

DELEGATED DECISION

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

APPROVAL RECOMMENDED: GENERAL

Select an Option

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

REFUSAL RECOMMENDED: GENERAL

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

RESIDENTIAL DEVELOPMENT

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

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

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

CERTIFICATE OF LAWFULNESS

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

CERTIFICATE OF LAWFULNESS

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

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

Case Officer:

Signature:

Date:

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

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

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

Item No.	Report of the Head of Development Management and Building Control
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Address: 123A CENTRAL AVENUE HAYES

Development: Erection of two storey end-of-terrace dwelling with associated amenity, parking and bin storage

LBH Ref Nos: 78009/APP/2024/1578

Drawing Nos:

1037-13 Rev 08

1037-12 Rev 08

1037-14 Rev A

1037-15 Rev 08

1037-35 Rev 07

1037-14 Rev 08

Impact Assessment

Planning Statement

Flood Risk Assessment

1037-11 Rev 08

1037-30 Rev 07

1031-01 Rev01

Date Plans received: 14-06-24 **Date(s) of Amendments(s):** 13-06-24

[illegible]

1. SUMMARY

Planning permission is sought for the Erection of two storey end-of-terrace dwelling with associated amenity, parking and bin storage.

The proposal by reason of its siting, overall design, width, height, bulk and mass would be an overdevelopment of the site, heavily designed for its constraints leading to a cramped form of

development which fails to integrate with the character and appearance of the street scene and Area of Special Local Character.

In addition to this, the proposed external amenity space is not well located, useable or sufficiently private which would cause future occupiers a substandard level of external accommodation to the detriment of their amenities.

As such, the application is recommended for refusal.

A full assessment has been made in the below report.

2. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Harm to Character and Appearance of Area and ASLC

The proposal by reason of its siting in this prominent corner position, size, scale, bulk, width, height, design, proximity to the side boundary and front amenity area would result in the loss of an important gap characteristic to the area, resulting in a cramped appearance. The proposal would therefore represent an overdevelopment of the site to the detriment of the character, appearance and visual amenities of the area and Central Avenue Area of Special Local Character. Therefore the proposal is contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMH6, DMHB 5, DMHB 11, DMHB 12 and DMHB 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies D3, D4, D6 and D8 of the London Plan (2021) and paragraph 135 of the NPPF (2023).

2. NON2 Insufficient External Amenity

The proposed amenity space by reason of its location and shape would fail to provide a suitable level of outdoor accommodation that is sufficiently private, useable and well located. The future occupiers of the property would therefore be subjected to a poor standard of living accommodation to the detriment of their amenities. The proposal would therefore be contrary to Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and paragraph 135 (f) of the NPPF (2023).

INFORMATIVES

1. I52 Compulsory Informative (1)

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

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

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

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

I53 Compulsory Informative (2)

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

DMH 6	Garden and Backland Development
DMEI 9	Management of Flood Risk
DMEI 10	Water Management, Efficiency and Quality
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
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP GG2	(2021) Making the best use of land
LPP GG4	(2021) Delivering the homes Londoners needs
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing

LPP D8	(2021) Public realm
LPP D14	(2021) Noise
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF11 -23	NPPF11 23 - Making effective use of land
NPPF12 -23	NPPF12 23 - Achieving well-designed and beautiful places
NPPF2 -23	NPPF2 2023 - Achieving sustainable development
NPPF5 -23	NPPF5 23 - Delivering a sufficient supply of homes

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a two storey end of terrace property located 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 a private rear garden. The property has been extended by way of a double storey side extension, single storey rear extension, rear dormer and an outbuilding structure within the rear garden. The property is finished in white render with grey roof tiles and fenestrations.

The application site has a PTAL ranking of 2, lies within an area at risk of surface water flooding and partly on potentially contaminated land.

3.2 Proposed Scheme

Planning permission is sought for the erection of two storey end-of-terrace dwelling with associated amenity, parking and bin storage.

3.3 Relevant Planning History

20352/APP/2024/649	123 & 123a CENTRAL AVENUE HAYES
Erection of first floor rear extensions to numbers 123 & 123a Central Avenue	
Decision: 08-05-2024	Refusal
20352/APP/2024/650	123 & 123a CENTRAL AVENUE HAYES
Erection of first floor extensions to the rear of both 123 & 123a Central Avenue	
Decision: 08-05-2024	Refusal
20352/APP/2023/1481	123a CENTRAL AVENUE HAYES

Erection of a first floor side extension		
Decision: 10-10-2023	Approval	
20352/APP/2023/1016	123 & 123a CENTRAL AVENUE HAYES	
Erection of first floor rear extensions to both properties		
Decision: 01-06-2023	Refusal	
20352/APP/2023/854	123A CENTRAL AVENUE HAYES	
Erection of outbuilding in rear garden (Application for a Certificate of Lawful Development for a Proposed Development)		
Decision: 12-05-2023	Approval	
20352/APP/2023/567	123A CENTRAL AVENUE HAYES	
Proposed single storey side extension		
Decision: 26-04-2023	Approval	
20352/APP/2023/454	123A CENTRAL AVENUE HAYES	
Conversion of roof space to habitable use to include a rear dormer and 2 front roof lights (Application for a Certificate of Lawful Development for a Proposed Development)		
Decision: 06-03-2023	Approval	
20352/APP/2022/3690	123A CENTRAL AVENUE HAYES	
Erection of single storey extension to rear (Application for a Certificate of Lawful Development for a Proposed Development)		
Decision: 12-01-2023	Approval	
20352/APP/2022/3643	123A CENTRAL AVENUE HAYES	
Erection of a rear dormer extension		
Decision: 25-01-2023	Refusal	
20352/APP/2022/214	123 CENTRAL AVENUE HAYES	
Details pursuant to the discharge of Conditions 4 (Landscape), 5 (Glazing), 7 (Cycle stores) and 8 (Refuse stores) of planning permission ref. 20352/APP/2021/1451, appeal reference APP/R5510/W/21/3278335, dated 19/11/2021 (Demolition of existing attached garage and creation of new two bedroom attached dwelling with associated bin storage, cycle parking and private amenity space)		
Decision: 21-04-2022	Approval	
20352/APP/2021/1451	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: 17-06-2021	Refusal	Appeal: 19-11-21 Allowed

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: 13-08-2021	Refusal	
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	Refusal	Appeal: 19-11-21 Dismissed
20352/APP/2020/3149	123 CENTRAL AVENUE HAYES	
Single storey side/rear extension including demolition of existing extension		
Decision: 04-12-2020	Refusal	
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	Refusal	
20352/APP/2020/2273	123 CENTRAL AVENUE HAYES	
Part two storey, part single storey rear extension		
Decision: 14-09-2020	Refusal	
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	Refusal	
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	Refusal	
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	Approval	
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	Refusal	Appeal: 02-01-20 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 Refusal

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 Objection

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 Approval

20352/E/95/1093 123 CENTRAL AVENUE HAYES

Erection of an attached garage

Decision: 12-09-1995 Approval

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 General Perm.Devt.

Comment on Planning History

There is extensive planning history for the site which has been listed above.

The existing property at no.123A Central Avenue was allowed at appeal under application reference 20352/APP/2021/1451 (appeal reference APP/R5510/W/21/3278335)

The existing first floor side extension was approved under application reference 20352/APP/2023/1481 on 10/10/23 and has been built.

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date: Not applicable

4.2 Site Notice Expiry Date: Not applicable

5. Comments on Public Consult

EXTERNAL CONSULTEES:

11 neighbouring properties and Hayes Conservation Area Advisory Panel were consulted on the application by letter dated 20-06-24. The consultation period expired 11-07-24.

One neighbouring objection has been received and is summarised as:

- I am against any further expansion of 123/123A or the erection of a 123B Central Avenue.
- The existing developments have already impacted neighbouring privacy and the proposed development will create more.
- The building works have failed to comply with allowed working hours and health and safety controls.
- The existing outbuilding has weeds and overgrowing plants around the building and is home to feral cats
- Neighbouring properties are boxed in with no open space left
- I do not want anymore built or adding to 123, 123A or 123B

Hayes Conservation Area Advisory Panel:

- We are appalled at the string of extensions that have been made to this house since its creation in 2021 which began the degradation of this part of the Central Avenue Area of Special Local Character. The characteristic openness and spaces allowing views between houses are now lost. What is now proposed is yet further over-development, which is spoiling the area for those living nearby; residents must be fed up with having to live near a building site for over three years! We hope that the Council will finally have the guts to say 'no' to yet more profiteering and despoilation of the area. Between 2017 and 2021 the owners of 123 Central Avenue made 13 applications for significant extensions to the property that were refused, and those that were appealed had their appeals dismissed. Finally, on appeal they were granted permission for a 2-bed dwelling (20352/APP/2021/1451); this became 123A. Since then there have been six more applications for 123A, three of them CLD cases. At no point in this sorry saga that has there been any attempt by the Council to impose conditions on permissions granted removing subsequent legal development rights so we have ended up with a string of inappropriate additions built onto previous additions, and in some cases alterations made that did not conform to the plans for which permission had been granted. Enough is enough and this application must be refused. Apart from anything else, there cannot be sufficient undeveloped land to provide adequate outside amenity space for all the dwellings now present on the original plot for 123 Central Avenue.

OFFICER COMMENT:

- The objections have been noted
- Concerns regarding building working hours and health and safety are governed under separate legislation and therefore have not been discussed further.
- The proposed works are not related to the existing outbuilding and such no further comment will be made
- A full assessment of the proposed development on the amenities of neighbouring properties has been made in section 07.1 of this report.
- A full assessment of the proposed development on the character and appearance of the surrounding area and Area of Special local Character has been made in section 07.2 of this report.
- An assessment of the level of external amenity space has been made in section 07.5 of this report.

INTERNAL CONSULTEE COMMENTS:

Access Officer:

This proposal which seeks to part demolish the existing side extension to make way for a new independent dwelling has been reviewed against the requirements of London Plan Policy D7, applicable to all new housing. No concerns are raised from an accessibility standpoint, subject to the following Conditions attached to any approval: Prior to any works on site above damp proof course level, details of step free access via all points of entry and exit shall be submitted to, and approved in writing, by the Local Planning Authority. The measures implemented as approved shall be retained thereafter. REASON To ensure housing of an inclusive design is achieved and maintained in accordance with Policies D5 and D7 of the London Plan (2021). The dwelling hereby approved shall accord with the requirements of Policy D7 of the London Plan and shall not be occupied until certification of compliance with the technical specifications for an M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, has been submitted to, and approved in writing, by the Local Planning Authority. All such provisions must remain in place for the life of the building. REASON: To not only allow the Building Control body to require the development to comply with the optional Building Regulations standards, but to also ensure the appropriate quantity and standard of accessible and adaptable housing is constructed and maintained in accordance with policy D7 of the London Plan.

Highway Officer:

Site Description

The application site is located on a corner plot on Central Avenue a residential access road with a 30mph speed limit at the junction with Orchard Avenue adjacent to a raised table road narrowing speed reducing feature. Central Avenue has no waiting restrictions although parking is restricted by the frequency of vehicle crossovers that prevent on-street parking and pavement parking which occurs along both sides of the carriageway.

Transport for London use a system called PTAL (Public Transport Accessibility Level) to measure access the public transport network. PTAL assesses walk times to the nearest public transport location taking into account service frequency. The location is then scored between 0 and 6b where 0 is the worst and 6b the best. According to the Transport for London WebCAT service the application site has a PTAL ranking of 2 indicating access to public transport is poor compared to London as a whole suggesting that there would be few opportunities for trips to be made to and from the application site by modes other than the private car which fails to concur with National Planning Policy Framework (NPPF) 9: Promoting Sustainable Transport and The Mayor's Transport Strategy which aims to encourage people to walk, cycle and travel by public transport..

Access and Car Parking

The application proposes to provide a one-bedroom dwelling attached to 123a Central Avenue. Access to the site would remain as existing which would be acceptable.

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The London Plan Table 10.3 - Maximum Residential Parking Standards allows dwellings with one-bedrooms in Outer London with a PTAL of 2 to have a maximum of 0.75 spaces per dwelling. Drawing 1037-11 08 titled Proposed Site Plan shows 1no. car parking space which would be acceptable allowing for rounding, however, the Application Form states that 2no. car parking spaces would be provided which would exceed the standard raising an objection on highway grounds therefore the applicant must erect a low (up to 0.6m) wall, fence, or permanent landscaping adjacent to the parking space shown on Drawing 1037-11 08 titled Proposed Site Plan to physically prevent more than 1no. vehicle parking on the forecourt which should be conditioned.

Electric Vehicle Charging Points (EVCP's)

The London Plan (2021) requires that 20% car parking spaces have active EVCPs and 80% of spaces have passive EVCPs. 1no. 7Kw active EVCP should be provided which could be conditioned.

Cycle Parking

The London Plan Table 10.2 - Minimum Cycle Parking Standards requires that a minimum of 1.5no. cycle parking spaces should be provided. Drawing 1037-11 08 titled Proposed Site Plan shows 2no. cycle spaces located at the rear of the garden which would be an acceptable level of parking, however, there appears to be no access to the cycle store which would not be acceptable as for somebody to make a trip by bicycle it would be necessary to take cycles through the dwelling which detracts from the attractiveness and convenience of trip making by bicycle. It is anticipated that residents would resort to using the private car instead which does not concur with The Mayors Transport Strategy or the London Plan which would not be acceptable. The cycle store should be relocated to the site frontage within the area require to be bound by a low wall or permanently landscaped

A revised drawing should be provided, which could be conditioned, which must concur with the London Cycling Design Standards 8.5.3 Residential Cycle Parking which requires cycle parking spaces to be well located: close to the entrance of the property and avoiding obstacles such as stairs, multiple doors, narrow doorways (less than 1.2 metres wide) and tight corners

Recommendation

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

Conditions

No works shall commence on site until a scheme for the provision of a low (up to 0.6m) wall, fence, or permanent landscaping adjacent to the parking space to physically prevent more than 1no. vehicle parking on the forecourt has been submitted to and approved in writing by the LPA. The scheme shall be fully implemented before the development is first occupied and thereafter retained for this purpose.

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

Prior to the commencement of construction works, details of 1no. 7Kw active EVCP shall be submitted to and approved in writing by the LPA. The works shall be installed in accordance with the approved details prior to first occupation of the development and thereafter retained in accordance with the approved details.

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

No works shall commence on site until a scheme for the parking of 2no. cycles with access to the adopted highway to concur with the LCDS 8.5.3 Residential Cycle Parking has been submitted to and approved in writing by the LPA. The scheme shall be fully implemented before the development is first occupied and thereafter retained for this purpose.

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

6. Local Plan Designation and London Plan

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

Part 1 Policies:

PT1.BE1	(2012) Built Environment
PT1.H1	(2012) Housing Growth

Part 2 Policies:

DMH 6	Garden and Backland Development
DMEI 9	Management of Flood Risk
DMEI 10	Water Management, Efficiency and Quality
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
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP GG2	(2021) Making the best use of land
LPP GG4	(2021) Delivering the homes Londoners needs
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP D8	(2021) Public realm
LPP D14	(2021) Noise
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF11 -23	NPPF11 23 - Making effective use of land
NPPF12 -23	NPPF12 23 - Achieving well-designed and beautiful places
NPPF2 -23	NPPF2 2023 - Achieving sustainable development
NPPF5 -23	NPPF5 23 - Delivering a sufficient supply of homes

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

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

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

Material Considerations

The National Planning Policy Framework (NPPF) (2023) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

7. MAIN PLANNING ISSUES

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

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

The proposed dwelling would be attached to no.123A central Avenue which would be sited south of the application site. The proposed front elevation would be set in line with no.123A and the proposed rear elevation at first floor level would extend approx. 1.15m beyond the first floor of this neighbour. Although a 45 degree angle line from the closest neighbouring habitable room window of 123A has not been provided, it is not considered that this limited depth would create any adverse loss of light, overshadowing, loss of outlook nor would it be overbearing. The proposed ground floor of the new dwelling would not extend beyond the rear extension of no.123A. Overall there would be no significant harm caused to the amenities of this neighbouring property.

Number 59 orchard Road is located north of the application site. This property benefits from double story side extensions. At its widest point, the proposed dwelling would be sited approx. 0.6m away from the shared boundary line and due to the position of the neighbouring windows there would be no direct overlooking to the new dwelling. The planning application has been accompanied by a Daylight and Sunlight Assessment which has concluded that the development would not create a noticeable reduction in daylight or sunlight in compliance with the BRE guidance. The results show that all assessed windows would meet the BRE criteria. As such it is not considered that the proposed development would cause any significant loss of light or overshadowing. There would be no upper floor rear facing windows and as such there would be no overlooking concerns.

Numbers 61 and 63 Orchard Road is located west of the application site along the rear boundary line. There would be no upper floor rear facing windows in the new dwelling and as such there would be no additional overlooking or loss of privacy to the garden areas of these neighbouring properties. Given their separation distances the built form would not create any loss of light or overshadowing to these properties.

The surrounding area is in residential use and it is considered that the addition of one new

residential property will not cause an unacceptable level of noise or disturbance.

Overall, 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

Paragraph 135 of the NPPF(2023) states:

'Planning policies and decisions should ensure that developments:

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

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

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

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

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

Policy DMHB 5 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states 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.

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

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

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

The application site lies within the Central Avenue, Hayes Area of Special Local Character. The surrounding area is made up of predominantly two storey terraced and semi-detached dwellings set back from the highway with front driveways or small gardens with private amenity space to the rear. Many of the properties have benefitted from extensions. The corner plot properties benefit from spacious side plots providing separation between the properties. It is considered that these open spaces contribute positively to the character and 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 proposed development would involve the erection of a two storey end of terraced dwelling with associated parking and amenity space attached to no.123A Central Avenue. The new dwelling would involve the demolition/alteration to the existing side extension at no.123 and would measure approx. 7m in width with a staggered front projection, 6.6m in depth and 2.5m in height characterised with a gable end roof. The dwelling would match the ridge height and front building line of no.123A characterised from a front gable feature, front porch finished in external render. At its widest point, the development would be set in from the side boundary by approx. 0.6m.

Number 123A Central Avenue is a new build development approved at appeal under reference 20352/APP/2021/1451 (appeal reference APP/R5510/W/21/3278335). Whilst it is acknowledge that no.123A has infilled part of the gap between Central Avenue and Orchard Road, the proposed dwelling would infill this gap further creating a cramped form of development, closing the spacious gap to the detriment of the character and appearance of the street scene and Area of Special Local

Character.

Whilst the existing property at 123A Central Avenue benefits from a double storey side extension, this is set down from the main ridge and set back from the front elevation at first floor level appearing subordinate to the host dwelling. Whilst the applicant has stated that the proposed dwelling would incorporate the two storey side extension, the proposed dwelling would match the ridgeline of no.123A, match the front building line of 123A and would be wider than the current extension. Overall, the proposed development would be materially different to the design and size of the existing side extension.

The proposed development would appear cramped within its plot, and has been heavily designed for its constraints. The proposed dwelling has been designed to not include first floor rear facing windows which would form a substandard design and blank facade appearance. Whilst it is noted that no.123A has a large rear dormer with no windows, this was approved under permitted development and is not a form of good design, as such this holds limited weight. The design of the dwelling with no rear facing windows shows that the site is over and above its maximum capacity, demonstrating the locality of a new dwelling in this position is overdevelopment.

The proposed dwelling by reason of its width, no setback and no set down from the main ridgeline would appear to overly extend the already long row of terraced properties harmfully closing the spacious gap between properties causing a cramped form of overdevelopment which is harmful to the street scene and Area of Special Local Character. Policy DMH6 states that garden land development should appear more smaller and intimate in mass, it is clear that the proposed dwelling is not more intimate to the original dwelling by reason of its width, height and no set back.

The dwelling would host an uncharacteristically small rear garden which is uncommon in the immediate surrounding area. Whilst surrounding rear gardens are on the smaller side, the proposed rear garden area would be extremely cramped within its plot appearing out of character with the prevailing design of the surrounding area. Along with this, the development would provide amenity space to the front of the site which is uncharacteristic within the surrounding area. Where side gardens do appear, these do not necessarily provide amenity space, rather they are a landscaped area.

Overall, the proposed development would result in an incongruous and cramped form of development and an overdevelopment of the site to the detriment of the character and appearance of the street scene and Area of Special Local character. As such the proposed development fails to comply with the relevant policies.

7.3 Traffic Impact/Pedestrian Safety

See below section.

7.4 Carparking & Layout

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

Policy DMT 6 states 'Development proposals must comply with the parking standards outlined in

Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity. The Council may agree to vary these requirements when: i) the variance would not lead to a deleterious impact on street parking provision, congestion or local amenity.

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

Parking and Access:

During the process of the application, the applicant provided a revised parking plan indicating the provision of one off street parking space for the new dwelling and lowering the front boundary to 0.5m in height. The London Plan Table 10.3 - Maximum Residential Parking Standards allows dwellings with one-bedrooms in Outer London with a PTAL of 2 to have a maximum of 0.75 spaces per dwelling. Drawing 1037-11 08 titled Proposed Site Plan shows 1no. car parking space which would be acceptable. However, front landscaping works or a low boundary should be erected to prevent an additional car from parking on the front driveway. Should the application have been recommended for approval, these details would have been requested.

Electric Vehicle Charging Points (EVCP's):

The London Plan (2021) requires that 20% car parking spaces have active EVCPs and 80% of spaces have passive EVCPs. 1no. 7Kw active EVCP should be provided. Should the application have been recommended for approval, a suitable condition would have been added.

Cycle Parking:

The London Plan Table 10.2 - Minimum Cycle Parking Standards requires that a minimum of 1.5no. cycle parking spaces should be provided. Drawing 1037-11 08 titled Proposed Site Plan shows 2no. cycle spaces located at the rear of the garden which would be an acceptable level of parking, however, there appears to be no access to the cycle store which would not be acceptable as for somebody to make a trip by bicycle it would be necessary to take cycles through the dwelling which detracts from the attractiveness and convenience of trip making by bicycle. It is anticipated that residents would resort to using the private car instead which does not concur with The Mayors Transport Strategy or the London Plan which would not be acceptable. A condition could have been added to the decision notice requiring the location of the cycle storage to allow access.

The Highway Authority have been consulted on the application and are satisfied that the proposal would not discernibly exacerbate congestion or parking stress and would not raise any measurable highway safety concerns and would therefore offer no objection to the application, subject to conditions.

7.5 Urban Design, Access and Security Considerations

INCLUSIVE DESIGN AND ACCESS:

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

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

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

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

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

Policy D6 of the London Plan (2021) requires that 1 bedroom properties with an occupancy level of 2 should have a GIA of 58sqm. The proposed dwelling would have a GIA of approx. 59sqm which exceeds this standard. All proposed habitable rooms would have an adequate source of light and outlook and the bedroom would be adequacy sized.

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

EXTERNAL LIVING STANDARDS:

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

A one bedroom dwelling is required to provide 40sqm of private external amenity space. The proposed plans state that the new dwelling would have 78sqm. However the location and shape of the amenity area would not be sufficiently useable, well located or private. Most of the amenity space would be to the side/front of the application site served by a 0.5m high front fenced boundary. This is not a well located area and would not be private for future occupiers, providing a poor level of external amenity space for future occupiers to the detriment of their amenities.

As such the proposed development would not comply with Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

7.6 Other Issues

PRINCIPLE OF THE DEVELOPMENT:

The site is located within an established residential area.

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

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

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

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

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

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

As discussed within the impact on street scene section of this report, the proposed development would infill a spacious gap which forms a key part of the character and appearance of the street scene and would form a cramped form of overdevelopment not appearing subordinate to the existing dwelling nor the street scene. As such the proposed development would not comply with Policy DMH6 of the Hillingdon Local Plan Part 2 - Development Management Policies (2020).

LANDSCAPING:

Policy DMHB 14 states :

- A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.
- B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.
- C) Where space for ground level planting is limited, such as high rise buildings, the inclusion of living walls and roofs will be expected where feasible.
- D) Planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees. Where the tree survey identifies trees of merit, tree root protection areas and an arboricultural method statement will be required to show how the trees will be protected. Where trees are to be removed, proposals for replanting of new trees on-site must be provided or include contributions to offsite provision.

The application has not been provided with a comprehensive landscaping plan. Should the application be recommended for approval this would be conditioned to ensure the landscaping integrates with the surrounding area. Drawing number 1037-11 Rev 08 seems to show the rear and side area in paved material, this would not be an acceptable level of paving and would appear at odds with the prevailing character of the area which is predominantly made up of rear gardens with soft landscaping. In its current form the proposed development would not comply with Policy DMHB 14.

BIODIVERSITY NET GAIN:

In England, Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country

Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). It became mandatory for major developments on 12 February 2024 and small sites on 2 April 2024. Developers must deliver a BNG of at least 10%. This means a development will result in more or better-quality natural habitat than there was before development. The land owner is legally responsible for creating or enhancing the habitat and managing that habitat for at least 30 years to achieve the target condition.

Policy 15 of the National Planning Policy Framework (2023) states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.

Paragraph 8.6.6 of Policy G6 of The London Plan (2021) states that biodiversity net gain is an approach to development that leaves biodiversity in a better state than before. Losses should be avoided, and biodiversity offsetting is the option of last resort.

Policy EM7 of Hillingdon Council's Local Plan Part One Strategic Policies (2012) states that Hillingdon's biodiversity and geological conservation will be preserved and enhanced, with particular attention given to improving biodiversity from all development.

Paragraph 6.28 of Policy DMEI 7 (Biodiversity Protection and Enhancement) of Hillingdon Council's Local Plan Part Two Development Management Policies (2020) states it is important that planning decisions are appropriately informed by the right level of survey and information on ecology features. The Council will apply Natural England's standing advice at the validation stage. Applications will only be validated if they have the appropriate information. Where initial assessments recommend further surveys, these will be expected to be provided as part of a planning submission. All ecological reports or information submitted should adhere to nationally accepted best practice survey standards and be consistent with the British Standard BS 42020: 2013 Biodiversity - Code of Practice for Planning and Development or an updated variation. Where appropriate, the Council will require the use of the approved DEFRA biodiversity impact calculator (as updated) to inform decisions on no net loss and net gain.

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

FLOODING AND DRAINAGE:

DRAINAGE:

Policy DMEI 10 of the Local Plan states '

A) Applications for all new build developments (not conversions, change of use, or refurbishment) are required to include a drainage assessment demonstrating that appropriate sustainable drainage systems (SuDS) have been incorporated in accordance with the London Plan Hierarchy (Policy 5.13: Sustainable drainage).

B) All major new build developments, as well as minor developments in Critical Drainage Areas or an area identified at risk from surface water flooding must be designed to reduce surface water run-off rates to no higher than the pre-development greenfield run-off rate in a 1:100 year storm scenario, plus an appropriate allowance for climate change for the worst storm duration. The assessment is required regardless of the changes in impermeable areas and the fact that a site has an existing high run-off rate will not constitute justification.

C) Rain Gardens and non householder development should be designed to reduce surface water

run-off rates to Greenfield run-off rates.

D) Schemes for the use of SuDS must be accompanied by adequate arrangements for the management and maintenance of the measures used, with appropriate contributions made to the Council where necessary.

E) Proposals that would fail to make adequate provision for the control and reduction of surface water run-off rates will be refused.

F) Developments should be drained by a SuDS system and must include appropriate methods to avoid pollution of the water environment. Preference should be given to utilising the drainage options in the SuDS hierarchy which remove the key pollutants that hinder improving water quality in Hillingdon. Major development should adopt a 'treatment train' approach where water flows through different SuDS to ensure resilience in the system.

G) All new development proposals (including refurbishments and conversions) will be required to include water efficiency measures, including the collection and reuse of rain water and grey water.

H) All new residential development should demonstrate water usage rates of no more than 105 litres/person/day.

I) It is expected that major development proposals will provide an integrated approach to surface water run-off attenuation, water collection, recycling and reuse. Water and Wastewater Infrastructure

J) All new development proposals will be required to demonstrate that there is sufficient capacity in the water and wastewater infrastructure network to support the proposed development. Where there is a capacity constraint the local planning authority will require the developer to provide a detailed water and/or drainage strategy to inform what infrastructure is required, where, when and how it will be delivered.

The application site lies within an area at risk of surface water flooding. The development would include the demolition of the existing side structures and erection of a two storey dwelling. The applicant has included a flood risk assessment within the submission which has concluded that the application site lies within Flood Zone 1 with a very low risk of river or sea flooding. The proposed development would not increase impermeable areas or surface water run-off. The proposed development meets the flood risk requirements of the NPPF and its technical guidance ensuring an acceptable level of flood risk. The Flood Risk Assessment has included mitigation measures including permeable paving, SuDS features, appropriate grading of ground levels and floor levels. Should the application have been recommended for approval, a condition would have been added to ensure these features were implemented.

COMMUNITY INFRASTRUCTURE LEVY: :

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

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

CONCLUSION:

For the reasons given within this report, the application is recommended for refusal.

8. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)

The London Plan (March 2021)

Technical Housing Standards - Nationally Described Space Standard (March 2015)

National Planning Policy Framework (July 2023)

Contact Officer:

Rhian Thomas

Telephone No: