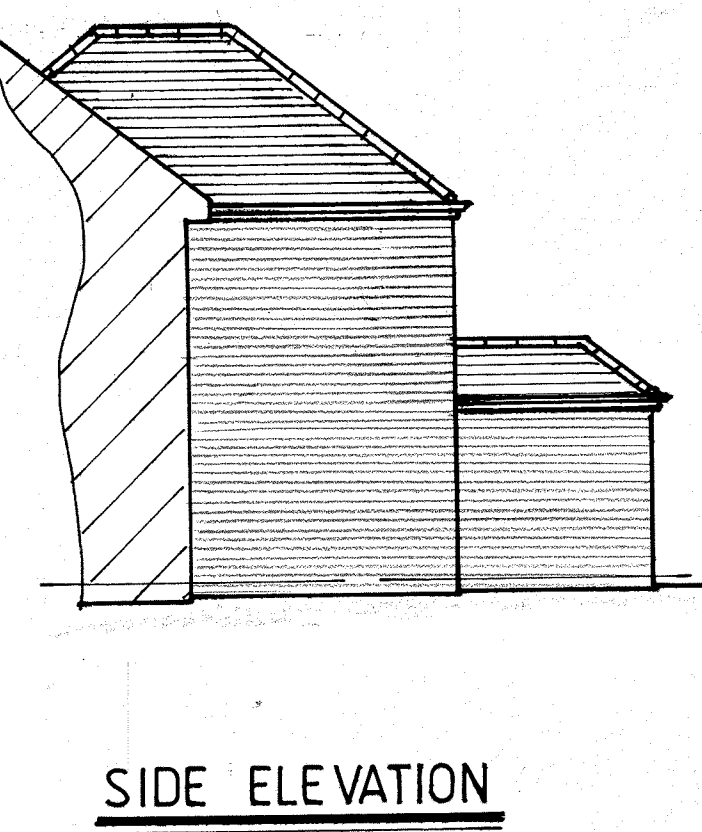
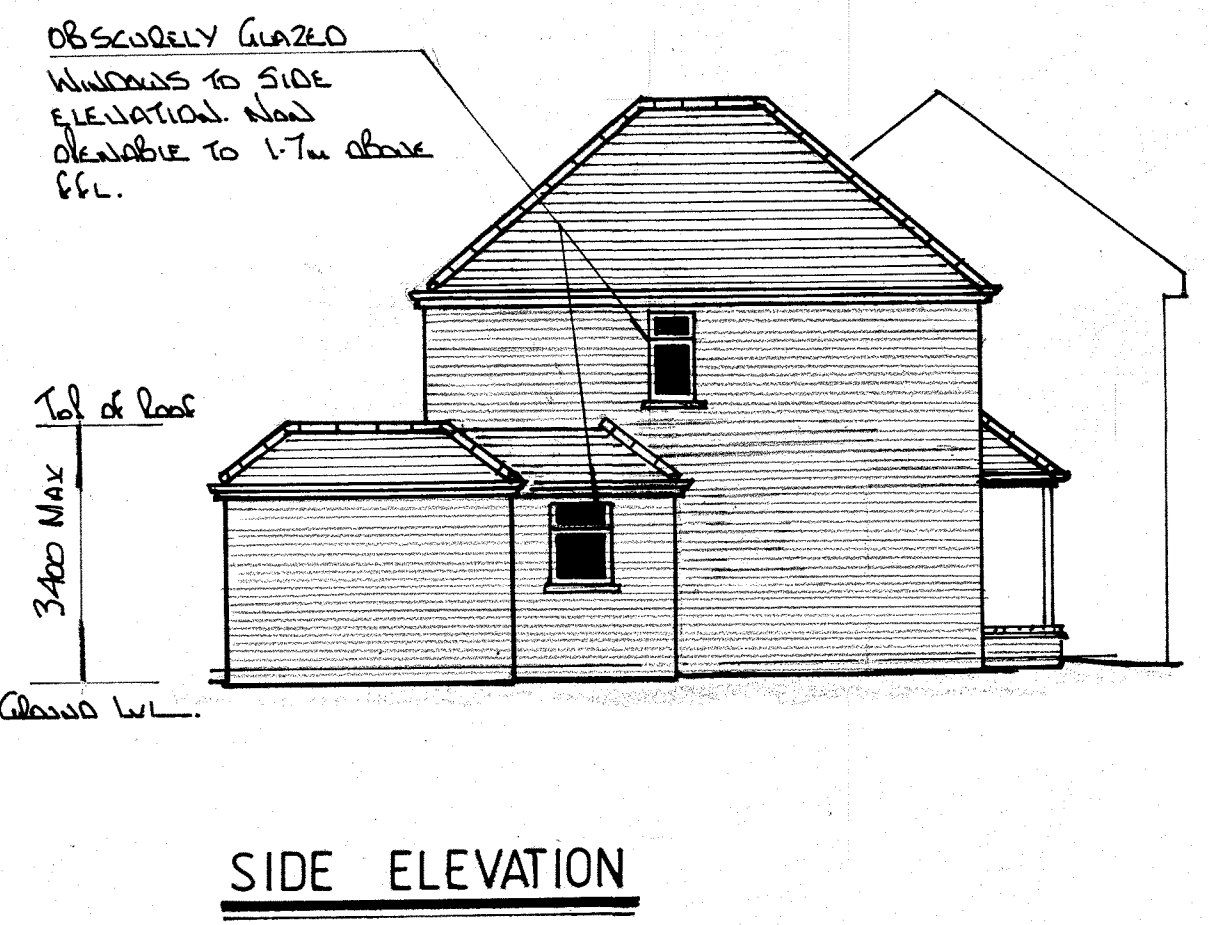
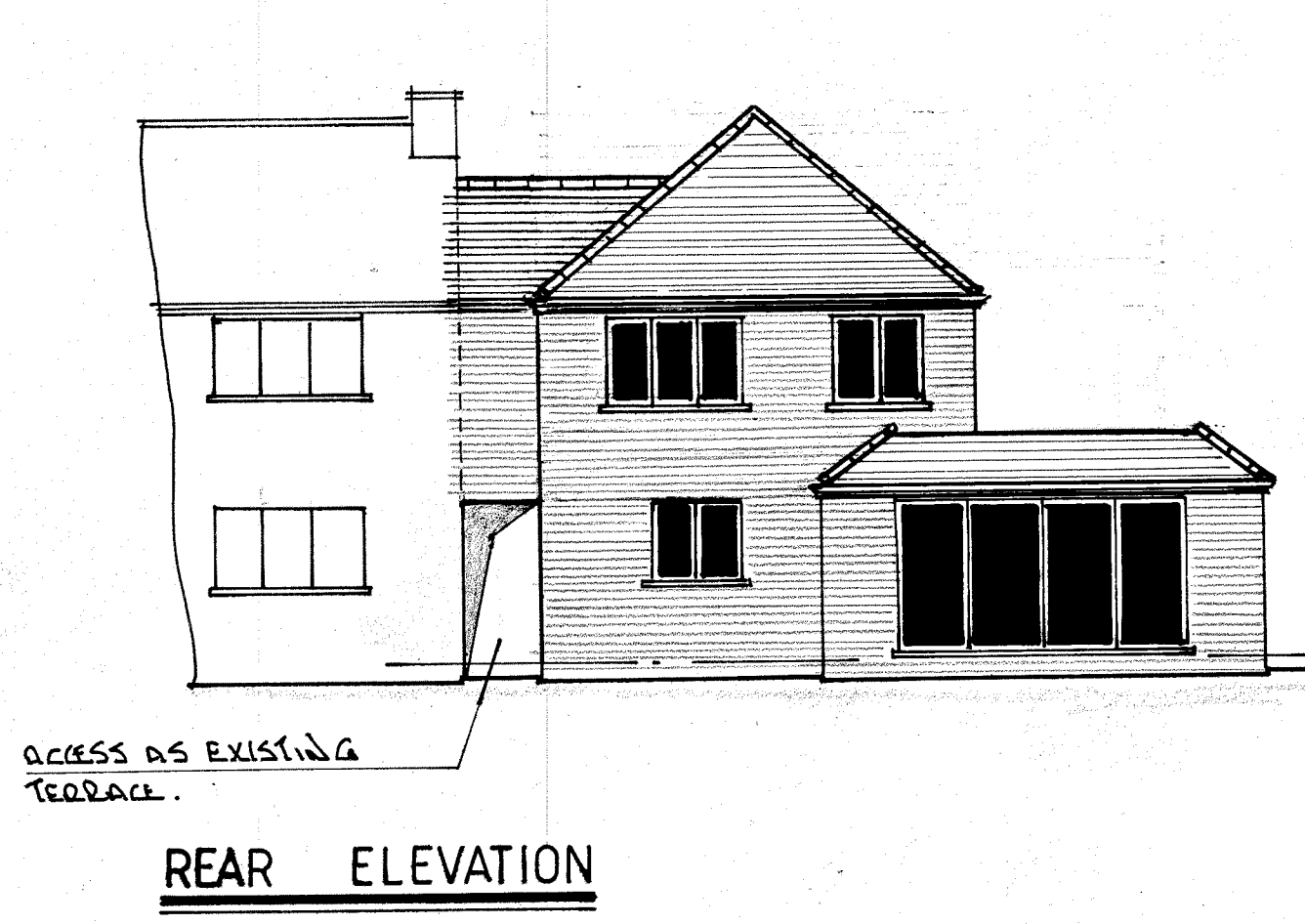
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Rev.

NOTES:
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ALL MATERIALS TO MATCH EXISTING PROPERTY

A	Date	Revisions
01/01/2021	SCHEME REVISED	

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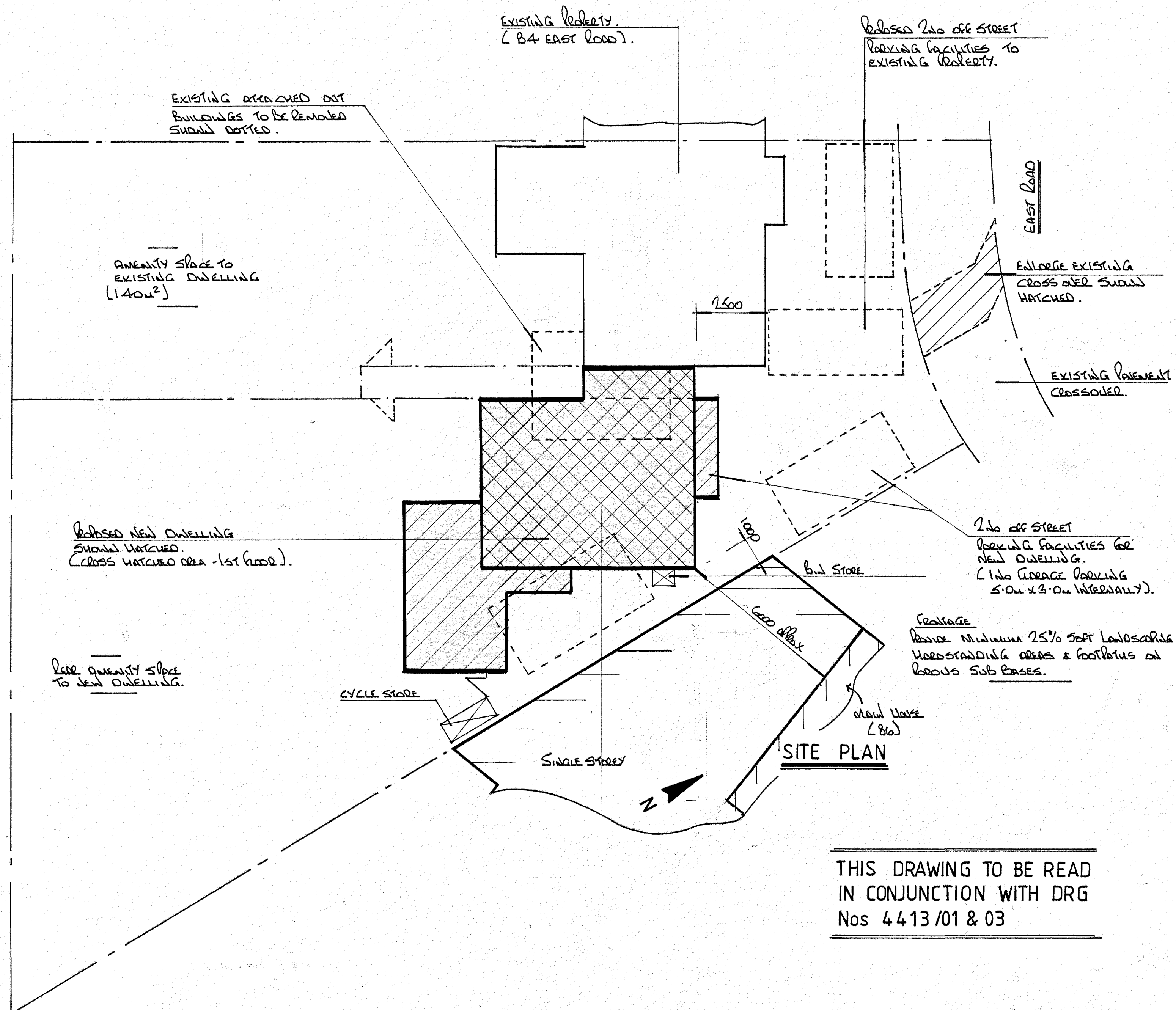
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MR MRS AGRAWAL
Job Title
**84 EAST ROAD
WEST DRAYTON
MIDD**

Drawing Title
**PROPOSED NEW
DWELLING**

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Date
November 2020
Drawn by
GIL

Drg No.
4415 / 03
Rev.
A



NOTES:
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B	MAY 2021	Rev'd (including additional info).
A	MAY 2021	Scheme Revised
Date	Revisions	

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Job Title

84 EAST ROAD
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Drawing Title

SITE PLAN

Scale 1:100.

Date November 2020 Drawn by GJ

Drg No. 4415/02

Rev. JB