



---

## Appeal Decisions

Site Visit made on 7 September 2021

**by Stuart Willis BA Hons MSc PGCE MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 19 November 2021**

---

### **Appeal A Ref: APP/R5510/W/21/3270975**

#### **123 Central Avenue, Hayes UB3 2BS**

- 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 J Singh against the decision of London Borough of Hillingdon.
  - The application Ref 20352/APP/2020/3869, dated 23 November 2020, was refused by notice dated 1 February 2021.
  - The development proposed is demolition of existing attached garage and creation of new two bedroom dwelling with associated bin storage, bicycle parking and private amenity space.
- 

### **Appeal B Ref: APP/R5510/W/21/3278335**

#### **123 Central Avenue, Hayes UB3 2BS**

- 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 J Singh against the decision of London Borough of Hillingdon.
  - The application Ref 20352/APP/2021/1451, dated 13 April 2021, was refused by notice dated 17 June 2021.
  - The development proposed is demolition of existing attached garage and creation of new two bedroom attached dwelling with associated bin storage, cycle parking and private amenity space.
- 

## **Decisions**

1. Appeal A is dismissed.
2. Appeal B is allowed, and planning permission is granted for demolition of existing attached garage and creation of new two bedroom attached dwelling with associated bin storage, cycle parking and private amenity space at 123 Central Avenue, Hayes UB3 2BS in accordance with the terms of the application, Ref 20352/APP/2021/1451, dated 13 April 2021, subject to the conditions in the attached schedule.

## **Preliminary Matters**

3. I have taken the descriptions of development from the application form. Although different to that given on the decision notice, no confirmation that a change was agreed has been provided.
4. The decision notice for Appeal A referred to policies from the London Plan 2016. These have subsequently been replaced by the London Plan 2021 and the new National Planning Policy Framework 2021 (Framework) has been published. I have had regard to comments, where received, from the main parties in regard to this. There have been no fundamental changes relevant to the main issues in this appeal.

5. For Appeal B the appellant provided amended plans as part of their appeal to address refusal reasons relating to wheelchair accessibility standards. Although not before the Council at the time of their decision, they were provided at the outset of the appeal. The main elements of the scheme have not altered from that originally submitted and upon which consultation took place.
6. There would be no injustice caused to any of the appeal parties by my taking the above into account in my decision.

## **Main Issues**

7. The main issues are:

- The effect of the proposed development on the character and appearance of the area, having particular regard to the heritage significance of the Central Avenue, Hayes, Area of Special Local Character (ASLC) (both appeals); and
- Whether there would be appropriate living conditions for future occupiers, with particular regard to accessibility within the site (Appeal B only).

## **Reasons**

### *Character and Appearance*

#### Appeal A and Appeal B

8. The Framework states that heritage assets are an irreplaceable resource that should be conserved in a manner appropriate to their significance. When considering the effect of a proposed development on the significance of a non-designated heritage asset, the Framework advises that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
9. The significance of the ASLC lies in the relative consistency of the layout, scale and appearance of individual rows of properties. While there is some variation, Central Avenue is characterised by short terraces that have a similar scale and design. While some have been altered, there is a general uniformity to the appearance of the front elevations within each row.
10. For the most part, including the junctions where the appeal site is located, corner properties are set in from their side boundaries. This, along with the set back of properties from the street and wide pavements give a strong rhythm and rather spacious feel to the street and much of the ASLC. The site shares these characteristics and contributes positively to the character and appearance of the area. Notwithstanding this, some corner properties have been extended to the side, including at two storey level, and even where they have not, there is some variation in the size of the undeveloped side outdoor spaces.
11. Both schemes would subdivide the existing plot and introduce 2-storey built form closer to the corner, thereby reducing the existing gap. Nonetheless, the proposed dwellings would still be set in from the side boundary of the site and the corner by some distance.
12. While the resultant gap would be smaller than that opposite, it would be comparable to others in the area, including at the same crossroads which are not uniform in their spacing. As such, both schemes would not appear at odds

with the prevailing pattern of development and would retain an openness at this prominent corner.

13. The previous Inspector<sup>1</sup> referred to concerns over the bulk of the extensions being out of keeping with the scale of the existing property. The schemes before me are for a separate dwelling of similar modest proportions to the existing one. Therefore, although the quantum of development would be increased, the rhythm of development would be maintained, and the schemes would not appear cramped.

#### Appeal A

14. There are a small number of detached properties in the area. However, the proposed detached dwelling, would break the existing flow of the row of properties. Its separation, although not overly large, would be discordant with the predominant pattern of development in the street and give a disjointed appearance to the streetscene. Despite following the same building line, this detachment would be at odds with the flowing row of properties that it would most readily be seen with.
15. Although having a front gable, the form of the proposed one would jar with the consistent roofscape of those at the existing properties in the row. Extensions and alterations have eroded some of the consistency to the built form in the area. Nonetheless, the window arrangement and sizes have mostly been retained on the original dwellings. As a result, the differences in the proposed windows would also appear discordant with the consistency currently present in this row. Consequently, despite being of a similar scale and materials to the existing ones, the design of the dwelling itself would be incongruous.
16. Therefore, the proposed development would unacceptably harm the character and appearance of the area including the ASLC. It would fail to accord with Policies BE1 and HE1 of the Part One Plan<sup>2</sup>, Policies DMHB 1, DMHB 5, DMHB 11 and DMHB 12 of the Part Two Plan<sup>3</sup> and Policies D1, D4, D6 and HC1 of the London Plan 2021. These, in part, seek to ensure developments are appropriate to, harmonise and are well integrated with the local context and surrounding area, including conserving heritage assets such as ASLC's.
17. It would also fail to accord with the Framework where it seeks to conserve heritage assets in a manner that is appropriate to their significance and that proposals should be sympathetic to local character.

#### Appeal B

18. The proposed property would adjoin the existing one, be of a similar footprint and scale, and follow the same building line. Therefore, it would retain the rhythm of development in the street. The scheme would largely replicate existing materials, design features and the architectural style predominant in the area including the projecting front gable, window arrangement and archway between properties.
19. As such, the proposed development would not harm the character and appearance of the area including the ASLC. The scheme would accord with

---

<sup>1</sup> APP/R5510/D/19/3238674

<sup>2</sup> Hillingdon Local Plan: Part 1 Strategic Policies

<sup>3</sup> Hillingdon Local Plan: Part 2 Development Management Policies

Policies BE1 and HE1 of the Part One Plan, Policies DMHB 1, DMHB 5, DMHB 11 and DMHB 12 of the Part Two Plan and Policies D1, D3, D4, D6 and HC1 of the London Plan 2021. These, in part, seek to ensure developments are appropriate to and respond to local characteristics, context and the surrounding area, including conserving non-designated heritage assets.

20. It would also comply with the Framework where it seeks to conserve heritage assets in a manner that is appropriate to their significance and that proposals should be sympathetic to local character.

### *Living Conditions*

#### Appeal B only

21. Amended plans submitted as part of the appeal re-organised circulation space and entrance arrangements. The Council are satisfied that these changes have addressed their concerns. In the absence of any clear case to the contrary, I consider that the revised plans have overcome the concern and the layout is now appropriate.
22. As such, the proposed development would provide appropriate living conditions for future occupiers with regard to accessibility and would accord with the relevant requirements of Policy DMHB 11 of the Part Two Plan and Policies D5 and D7 of the London Plan 2021.

### **Other Matters**

#### 23. Appeal A

24. The proposal would align with the aims of the Framework and local policy to significantly boost the supply of homes and that small-scale developments can make an important contribution to meeting the housing requirement. Moreover, it would intensify the use of the land in a location accessible to services and facilities. There would be economic and social benefits from the build and occupation of the dwelling and for energy efficiency. Given the scale of the scheme the contribution from these would be small, as would any benefits from the re-use of previously developed land were I to consider the site as such.
25. My attention has been drawn to a number of extensions to dwellings in the area. However, as with the approved scheme at East Way, these are attached to existing properties rather than creating a new detached unit. Therefore, they are materially different to the Appeal A scheme.
26. That the scheme would provide sufficient internal and external space as well as not giving rise to any highways safety or living conditions concerns are neutral factors. Therefore, they do not weigh in favour of the proposal.
27. Appeal A conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.

#### 28. Appeal B

29. First floor windows would face towards the garden area of properties behind, although views towards the dwellings themselves would be at a more acute angle. Nevertheless, some overlooking is expected and tolerable in residential areas and already occurs given the position of dwellings and windows of nearby

properties. The separation between existing dwellings and the proposed one would ensure any reduction in daylight or sunlight would be small. As is the case with additional overlooking, this would not be significant or warrant dismissal of the appeal.

30. During my site visit I observed off site features such as outbuildings at adjacent properties and street furniture that was not shown on the plans. The absence of these features does not alter my findings with regard to the main issues.
31. Off street parking is provided for both the existing and proposed properties. Being for 1 additional dwelling, the impact on traffic generation would be minimal. Conditions are imposed for the provision and retention of parking for both properties as well as electric charging points and provision of waste and cycle storage. Therefore, the scheme would not give rise to highway safety concerns and makes provision for sustainable transport.
32. Large parts of the site were hard surfaced and there would be little effect on landscape features. In light of this, and the absence of any compelling evidence of wildlife use at the site, the scheme would not be detrimental to biodiversity.
33. I have assessed the scheme before me on its own individual merits and this scheme differs from those previously turned down at the site. The distinct circumstances of this proposal, and subtle variations to the built form and spacing at corner plots mean that the scheme would not set a precedent. I have concluded that the proposal would be acceptable, and I can see no reason why it would lead to harmful developments on other sites.
34. I have considered the proposal on the basis of the description of development given on the application form. Therefore, the lawfulness of the existing front rooflight and alterations at the existing dwelling is outside the scope of this permission.

### **Conditions – Appeal B**

35. In addition to the standard time limit condition, I have imposed one requiring that the development is carried out in accordance with the approved plans. This also specifies that the permission does not relate to the rooflight at the existing dwelling. This is to provide certainty.
36. Conditions are imposed in relation to external materials and a landscape scheme to protect the character and appearance of the area.
37. To prevent overlooking of adjacent properties a condition requiring the rear first floor and side elevation windows to be fitted with obscure glazing is included. A further condition is imposed preventing the introduction of new openings at first floor level in the new dwelling. In the absence of clear justification, it has not been shown that removing other permitted development rights is necessary or reasonable.
38. I have also imposed conditions requiring the provision of a refuse store to ensure adequate refuse facilities are provided for both units, as well as a cycle store to facilitate sustainable transport options. The provision and retention of parking spaces is conditioned to prevent on street parking and highway safety concerns.

## **Conclusion**

39. For the above reasons, I conclude that Appeal A should be dismissed.
40. For the reasons given, and having taken all other matters raised into account, I conclude that Appeal B should be allowed subject to the conditions in the schedule below.

*Stuart Willis*

INSPECTOR

## **Schedule of conditions – Appeal B**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Existing Floor Plans Drawing No 3464 - 01/FP, Existing Elevations Drawing No 3464 - 02/FP, Proposed Ground Floor Plan Drawing No 3464 - 03/FP, Proposed First Floor Plan Drawing No 3464 - 04/FP, Proposed Elevations Drawing No 3464 - 05/FP, Proposed Site Plan Drawing No 3464 - 06/FP; and Location Plan Block Plan Drawing No 3464 - 07/FP, except in respect of the front elevation rooflight at the existing dwelling shown on plan Proposed Elevations Drawing No 3464 - 05/FP.
- 3) The materials to be used in the construction of the external surfaces of the dwelling hereby permitted shall match those used in the existing dwelling and shall thereafter be retained as such.
- 4) Prior to the occupation of the dwelling hereby approved details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. These details shall include:
  - i. Planting plans (at not less than 1:100 scale),
  - ii. Written specification of planting and cultivation works to be undertaken,
  - iii. Schedule of plants giving species, plant sizes, and proposed numbers/densities,
  - iv. Means of enclosure and boundary treatments,
  - v. Details of an electric vehicle charging point for the proposed dwelling,
  - vi. External lighting; and
  - vii. A programme of implementation and retention.

The landscaping works shall be carried out in accordance with the approved details and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

- 5) Prior to the occupation of the dwelling hereby approved the first-floor rear and side elevation windows shall be fitted with obscured glazing, and no part

of those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.

- 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows or openings other than those expressly authorised by this permission shall be constructed on the side and rear elevation of the dwelling hereby approved at first floor level or above.
- 7) Prior to the occupation of the dwelling hereby approved cycle stores for the existing and proposed properties shall be provided in accordance with details that have first been submitted to and approved in writing by the local planning authority. They shall be retained thereafter and not used for any other purpose.
- 8) Prior to the occupation of the dwelling hereby approved refuse stores for the existing and proposed properties shall be provided in accordance with details that have first been submitted to and approved in writing by the local planning authority. They shall be retained thereafter and not used for any other purpose.
- 9) Prior to the occupation of the dwelling hereby approved space shall be laid out within the site in accordance with Proposed Site Plan Drawing No 3464 - 06/FP for the parking of vehicles for the existing and proposed dwellings. The spaces shall thereafter be kept available at all times for the parking of vehicles.



Mrs Jo Brough  
7  
Aspen Grove  
Paddington  
Warrington WA1 3ET

Application Ref:  
20352/APP/2021/1451

**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 2-bed dwelling with bin storage, bicycle parking and private amenity space involving demolition of existing attached garage

**Location of development:** 123 Central Avenue Hayes

**Date of application:** 26 April 2021

**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: 17 June 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: 20352/APP/2021/1451

### SCHEDULE OF REASONS

- 1 . The proposed dwelling, by reason of its siting in this open prominent position, size, scale and bulk, would result in the loss of an important gap characteristic to the area, resulting in a cramped appearance. The proposal would therefore represent an over development 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 Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 1, DMHB 5, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies D1, D3, D4, D6 and HC1 of the London Plan (2021) and the National Planning Policy Framework (2019).
- 2 . The proposed dwelling, by reason of its size, design and layout fails to provide a dwelling which meets the requirements of people with disabilities and would therefore give rise to a substandard form of living accommodation to the detriment of the amenity of future occupiers. The proposal is thus contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and Policies D5 and D7 of the London Plan (2021).

### 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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

#### Part 1 Policies:

|         |                          |
|---------|--------------------------|
| PT1.BE1 | (2012) Built Environment |
| PT1.HE1 | (2012) Heritage          |

#### Part 2 Policies

|         |                                  |
|---------|----------------------------------|
| DMH 2   | Housing Mix                      |
| DMHB 1  | Heritage Assets                  |
| DMHB 5  | Areas of Special Local Character |
| 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    |

## **SCHEDULE OF REASONS**

|          |                                                                 |
|----------|-----------------------------------------------------------------|
| 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 D1   | (2021) London's form, character and capacity for growth         |
| 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                                      |
| LPP HC1  | (2021) Heritage conservation and growth                         |
| 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                   |
| NPPF- 16 | NPPF-16 2018 - Conserving & enhancing the historic environment  |

- 3 . In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

- 4 . 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](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

## **END OF SCHEDULE**

## **SCHEDULE OF REASONS**

### **Address:**

Residents Services  
London Borough of Hillingdon  
3 North Civic Centre, High Street, Uxbridge UB8 1UW  
Tel: 01895 250230  
**[www.hillingdon.gov.uk](http://www.hillingdon.gov.uk)**

## **REFUSAL OF PLANNING PERMISSION**

Application Ref.No.: 20352/APP/2021/1451

## **SCHEDULE OF PLANS**

3464-07/FP - received 13 Apr 2021

3464-02/FP - received 13 Apr 2021

3464-03/FP - received 13 Apr 2021

3464-04/FP - received 13 Apr 2021

3464-05/FP - received 13 Apr 2021

3464-06/FP - received 13 Apr 2021

3D Images x 2 - received 13 Apr 2021

Map Highlighting Development within the Area of Special Character - received 13 Apr 2021

Bicycle Storage Details with Photographs - received 13 Apr 2021

3464-08/FP - received 13 Apr 2021

Planning Statement - received 13 Apr 2021

3464-01/FP - received 13 Apr 2021

Flood Risk Assessment - received 13 Apr 2021

**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](http://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](mailto: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](http://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 | <input type="checkbox"/> |
| 2. Application complies with all relevant planning policies and is acceptable on planning grounds                | <input type="checkbox"/> |
| 3. There is no Committee resolution for the enforcement action                                                   | <input type="checkbox"/> |
| 4. There is no effect on listed buildings or their settings                                                      | <input type="checkbox"/> |
| 5. The site is not in the Green Belt (but see 11 below)                                                          | <input type="checkbox"/> |

**REFUSAL RECOMMENDED: GENERAL**

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

**RESIDENTIAL DEVELOPMENT**

- |                                                                                      |                          |
|--------------------------------------------------------------------------------------|--------------------------|
| 10. Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha | <input type="checkbox"/> |
| 11. Householder application in the Green Belt                                        | <input type="checkbox"/> |

**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 | <input type="checkbox"/> |
| 13. Refusal of change of use from retail class A1 to any other use                                                                   | <input type="checkbox"/> |
| 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.  | <input type="checkbox"/> |

**CERTIFICATE OF LAWFULNESS**

- |                                                                 |                          |
|-----------------------------------------------------------------|--------------------------|
| 15. Certificate of Lawfulness (for proposed use or Development) | <input type="checkbox"/> |
| 16. Certificate of Lawfulness (for existing use or Development) | <input type="checkbox"/> |
| 17. Certificate of Appropriate Alternative Development          | <input type="checkbox"/> |

**CERTIFICATE OF LAWFULNESS**

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

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**                      123 CENTRAL AVENUE HAYES

**Development:**              Erection of a 2-bed dwelling with bin storage, bicycle parking and private amenity space involving demolition of existing attached garage

**LBH Ref Nos:**              **20352/APP/2021/1451**

**Drawing Nos:**              3464-07/FP  
                                          3464-02/FP  
                                          3464-03/FP  
                                          3464-04/FP  
                                          3464-05/FP  
                                          3464-06/FP  
                                          3D Images x 2  
                                          Map Highlighting Development within the Area of Special Character  
                                          Bicycle Storage Details with Photographs  
                                          3464-08/FP  
                                          Planning Statement  
                                          3464-01/FP  
                                          Flood Risk Assessment

**Date Plans received :**    26/04/2021

**Date(s) of Amendment(s):**

**Date Application Valid:** 26/04/2021

## 1. **SUMMARY**

The application seeks planning permission for the demolition of existing attached garage and creation of new two bedroom attached dwelling with associated bin storage, cycle parking and private amenity space. The application seeks to address the previous reason for refusal. However concerns remain about the partial infilling of the space to the side of the dwelling in this corner plot which would detract from the established character and appearance of the site within the ASLC.

## 2. **RECOMMENDATION**

**REFUSAL for the following reasons:**

### 1              NON2              Non Standard reason for refusal

The proposed dwelling, by reason of its siting in this open prominent position, size, scale and bulk, would result in the loss of an important gap characteristic to the area, resulting in a cramped appearance. The proposal would therefore represent an over development 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 Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 1, DMHB 5, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies D1, D3, D4, D6 and HC1 of the London Plan (2021) and the National Planning Policy Framework (2019).

### 2              NON2              Non Standard reason for refusal

The proposed dwelling, by reason of its size, design and layout fails to provide a dwelling which meets the requirements of people with disabilities and would therefore give rise to

a substandard form of living accommodation to the detriment of the amenity of future occupiers. The proposal is thus contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and Policies D5 and D7 of the London Plan (2021).

## 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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

|          |                                                                 |
|----------|-----------------------------------------------------------------|
| DMH 2    | Housing Mix                                                     |
| DMHB 1   | Heritage Assets                                                 |
| DMHB 5   | Areas of Special Local Character                                |
| 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 D1   | (2021) London's form, character and capacity for growth         |
| 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                                      |
| LPP HC1  | (2021) Heritage conservation and growth                         |
| 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                  |
| NPPF- 16 | NPPF-16 2018 - Conserving & enhancing the historic environment |

### **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.

### **4 I74 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](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

## **3. CONSIDERATIONS**

### **3.1 Site and Locality**

The application property is an end of terrace two-storey dwelling, positioned on a prominent corner plot at the junction of Central Avenue and Orchard Road in the Central Avenue, Hayes, Area of Special Local Character (ASLC).

The building is set back from the highway of Central Avenue, benefits from off road parking to the front driveway and the external walls of the building have been finished in facing white render. The property has a centrally gabled roof.

The dwelling has a private garden to the rear of the building. The property has been previously extended by way of a front porch, a single storey side/rear extension and a detached pitched roofed single garage to the side.

### **3.2 Proposed Scheme**

The application seeks planning permission for the demolition of existing attached garage and creation of new two bedroom attached dwelling with associated bin storage, cycle parking and private amenity space.

### **3.3 Relevant Planning History**

20352/APP/2017/2283 123 Central Avenue Hayes

Conversion of roof space to habitable use to include a rear dormer (Application for a Certificate of Lawful Development for a Proposed Development).

**Decision:** 17-08-2017 Approved

20352/APP/2017/2285 123 Central Avenue Hayes

Two storey, 3-bed attached dwelling with two storey side and single storey rear extension.

**Decision:** 17-10-2017 WD

20352/APP/2018/643 123 Central Avenue Hayes

Part two storey, part single storey side/rear extension and conversion of dwelling into 2 x 2-bed dwellings with associated parking and amenity space.

**Decision:** 02-07-2018 WD

20352/APP/2019/1672 123 Central Avenue Hayes

Part two storey, part single storey side/rear extension and conversion of roof space to habitable use to include a rear dormer and a rear roof light

**Decision:** 25-07-2019 Refused **Appeal:** 02-01-2020 Dismissed

20352/APP/2019/679 123 Central Avenue Hayes

Part two storey, part single storey side/rear extension, conversion of roof space to habitable use to include a rear dormer and a rear roof light and a detached garage to side

**Decision:** 29-04-2019 Refused

20352/APP/2020/1613 123 Central Avenue Hayes

Single storey outbuilding to rear for use as a summer house/gym/storage (Application for a Certificate of Lawful Development for a Proposed Development)

**Decision:** 11-06-2020 Approved

20352/APP/2020/1666 123 Central Avenue Hayes

Two storey side extension and part two storey, part single storey rear extension involving demolition of existing extensions

**Decision:** 15-07-2020 Refused

20352/APP/2020/2229 123 Central Avenue Hayes

Two storey side extension and part two storey, part single storey rear extension involving demolition of existing extensions

**Decision:** 22-09-2020 Refused

20352/APP/2020/2273 123 Central Avenue Hayes

Part two storey, part single storey rear extension

**Decision:** 14-09-2020 Refused

20352/APP/2020/2281 123 Central Avenue Hayes

Part two storey, part single storey rear extension and part two storey, part single storey side extension

**Decision:** 23-09-2020 Refused

20352/APP/2020/3044 123 Central Avenue Hayes

PROPOSED SINGLE STOREY REAR AND SIDE EXTENSIONS FOLLOWING  
DEMOLITION OF EXISTING SIDE GARAGE

**Decision:** 30-10-2020 NFA

20352/APP/2020/3149 123 Central Avenue Hayes

Single storey side/rear extension including demolition of existing extension

**Decision:** 04-12-2020 Refused

20352/APP/2020/3199 123 Central Avenue Hayes

SINGLE STOREY REAR AND SIDE EXTENSIONS FOLLOWING DEMOLITION OF EXISTING  
ATTACHED GARAGE

**Decision:** 30-10-2020 NFA

20352/APP/2020/3869 123 Central Avenue Hayes

Erection of a 2-bed dwelling with bin storage, bicycle parking and private amenity space  
involving demolition of existing attached garage.

**Decision:** 01-02-2021 Refused

20352/APP/2021/1190 123 Central Avenue Hayes

Retention of existing single storey rear extension, first floor rear extension and conversion of  
garage to habitable use with extension to rear

**Decision:**

20352/C/95/0749 123 Central Avenue Hayes

Erection of a single-storey rear extension (Application for a Certificate of Lawfulness for a  
proposed use or development)

**Decision:** 16-06-1995 GPD

20352/E/95/1093 123 Central Avenue Hayes

Erection of an attached garage

**Decision:** 12-09-1995 Approved

20352/PRC/2018/178 123 Central Avenue Hayes

Two storey side extension, single storey side/rear extension, single storey side extension,  
proposed rear dormer with one front roof light

**Decision:** 27-03-2019 OBJ

20352/PRC/2020/166 123 Central Avenue Hayes

Two storey side extension and part two storey, part single storey rear extension involving  
demolition of existing extension

**Decision:**

#### **Comment on Planning History**

There has been an extensive planning history at this site. Most recently application reference 20352/APP/2020/3869 for the erection of a 2-bed dwelling with bin storage, bicycle parking and private amenity space involving demolition of existing attached garage was refused for the following reason:

The proposal by reason of its siting in this open prominent position, size, scale, bulk and design would be detrimental to the character, appearance and visual amenities of the street scene and the wider Central Avenue, Hayes, Area of Special Local Character. Therefore the proposal is contrary to Policy BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 1, DMHB 5, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies 7.4 and 7.8 of the London Plan (2016) and the National Planning Policy Framework (2019).

This application is currently the subject of appeal reference APP/R5510/W/21/3270975.

20352/APP/2020/2281 - Part two storey, part single storey rear extension and part two storey, part single storey side extension - Refused 23/9/2020 for the following reason:

The proposed part two storey, part single storey rear extension and part two storey, part single storey side extension by reason of their siting in this open prominent position, size, scale, bulk, design and awkward juxtaposition with the roof extension, would fail to appear as subordinate additions and would thus fail to harmonise with the architectural composition of the original dwelling, would be detrimental to the character and appearance of the existing property and to the visual amenities of the street scene and the wider Central Avenue Area of Special Local Character. Therefore the proposal would be contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 1, DMHB 5, DMHB 11 and DMHB 12 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020), Policy 7.8 of the London Plan (2016) and the NPPF.

20352/APP/2020/1666 - Two storey side extension and part two storey, part single storey rear extension involving demolition of existing extensions - Refused 15/7/2020 for the following reason:

The proposed extensions, by reason of their siting in this visually prominent position, size, scale, bulk, width and design, would result in incongruous additions which would fail to harmonise with the architectural composition of the original dwelling and would be detrimental to the character, appearance and visual amenities of the street scene and the wider Central Avenue, Hayes Area of Special Local Character. Therefore the proposal would be contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHD 1, DMHB 1, DMHB 5, DMHB 11 and DMHB 12 of the Local Plan: Part Two - Development Management Policies (2020), Policy 7.8 of the London Plan (2016) and the NPP

20352/APP/2019/1672 - Part two storey, part single storey side/rear extension and conversion of roof space to habitable use to include a rear dormer and a rear roof light. Refused on 25/7/19, dismissed at appeal on 02/01/20

Refusal reasons:

1. The proposed extensions, by reason of their siting in this visually prominent position, size, scale, bulk and design, would result in incongruous additions which would fail to harmonise with the architectural composition of the original dwelling and would be detrimental to the character, appearance and visual amenities of the street scene and the wider Central Avenue, Hayes Area of Special Local Character. Therefore the proposal would be contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE5, BE13, BE15 and BE19 of the

Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

2. The proposal would provide a habitable room (playroom) with very poor outlook and natural/sunlight that would result in a substandard form of living accommodation and reliance upon artificial means of lighting which would fail to satisfy sustainability and energy efficiency objectives and would be to the detriment of the amenity of future occupiers, contrary to Policies 3.5 and 5.3 of the London Plan (March 2016), Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

20352/APP/2019/679 - Part two storey, part single storey side/rear extension, conversion of roof space to habitable use to include a rear dormer and a rear roof light and a detached garage to side - Refused on 29/4/19

Refusal reason:

The proposed extensions/garage, by reason of their siting in this visually prominent position, size, scale, bulk, excessive width and design, would result in incongruous additions which would fail to harmonise with the architectural composition of the original dwelling and would be detrimental to the character, appearance and visual amenities of the street scene and the surrounding area which lies within the Central Avenue ASLC. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE5, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

20352/PRC/2018/178 - Two storey side extension, single storey side/rear extension, single storey side extension, proposed rear dormer with one front roof light - Refused on 27/3/19

20352/APP/2018/643 - Part two storey, part single storey side/rear extension and conversion of dwelling into 2 x 2-bed dwellings with associated parking and amenity space. - Withdrawn

20352/APP/2017/2285 - Two storey, 3-bed attached dwelling with two storey side and single storey rear extension. - Withdrawn. The previous application was withdrawn on the advice of the officer as the design and impact upon the neighbour was considered unacceptable.

20352/APP/2017/2283 - Conversion of roof space to habitable use to include a rear dormer (Application for a Certificate of Lawful Development for a Proposed Development) - Approved 17-08-17

20352/APP/2020/2273 - Part two storey part single storey rear extension - Refused 14/9/2020

The proposed part first floor rear extension by reason of its its siting in this open prominent position, size, scale, bulk, design and awkward juxtaposition with the roof extension, would fail to appear as a subordinate addition and would thus fail to harmonise with the architectural composition of the original dwelling, would be detrimental to the

character and appearance of the existing property and to the visual amenities of the street scene and the wider Central Avenue Area of Special Local Character. Therefore the proposal would be contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 1, DMHB 5, DMHB 11 and DMHB 12 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020), Policy 7.8 of the London Plan (2016) and the NP

20352/APP/2020/2229 - Two storey side extension and part two storey, part single storey rear extension involving demolition of existing extension - Refused 22/9/2020

The proposed part first floor rear extension and two storey side extension by reason of their siting in this open prominent position, size, scale, bulk, design and awkward juxtaposition with the roof extension, would fail to appear as a subordinate addition and would thus fail to harmonise with the architectural composition of the original dwelling, would be detrimental to the character and appearance of the existing property and to the visual amenities of the street scene and the wider Central Avenue Area of Special Local Character. Therefore the proposal would be contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 1, DMHB 5, DMHB 11 and DMHB 12 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020), Policy 7.8 of the London Plan (2016) and the NPPF.

20352/APP/2020/3149 - Single storey side/rear extension including demolition of existing extension - Refused 14/12/2020

The proposed single storey side and rear extension by reason of its flat roof design and absence of a parapet together with insufficient information submitted to enable a full assessment of the development in regard to the proposed first floor layout would be contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 1, DMHB 5, DMHB 11 and DMHB 12 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020), Policies 3.5 and 7.8 of the London Plan (2016) and the NPPF.

#### **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**

30 neighbouring properties were consulted by letter dated 28.4.21. One letter of concern was received from the Ward Councilor raising concerns about the parking across the frontage.

Hayes Conservation Area Advisory Panel:

We note that the unapproved large window in the front of the roof is still in place on the current property and is shown on the 'existing' front elevation submitted as part of this application. Although this was inserted as part of a loft conversion that was undertaken with a certificate of legal development (20352/APP/2017/2283), the plans that accompanied that application did not show the large roof light that was inserted, so we question its legality. As it appears to have no specific permission, enforcement action needs to be taken NOW as the permission was granted nearly four years ago and it is an

unacceptable feature in this Area of Special Local Character. We strongly feel that no further permission should be granted for this site until the situation as regards the large roof light has been regularised. This current application is the least objectionable of the many development schemes that have been proposed for this property. We are however concerned that the block plan does not show the various trees, bollards etc on the pavement, and we wonder if they would block access to the proposed new driveway. We have no strong objections to the proposed building but consider a number of conditions need to be applied to any permission that may be granted as we feel that the owners are up against the boundary between what may be acceptable expansion and over-development. The creation of a separate dwelling will presumably lead to subdivision of the curtilage. We therefore hope that a condition will be imposed to remove the permitted development rights of the new house as any further extension, particularly a loft conversion, would to our mind be unacceptable. We also expect the standard condition that forbids the insertion of additional windows, doors etc without specific permission to be applied.

Landscape Officer:

This site is occupied by a two-storey end of terrace house located on the west side of Central Avenue, at the junction with Orchard Avenue. The property has an attached garage to the north and, as a corner plot, benefits from a double-width garden in the front which tapers back to a typical width at the rear. The site lies within the Central Avenue Area of Special Local Character.

COMMENT The site has been the subject of numerous planning applications, including 20352/APP/20219/3748, which was approved. No trees will be affected by the proposal. The site layout is indicated on Multi-Creation's drawing ref. 3464-D6/FB. This shows a small private garden to the rear of 95m<sup>2</sup>, with a more spacious garden to the side/front. Space and opportunity exists to provide soft landscape enhancement - subject to detail.

RECOMMENDATION If you are minded to approve this application, there is no objection subject to conditions RES9 (parts 1, 2 and 5).

Access Officer:

This proposal for a new two bedroom attached dwelling house has been reviewed against London Plan policy D7 And its requirement for accessible and adaptable housing in accordance with Approved Document M to the Building Regulations 2010 (2015 edition). The proposed development fails to comply with the above policy and associated Technical Housing Standards for the reasons set out below: 1. The porch entrance door is offset to the main door leading into the dwelling, and does not achieve sufficient distance between two doors. 2. The entrance lobby arrangement fails to achieve the requisite clear access zones and manoeuvring space for wheelchair users in accordance with the prescribed M4(2) standards.

Conclusion: Unacceptable. An accessibility objection is raised on the grounds of non-compliance with London Plan policy D7 and its requirement for all new housing to meet a minimum standard of M4(2).

## **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.HE1 (2012) Heritage

Part 2 Policies:

|          |                                                                 |
|----------|-----------------------------------------------------------------|
| DMH 2    | Housing Mix                                                     |
| DMHB 1   | Heritage Assets                                                 |
| DMHB 5   | Areas of Special Local Character                                |
| 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 D1   | (2021) London's form, character and capacity for growth         |
| 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                                      |
| LPP HC1  | (2021) Heritage conservation and growth                         |
| 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                   |
| NPPF- 16 | NPPF-16 2018 - Conserving & enhancing the historic environment  |

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) (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 separation distance between the two storey elements of the host dwelling and proposed dwelling on the side boundary is 1 m and the new dwelling would not extend beyond the return building line of the host dwelling. Therefore it is considered that it would not result in an unacceptable loss of amenity to the occupants of this property.

The separation distance between the new dwelling and the rear elevation of 59 Orchard Road is approximately 11 metres and would not result in an unacceptable loss of amenity to the occupants of this property.

Thus, the proposed dwelling would not be detrimental to the amenities of the neighbouring properties and therefore the proposal would be in accordance with the aims and principles Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

### **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.

Policy DMH 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that

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 back land 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 back land 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.site.

Policy DMHB 5 of the Local Plan: Part Two - Development Management Policies (2020) advises that A) Within Areas of Special Local Character, new development should reflect the character of the area and its original layout. Alterations should respect the established scale, building lines, height, design and materials of the area. B) Extensions to dwellings should be subservient to, and respect the architectural style of the original buildings and allow sufficient space for appropriate landscaping, particularly between, and in front of, buildings.

C) The replacement of buildings which positively contribute to the character and local importance of Areas of Special Local Character will normally be resisted.

The applicant seeks to address the concerns raised in respect of the previous application and has advised that:

-The attached house replaces the previously proposed detached dwelling which would

now replicate and follow the rhythm of the established building type and character within the ASLC.

- The design respects the character of the existing terrace row with cat slide roof, window openings, prominent front gable and central arched access passageway.

- The new attached dwelling by virtue of its scale, width and height would introduce an appropriate built mass to the site which would complement the appearance of the street and ASLC.

- The symmetry of the terrace row would be retained and a large corner plot would still be visible to replicate the size of other corner plots in the ASLC

The applicants supporting statement provides examples of side extensions to dwellings within the nearby vicinity.

The application site, together with other corner properties in the vicinity are defined by large open spaces to the side of the existing dwellings. It is considered that this open space character gives several properties in the immediate locality, including the application dwelling, the appearance of significant spaciousness within their plots and makes a positive visual contribution to the appearance of the street scene. The open space character and visual gaps also help to clearly define the semi-detached and end terraced contexts of several junction/corner properties in the immediate locality.

The corner plot positioning of the application dwelling is such that it is visually prominent on both street scenes. The adjacent properties on Central Avenue have an established and uniform front building line and the front gardens and the side garden area of the application property results in a sense of spaciousness not only at the road junction but along the road. This is mirrored on the opposite side of the road at all 4 corner properties with Longmead Road, Orchard Road and Central Avenue.

In dismissing an appeal for a two-storey side and part two-storey and single-storey rear extension with loft conversion with rear dormer, the Inspector commented as follows:

" 3. The appeal property is an end of terrace two-storey dwelling, positioned on a prominent corner plot at the junction of Central Avenue and Orchard Road in the 'Central Avenue, Hayes, Area of Special Local Character' (ASLC).

4. The building is typical of development in the area, the street-scene of which is generally characterised by short terraced rows of two-storey properties that are aligned in an ordered and spacious manner. These characteristics, along with the subtle variations in the design of the buildings within their respective rows, notwithstanding that some have been extended, combine to give the street-scene a strong rhythm and rather spacious feel, which the appeal property positively contributes towards.

5. Moreover, by virtue of the prominent corner location of the site within the spacious layout of development in the area, the modest size and design of the appeal property positively contributes to the local architectural character and appearance of the ASLC.

6. The design of the proposed part two-storey, part single storey side/rear extensions would incorporate subordinate characteristics. The two-storey side extension would be set back by approximately 1.0 metre from the front elevation of the existing house and the roof ridge would be set down from the roof ridge of the host property by 0.5 metres. Furthermore, the width of the side extension and the set-back distance from the side boundary, and the depth and height of the proposed rear extension, would comply with the dimensional guidance set out in the relevant sections of the Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document: Residential

Extensions (2008) (SPD).

7. However, notwithstanding these subservient characteristics, the proposed development would substantially extend the property, significantly increasing its size. Together, the extensions, which would be seen in the context of the existing built form, would add very considerable bulk and mass to the building. Consequently, the proposal would be out of keeping with the predominantly modest sized properties of the terraced row, thereby disrupting the rhythm of development and the street-scene.

8. Notwithstanding the unusually large size of the site, the cumulative effect of the proposed extensions would overly intensify the quantum of built form at a prominent corner location. The proposed development would not be subordinate to the scale, built form or character of the host building or wider area. Consequently, the proposed development, which would be very readily apparent from the public domain, would have a significant adverse influence on the street-scene. Thus, for the reasons outlined above, would be significantly harmful to the character and appearance of the host building, the wider area and the ASLC."

Whilst it is acknowledged that the current proposal removes the detached form and sets the dwelling further away from the side boundary, it would still result in a form of development that largely fills the space to the side of the dwelling resulting in the loss of the characteristic open space. Consequently, by reason of its siting in this open prominent position, size, scale and bulk, the proposed dwelling would result in the loss of an important gap characteristic to the area, resulting in a cramped appearance. The proposal would therefore represent an over development 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 D4 and D8 of the London Plan (2021).

### **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.

#### Parking Provision

Local Plan: Part 2 Policy DMT 6 requires that new development will only be permitted where it accords with the Council's adopted parking standards unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network.

The maximum parking requirement for the new 2-bedroom residential unit would be in the order of 2 on-plot spaces which should be provided on-site in order to comply with the adopted parking standard. This quantum is to be provided which indicates conformity to the standard.

The proposal would clearly increase traffic generation from the site as compared to the existing scenario. However peak period traffic movements into and out of the site would not be expected to rise beyond 1-2 vehicle movements during the peak morning and evening hours. Hence this uplift is considered marginal in generation terms and therefore can be absorbed within the local road network without notable detriment to traffic congestion and road safety.

### **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 (3 person) two storey house is required to provide 70 square metres which the proposal would meet.

Policy DMHB 18: Private Outdoor Amenity Space states:

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 5.2. A two bedroom dwelling is required to provide 60 square metres. Both the existing and proposed dwelling would achieve 60 square metres in accordance with the above policy.

#### Accessibility

The council's access officer has raised objection to the proposal on the basis that the proposed development fails to comply with policy D7 of the London Plan and associated Technical Housing Standards as the porch entrance door is offset to the main door

leading into the dwelling, and does not achieve sufficient distance between two doors. and the entrance lobby arrangement fails to achieve the requisite clear access zones and manoeuvring space for wheelchair users in accordance with the prescribed M4(2) standards. The proposal therefore fails to comply with London Plan policy D7 and its requirement for all new housing to meet a minimum standard of M4(2).

## **7.6 Other Issues**

CIL

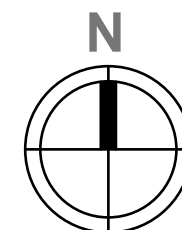
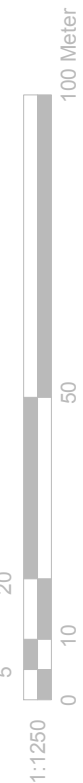
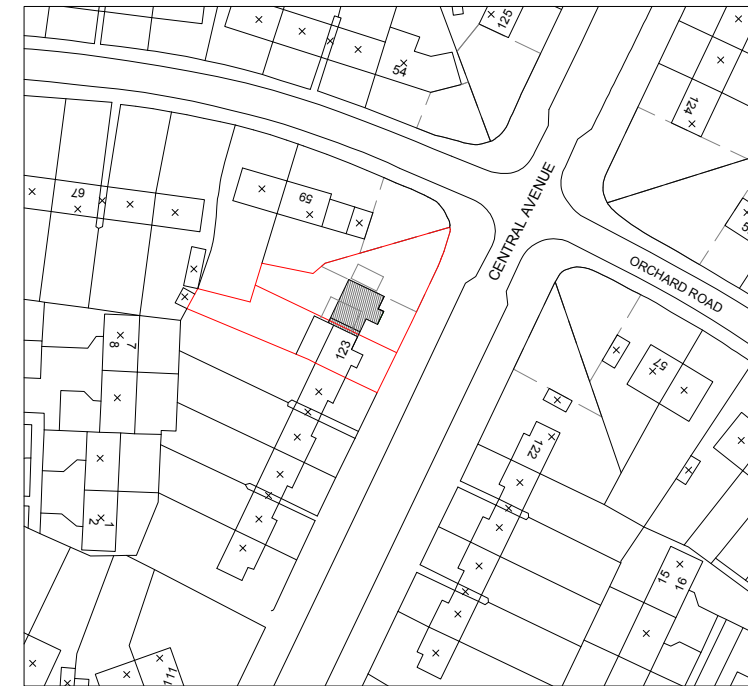
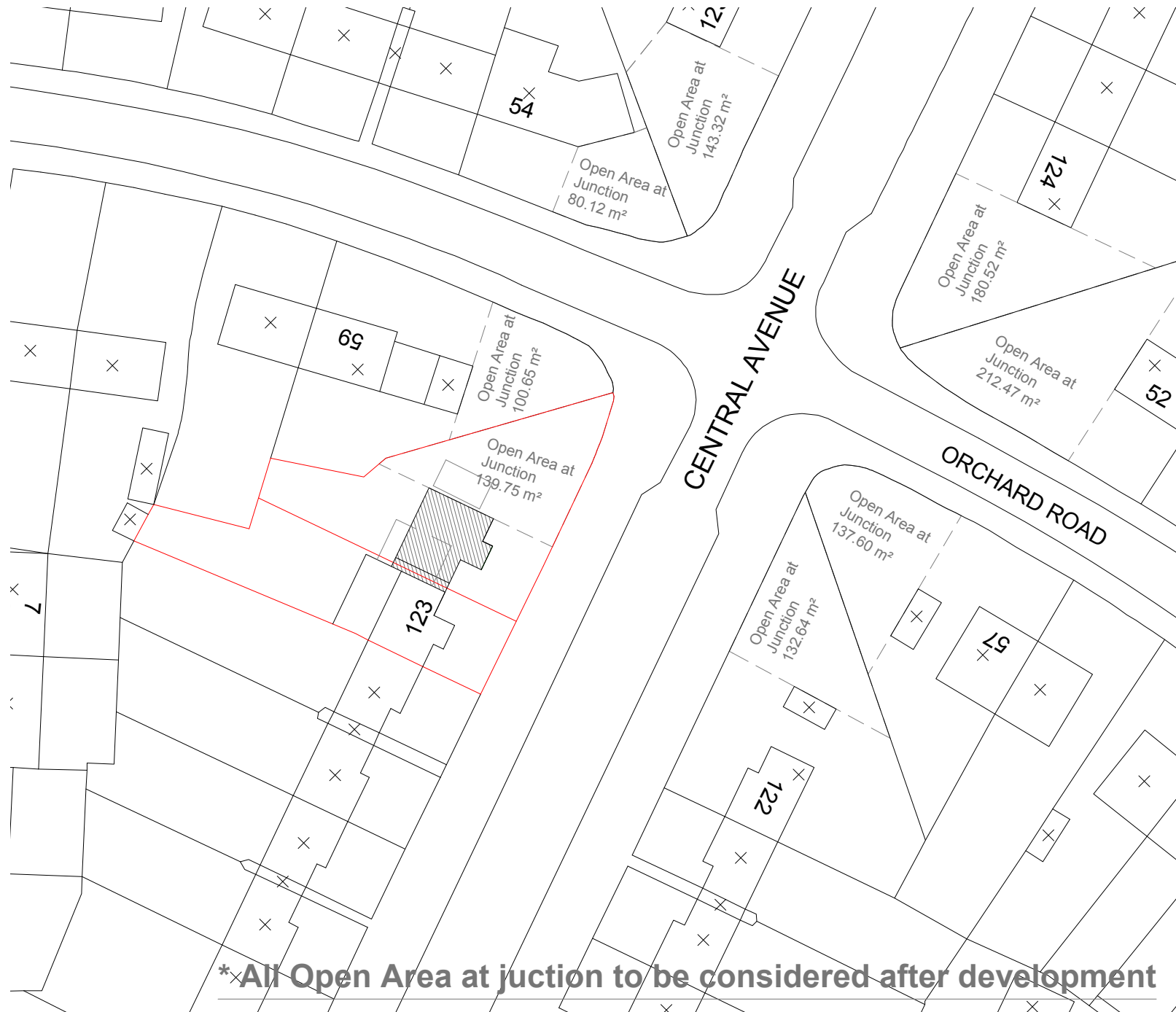
The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £60 per sq metre.

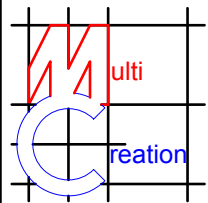
## **8. Reference Documents**

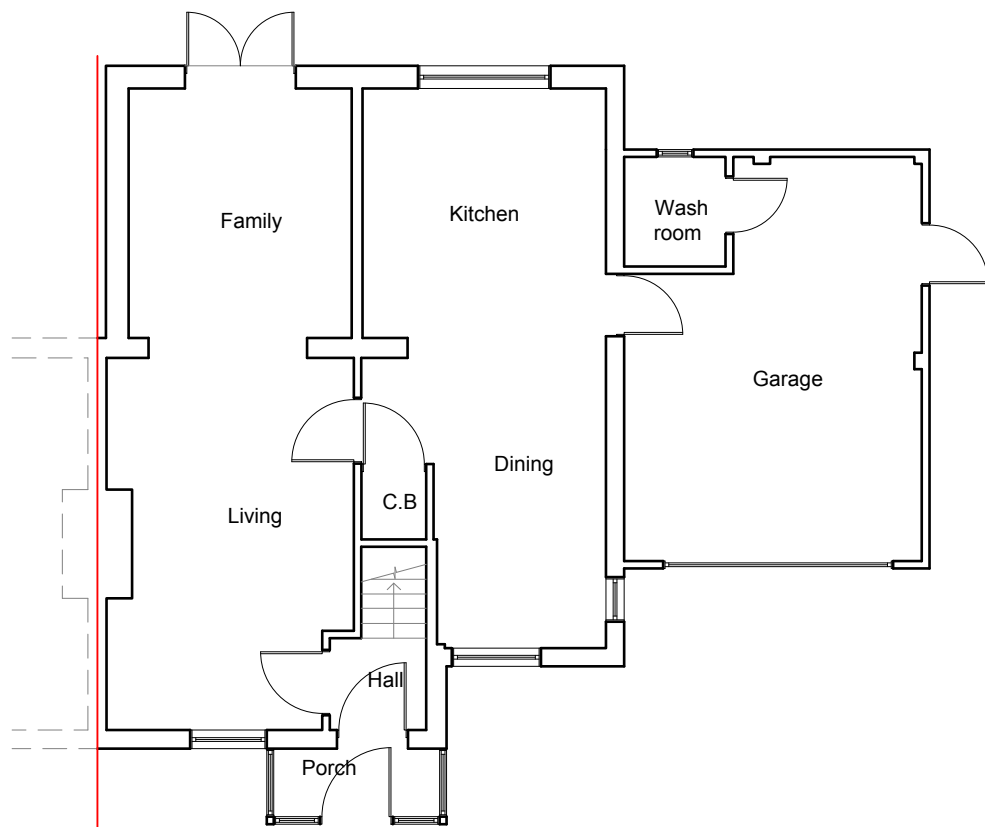
The Local Plan: Part 1 - Strategic Policies (2012)  
The Local Plan: Part 2 - Development Management Policies (2020)  
The Local Plan: Part 2 - Site Allocations and Designations (2020)  
The West London Waste Plan (2015)  
The London Plan (2021)

**Contact Officer:** Nicola Taplin

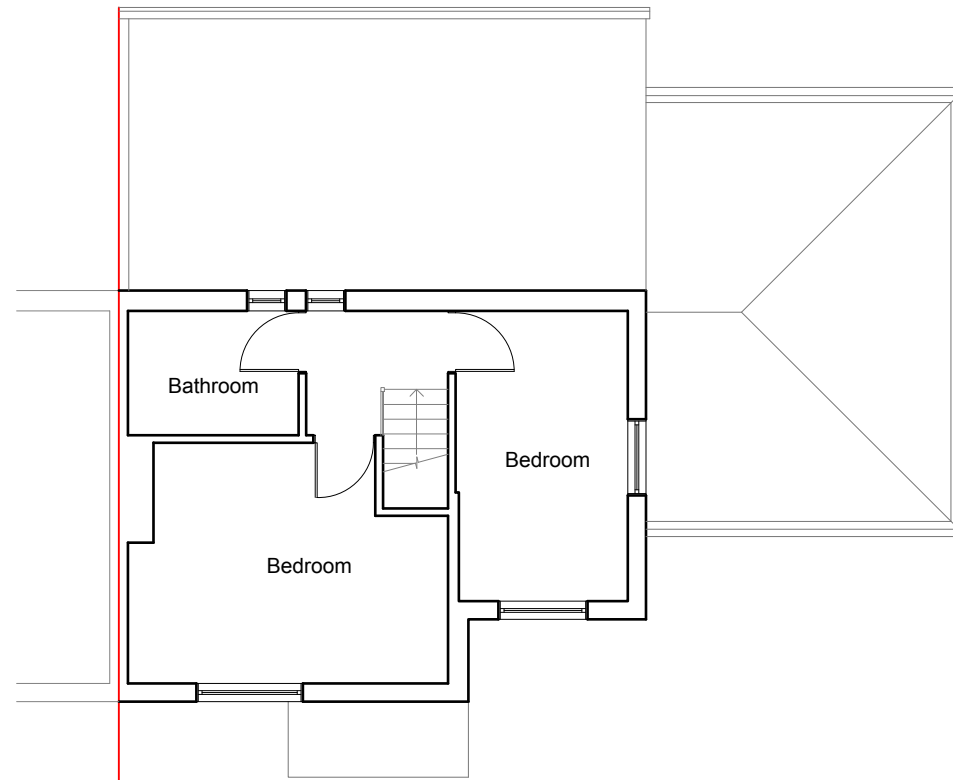
**Telephone No:** 01895 250230



|                                                                                        |                                                      |               |                              |
|----------------------------------------------------------------------------------------|------------------------------------------------------|---------------|------------------------------|
|   | Project:                                             | Title:        | Scale: 1:1250/500@A3         |
|                                                                                        | 123 Central Avenue<br>Hayes,<br>Middlesex<br>UB3 2BS | Location Plan | Date: 07-04-2021             |
|                                                                                        |                                                      | Block Plan    | Drawing No.:<br>3464 - 07/FP |
|                                                                                        |                                                      |               | Revision                     |
|                                                                                        |                                                      |               |                              |
| 239 Western Road, Southall, Middx, UB2 5HS Tel: 020 8571 1369 info@multicreation.co.uk |                                                      |               |                              |

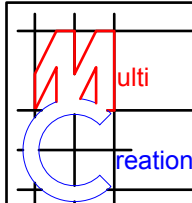


**Existing Ground Floor Plan**  
Scale 1:100



**Existing First Floor Plan**  
Scale 1:100



|                                                                                        |                    |                      |                           |
|----------------------------------------------------------------------------------------|--------------------|----------------------|---------------------------|
|   | Project:           | Title:               | Scale: 1:100 @ A3         |
|                                                                                        | 123 Central Avenue | Existing Floor Plans | Date: 07-04-2021          |
|                                                                                        | Hayes,             |                      | Drawing No.: 3464 - 01/FP |
|                                                                                        | Middlesex          |                      | Revision                  |
|                                                                                        | UB3 2BS            |                      |                           |
| 239 Western Road, Southall, Middx, UB2 5HS Tel: 020 8571 1369 info@multicreation.co.uk |                    |                      |                           |



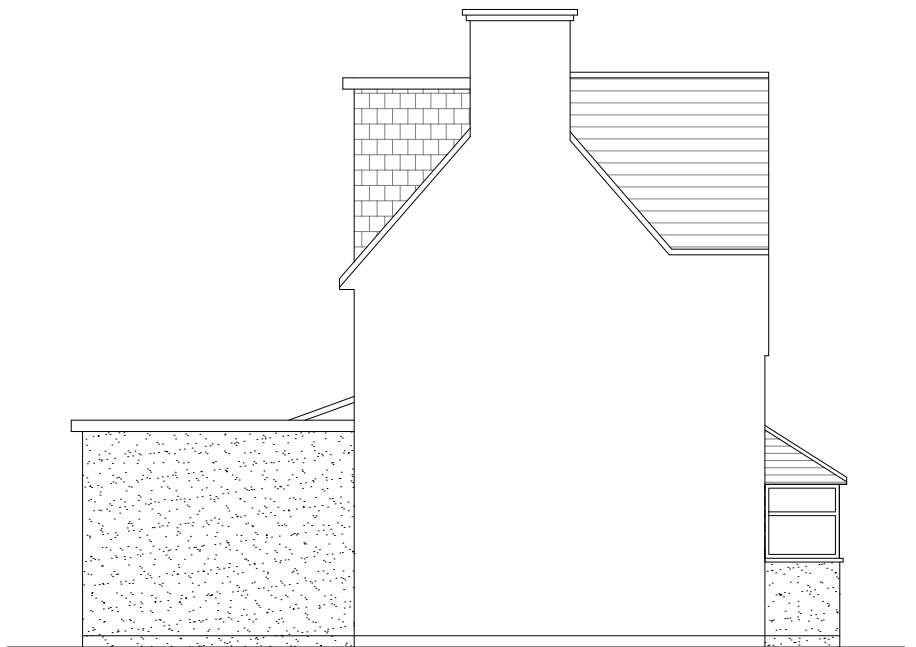
**Existing Front Elevation**  
 Scale:1:100



**Existing Side Elevation**  
 Scale:1:100



**Existing Rear Elevation**  
 Scale:1:100

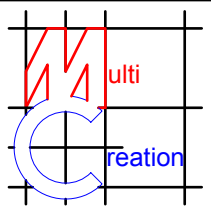


**Existing Side Elevation**  
 Scale:1:100

All work to comply with  
 current building regulations  
 and codes of practice

Do not scale from drawings  
 all dimensions to be checked  
 on site before the start of  
 any work

Proposed External Finish  
 Materials to Match Existing  
 External Finish Materials

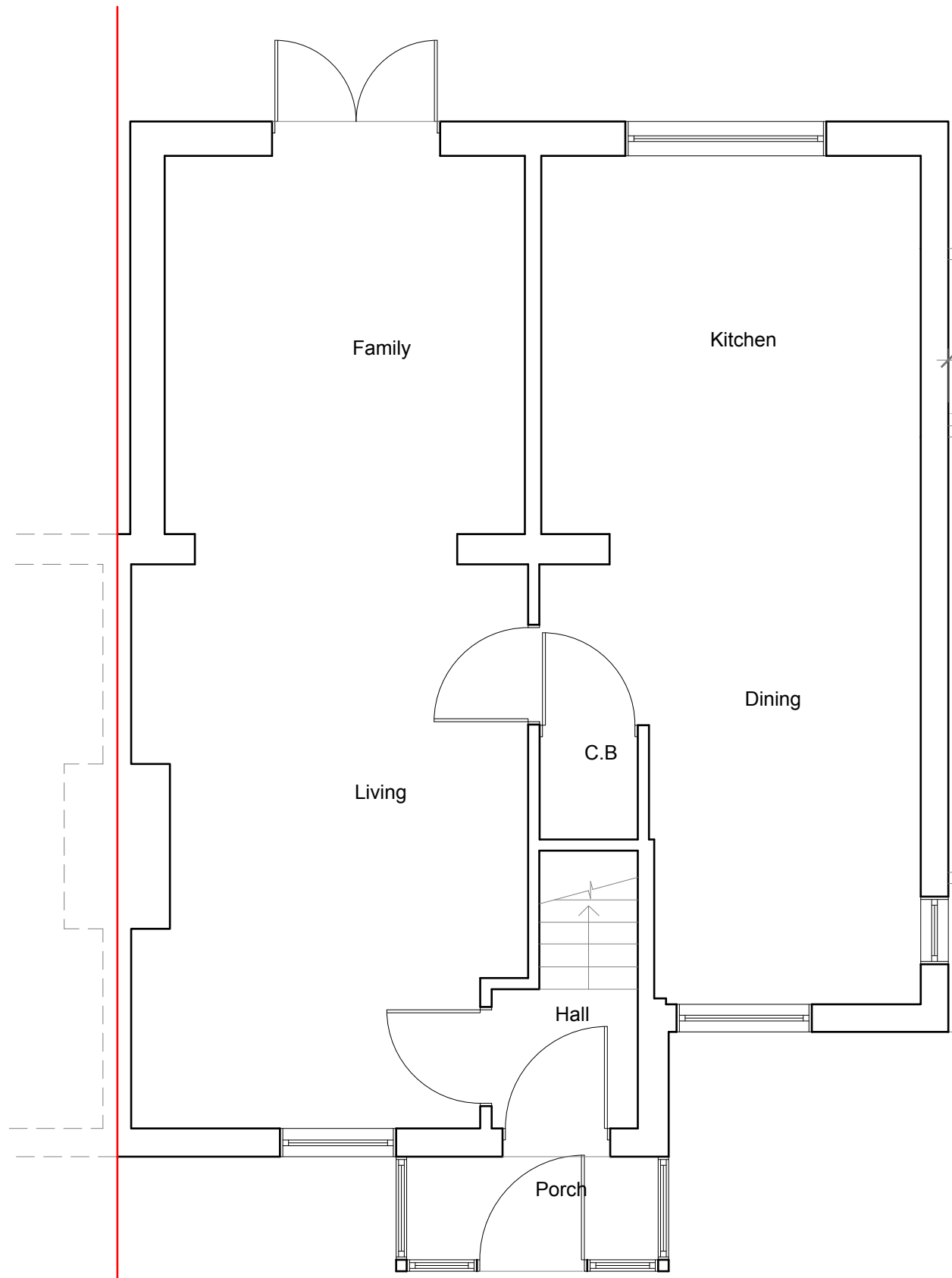


Project:  
 123 Central Avenue  
 Hayes,  
 Middlesex  
 UB3 2BS

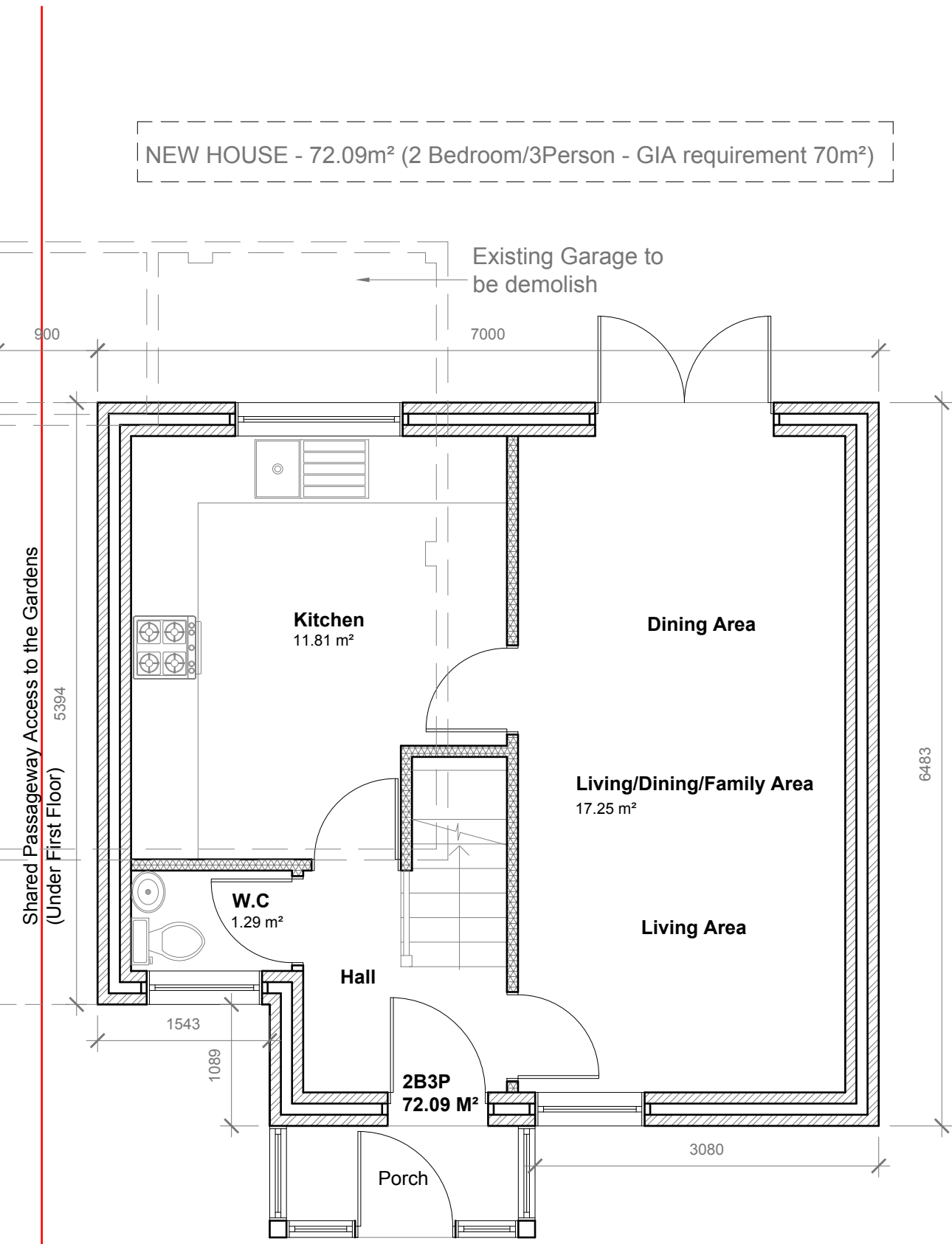
Title:  
 Existing Elevations

Scale: 1:100 @ A3  
 Date: 07-04-2021  
 Drawing No.:  
 3464 - 02/FP

| Revision |  |  |  |  |
|----------|--|--|--|--|
|          |  |  |  |  |
|          |  |  |  |  |



**Existing Ground Floor Plan**  
Scale 1:50



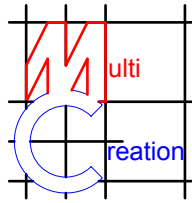
**Proposed Ground Floor Plan**  
Scale 1:50

All work to comply with current building regulations and codes of practice

Do not scale from drawings  
all dimensions to be checked on site before the start of any work

Proposed External Finish Materials to Match Existing External Finish Materials



|                                                                                        |                    |                 |                         |  |  |  |
|----------------------------------------------------------------------------------------|--------------------|-----------------|-------------------------|--|--|--|
|   | <b>Project:</b>    | <b>Title:</b>   | <b>Scale: 1:50 @ A3</b> |  |  |  |
|                                                                                        | 123 Central Avenue | Proposed Ground | Date: 07-04-2021        |  |  |  |
|                                                                                        | Hayes,             | Floor Plan      | Drawing No.:            |  |  |  |
|                                                                                        | Middlesex          |                 | 3464 - 03/FP            |  |  |  |
|                                                                                        | UB3 2BS            |                 | Revision                |  |  |  |
|                                                                                        |                    |                 |                         |  |  |  |
|                                                                                        |                    |                 |                         |  |  |  |
| 239 Western Road, Southall, Middx, UB2 5HS Tel: 020 8571 1369 info@multicreation.co.uk |                    |                 |                         |  |  |  |

### Proposed External Finish Materials to Match Existing External Finish Materials

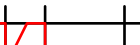
## Existing First Floor Plan

Scale 1:50



## Proposed First Floor Plan

Scale 1:50

|                                                                                       |                                                                         |                                               |                                                                                                             |  |  |  |  |  |
|---------------------------------------------------------------------------------------|-------------------------------------------------------------------------|-----------------------------------------------|-------------------------------------------------------------------------------------------------------------|--|--|--|--|--|
|  | <b>Project:</b><br>123 Central Avenue<br>Hayes,<br>Middlesex<br>UB3 2BS | <b>Title:</b><br>Proposed First<br>Floor Plan | <b>Scale:</b> 1:50 @ A3<br><b>Date:</b> 07-04-2021<br><b>Drawing No.:</b><br>3464 - 04/FP                   |  |  |  |  |  |
|                                                                                       |                                                                         |                                               | <b>Revision</b><br><table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table> |  |  |  |  |  |
|                                                                                       |                                                                         |                                               |                                                                                                             |  |  |  |  |  |
|                                                                                       |                                                                         |                                               |                                                                                                             |  |  |  |  |  |

All work to comply with current building regulations and codes of practice

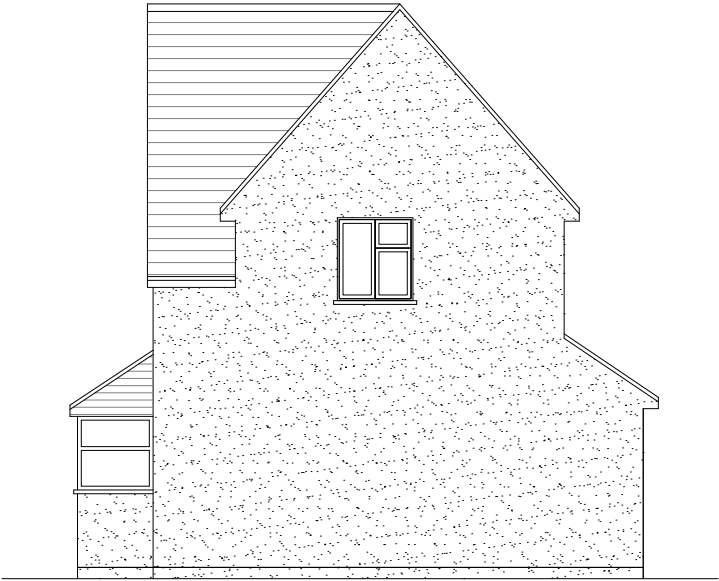
Do not scale from drawings all dimensions to be checked on site before the start of any work

Proposed External Finish Materials to Match Existing External Finish Materials

Proposed Flank Wall Window to be Obscure Glazed and Non Opening below 1.7m from FFL



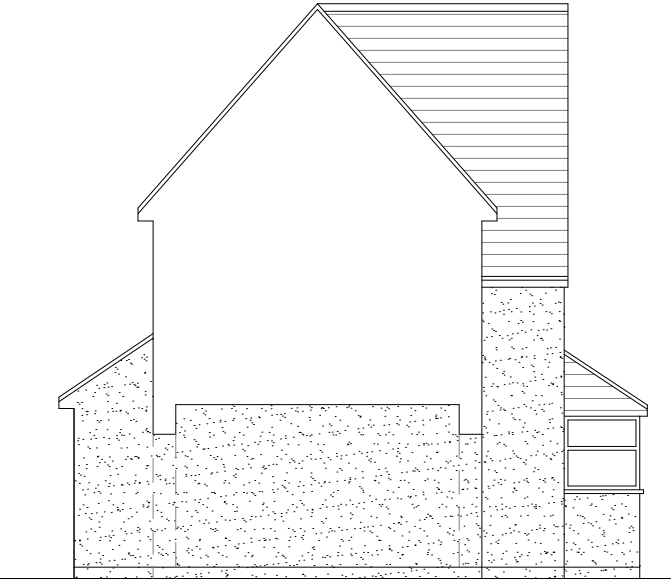
**Proposed Front Elevation**  
Scale:1:100



**Proposed Side Elevation**  
Scale:1:100

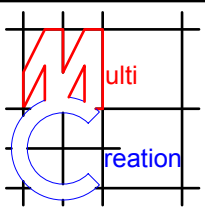


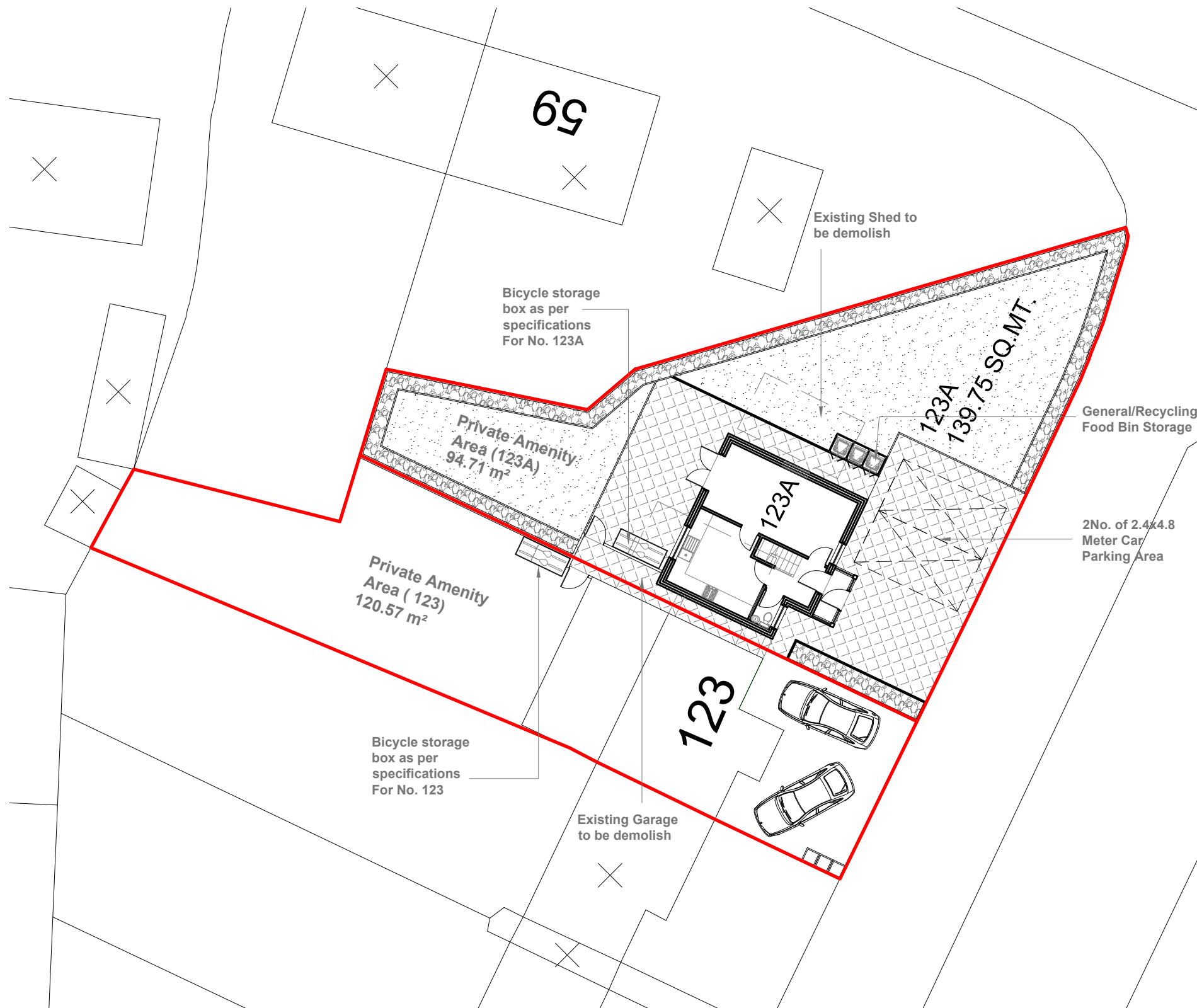
**Proposed Rear Elevation**  
Scale:1:100



**Proposed Side Elevation**  
Scale:1:100

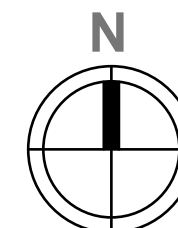


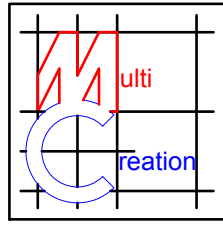
|                                                                                        |                                                      |                        |                              |
|----------------------------------------------------------------------------------------|------------------------------------------------------|------------------------|------------------------------|
|   | Project:                                             | Title:                 | Scale: 1:100 @ A3            |
|                                                                                        | 123 Central Avenue<br>Hayes,<br>Middlesex<br>UB3 2BS | Proposed<br>Elevations | Date: 07-04-2021             |
|                                                                                        |                                                      |                        | Drawing No.:<br>3464 - 05/FP |
|                                                                                        |                                                      |                        | Revision                     |
|                                                                                        |                                                      |                        |                              |
|                                                                                        |                                                      |                        |                              |
| 239 Western Road, Southall, Middx, UB2 5HS Tel: 020 8571 1369 info@multicreation.co.uk |                                                      |                        |                              |



|                                             |                                                             |
|---------------------------------------------|-------------------------------------------------------------|
| Existing Site Area                          | 544.24 m <sup>2</sup>                                       |
| No. 123 Site Area                           | 229.98 m <sup>2</sup>                                       |
| No. 123A Site Area                          | 314.26 m <sup>2</sup>                                       |
| Built Up area of 123A<br>On Ground Coverage | 46.07 m <sup>2</sup> = 14.66% of total Site<br>Area of 123A |
| Private Amenity Area<br>No. 123A            | 94.71 m <sup>2</sup>                                        |
| Private Amenity Area<br>No 123              | 120.57 m <sup>2</sup>                                       |
| Curtilage of 123A                           | 268.19 m <sup>2</sup>                                       |
| Floor Area Of 2B3P<br>Dwelling at 123A      | 72.09 m <sup>2</sup>                                        |

**Site Plan**  
Scale:1:200



|                                                                                        |                                                      |                    |                              |
|----------------------------------------------------------------------------------------|------------------------------------------------------|--------------------|------------------------------|
|   | Project:                                             | Title:             | Scale: 1:50 @ A3             |
|                                                                                        | 123 Central Avenue<br>Hayes,<br>Middlesex<br>UB3 2BS | Proposed Site Plan | Date: 07-04-2021             |
|                                                                                        |                                                      |                    | Drawing No.:<br>3464 - 06/FP |
|                                                                                        |                                                      |                    | Revision                     |
|                                                                                        |                                                      |                    |                              |
| 239 Western Road, Southall, Middx, UB2 5HS Tel: 020 8571 1369 info@multicreation.co.uk |                                                      |                    |                              |



121

Central Ave

Orchard Rd

55

118

122

