

DELEGATED DECISION

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

APPROVAL RECOMMENDED: GENERAL

Select an Option

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

REFUSAL RECOMMENDED: GENERAL

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

RESIDENTIAL DEVELOPMENT

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

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

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

CERTIFICATE OF LAWFULNESS

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

CERTIFICATE OF LAWFULNESS

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

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

Case Officer:

Signature:

Date:

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

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

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

Item No. **Report of the Head of Development Management and Building Control**

Address: 1 SEDGWICK AVENUE HILLINGDON

Development: Erection of an attached 2-bedroom dwelling

LBH Ref Nos: 18794/APP/2023/1934

Drawing Nos:

Date Plans received: 18-07-23 **Date(s) of Amendments(s):**

Date Application valid 18-07-23

1. SUMMARY

The application seeks planning permission for the erection of an attached 2-bed dwelling house with associated access, landscaping and parking. The principle of the development cannot be supported as previously advised in an application for pre-application advice.

The application proposes the loss of existing garden land which serves the existing dwelling at the site. As noted in the principle section of this report, the loss of garden land will be resisted unless it can be clearly demonstrated that the development is more intermate in scale, would provide adequate levels of living accommodation and would not result in harm upon the character and appearance of the area of local highway network.

The proposal in terms of its bulk scale, mass and design would present a departure from the prevailing character and development pattern within the street scene and an overdevelopment of the site.

The proposal would fail to provide adequate external amenity space for both existing and proposed dwellings thus would fail to provide adequate levels of living accommodation.

Having reviewed the proposed site plan concerns are raised within regards to the lack of detail to demonstrate adequate and safe access to the parking space which will serve the existing dwelling. As such the proposal could result in the displacement of parking on street which could be detrimental to the local highway network. No evidence has been submitted to demonstrate that there is sufficient capacity on street to absorb any potential displacement.

Turning to trees, having visited site it is clear that there are trees located along the boundary of the site and in the location which would be subject to development. The application is not supported by a tree survey therefore no details have been submitted which demonstrate the value of the existing trees on site, whether they require protection and if they can be protected during the construction of the development or would in fact need to be felled. Given that trees are a material consideration and they provide a contribution to the character of the site there loss should be resisted unless it is demonstrated they are of little value in which case they would need to be replaced elsewhere within the site.

Based on the concerns raised above, the application is recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Principle of Development

The development would result in a harmful loss of garden land and the principle of intensifying the residential use involving the loss of existing private garden areas is considered to be unacceptable. The development is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMH 6 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D3 of the London Plan (2021) and Paragraph 128d) of the National Planning Policy Framework (2023).

2. NON2 Character and Appearance

The development, by reason of its siting, size, scale, bulk, design, materials, layout, site coverage would result in a cramped, contrived and visually incongruous form of development that would fail to harmonise with the existing context of the surrounding area. The development as proposed would be detrimental to the character, appearance and visual amenity of the site and surrounding area. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 11, DMHB 12 and DMHB 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D3 of the London Plan (2021) and Paragraphs 128d), 135b) and c) of the National Planning Policy Framework (2023).

3. NON2 Highways

The development would fail to provide safe and acceptable vehicle access, car and cycle parking, which would increase parking stress, prejudice highway safety and fail to encourage sustainable modes of transport including cycling and walking. The development is therefore contrary to Policies DMT 1, DMT 2, DMT 5 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies T2, T4, T6 and T6.1 of the London Plan (2021) and Paragraphs 115 and 116 of the National Planning Policy Framework (2023).

4. NON2 External Amenity Space

The development, by virtue of its failure to maintain an adequate provision of private external amenity space, would have a harmful effect on the living conditions of the occupants of the proposed new dwelling. The development is therefore contrary to Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Paragraph 135f) of the National Planning Policy Framework (2023).

5. NON2 Trees

In the absence of an Arboricultural Survey the applicant has failed to provide adequate information regarding the value of the existing trees on site and that they will be protected during the construction of the development. Accordingly, the development would result in adverse and irreversible impacts to landscaping, trees, biodiversity or other natural features of merit, detrimental to the visual amenities of the area and Ickenham Village Conservation Area, contrary to paragraph 136 of the National Planning Policy Framework (2023), Policy G7 of the London Plan (2021), and

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).

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 6 Garden and Backland Development

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
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places

3. CONSIDERATIONS

3.1 Site and Locality

The application site is a corner plot located on the western side of Sedgwick Avenue at the junction of Ryefield Avenue. The site comprises of a two storey end of terrace dwelling with attached garage, there is a modest garden both to the front and the rear of the property. The boundary shared with the public highway hosts a number of mature trees.

3.2 Proposed Scheme

The application seeks planning permission for the erection of a attached 2 bedroom dwelling house with associated access, landscaping and parking. During the course of the application, amended plans were received which tried to address concerns raised on the overall design.

3.3 Relevant Planning History

18794/73/2564

Comment on Planning History

The relevant planning history is listed above.

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

See above

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.EM8	(2012) Land, Water, Air and Noise
PT1.H1	(2012) Housing Growth

Part 2 Policies:

DMH 6	Garden and Backland Development
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
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places

In addition: Development Plan

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

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

The Local Plan: Part 1 - Strategic Policies (2012)
The Local Plan: Part 2 - Development Management Policies (2020)
The Local Plan: Part 2 - Site Allocations and Designations (2020)
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 application is supported by a floor plan which indicates that the new dwelling would not extend unacceptably beyond the rear elevation of the existing dwelling. As such the proposals would not result in a significant reduction in residential amenities. As such it is considered that the development would not result in detrimental harm in terms of loss of daylight sunlight or outlook to neighbouring properties.

7.2 Impact on Street Scene

The NPPF (2023) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

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

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

Policy GG4 of the London Plan (March 2021) seeks to ensure that London's housing needs are met. This objective is reiterated in the Mayor of London's Supplementary Planning Guidance (SPG)

on Housing, although it is noted that in achieving housing targets, full account must be given to other policy objectives. Policy H1 of The London Plan (2021) promotes the optimisation of housing output within different types of location. Policy H10 of The London Plan encourages the Council to provide a range of housing choices in order to take account of the various different groups who require different types of housing. Consideration will also be given to the accessibility of the site to services and amenities.

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

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including: i) harmonising with the local context by taking into account the surrounding: · scale of development, considering the height, mass and bulk of adjacent structures; · building plot sizes and widths, plot coverage and established street patterns; · building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure; architectural composition and quality of detailing; local topography, views both from and to the site; and impact on neighbouring open spaces and their environment. ii) ensuring the use of high quality building materials and finishes; iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities; iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

The application site is located within a residential dominated area characterised by two storey semi-detached and terraced dwellings. The properties within the street scene vary in design in terms of materiality, although there is a degree of uniformity within the front building lines, the properties have been altered by the addition of rear and roof extensions.

It is noted that there is an example of similar garden land development directly opposite the application site. The property has been extended to the side in order to gain adequate space to provide an additional single family dwelling house. Although there is no precedent to be set and each planning application should be assessed on its own merit, the applicant contends that there is a clear example in the street scene which should justify the proposed development. However it is clear that this example is an example of poor design, one which has a detrimental impact upon the character and appearance of the street scene.

No.2A has been constructed directly on the side of No.2 and which formed an end of terrace of 4 properties characterised by two large front projecting gables either end of the terrace. The large gables provided a degree of symmetry across the extend of the front elevation which is common across within Sedgewick Avenue. No.2 featured a hipped roof, this was altered to a gable end and now forms part of the gable ended roof over No.2A which also features a small set down from the original roof. The extent of the width of the front elevation of No.2A is the same as No.2 and given they share the same front building line it appears an incongruous and over dominant form of development within the street scene. Finally, No.2 would have benefited from garden space to the rear and side of the property in what would have been a spacious corner plot. No.2A has been constructed to fill this space entirely created the view of a cramped form of development. This development opposite the application site also pre-dates the current local plan which contains more controls on loss of garden area.

Turning to the design of the proposed development, similar to No.2 the existing property forms part

of 4 terraced properties with No.1 and No.7 forming the two end of terraces. Both properties benefit from the same design features which include the large projecting front gables that remain unaltered. As such the symmetry within this terrace remains in tact. The proposal would involve the construction of a building directly onto the side of No.1 with a front elevation measuring 5.3 metres in width, which is approximately the same width as the existing front elevation. DMH6 states that garden land development should appear smaller and more intimate in scale, it is clear that doubling the scale of the front elevation would not appear to be more intimate in scale and would not appear subordinate. Furthermore the front elevation would feature a hipped roof which would extend across the building line of No.1 to join the ridge of the existing gable. This creates an excessive and over dominant roof form. Moreover the proposal features a front and rear building line which would sit further forward and behind respectively which would detract from the uniformed building line of the terraced dwellings and in particular the two end of terraced properties.

Whilst the application property does benefit from an existing garage to the side which would be demolished to make way for the construction of the new dwelling, this is single storey therefore does not add additional and more dominant bulk and mass to the upper floor level and the roof therefore is distinctly less prominent. This point is compounded by the ground floor left front element which extends excessively beyond the front elevation of the existing property which makes for an uncomfortable front building line and distorts the general uniformity of the existing pattern of development. The existing garage protrudes marginally beyond the existing front elevation of the main dwelling but the proposed new dwelling would be much more prominent in appearance given its scale.

The application site is a prominent corner location, although there is dense screening along the side boundary, given that the property would infill the gap to the side of the existing property, the development could potentially impact these trees along the side boundary to a degree where they would need to be pruned back or removed. No arboriculturally impact assessment has been submitted to demonstrate how the trees would be protected during the construction of the development. This is relevant to the consideration of the impact upon the street scene as the proposed would introduce an elevation within 1 m of the boundary which extends approximately 11.6 m and this is beyond the extend of the side elevation of the existing dwelling. Given the extent of the addition, its introduction closer to the boundary and the potential tree loss, the proposed development would result in a visually cramped and incongruous form of development.

In summary, the scale bulk and massing of the development fails to appear a subordinate addition to the street scene and the example of similar development provided is not considered justification in a favour of this application. The design would result in an imbalance of symmetry between the terraced dwellings and would result in an incongruous and cramped form of development and an overdevelopment of the site. As such the proposed development fails to comply with DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) .

7.3 Traffic Impact/Pedestrian Safety

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.

In terms of trip generation, the proposal seeks consent for the addition of 1 new dwelling which would not generate trips significant enough to result in an increase in congestion.

The proposed site plan indicates that the new dwelling will use the existing crossover to access the parking area at the front of the site. The Highway Officer has reviewed this considers the arrangement to be broadly acceptable. However no details have been provided to demonstrate how the illustrated to serve the existing dwelling will be accessed as the design of the existing vehicle crossing and the segregation of the frontage to form two segregated properties do not permit access into the parking area to be constructed to the front. Without these details and in the absence of a parking stress survey it cannot be confirmed whether the proposal would result in parking displacement on street where they may not be sufficient capacity.

With regards to cycle parking, two spaces are shown to for both the existing and proposed dwellings and EVCP provision is also shown.

In summary whilst the proposal indicates adequate levels of parking on plan, the proposed drawings do not provide the detail to demonstrate that access could and will be provided across the pavement to the space at the front of the existing dwelling which could result in the displacement of parking on street where there may not be sufficient capacity. As such an objection is raised on highway grounds and this forms a reason for refusal.

7.4 Carparking & Layout

See above.

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. The proposed new dwelling would provide adequate internal living space in accordance with both the local and London Plan minimum space standards.

Accessible Standards:

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

Policy D7 of the London Plan (2021) states - To provide suitable housing and genuine choice for London's diverse population, including disabled people and families with young children, all residential development should include at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(3) 'wheelchair user dwellings' and all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

Revised plans were submitted during the course of the application to respond to initial concerns raised by the Councils Access Officer. The internal layout has been amended to address these concerns and the Access Officer has confirmed that no further objection is raised subject to conditions which would be imposed if minded to approve the application.

Policy DMHB 18: Private Outdoor Amenity Space states:

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

In accordance with the above policy the 1 x 3 bed and 1 x 2 bed units should be provided with 40 sqm and 60 sqm retained private amenity space to serve the properties. Approximately 53 sqm would be retained to serve the existing dwelling, 47 sqm would be provided to serve the new dwelling. Whilst the shortfall is modest, it does fail to provide the minimum requirement compounding the fact the proposal presents an overdevelopment of the site which would result in inadequate levels of living accommodation for both existing and potential future occupiers.

7.6 Other Issues

Principle of Development

Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character.

Policy DMH 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) 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.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states - 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.

Sedgewick Avenue and the surrounding roads are characterised mainly by two storey dwellings with the occasional terraced block. The properties are set back from the front boundary and corner plots such as these for the most remain free from development or where extensions have been approved they are modest two storey and single storey which retain a degree of spaciousness. It is noted that an example of garden land development does exist directly opposite the site but presents a clear example of poorly designed and overdevelopment of the site which provides no value to the character and appearance of the area. As such it should not be used as justification to accept a similar development on this site.

The principle of Policy DMH 6 is to prevent the loss of garden land subject to overdevelopment which results in a detrimental impact upon the character and appearance of the area. In this case the design of the development is not in keeping the prevailing character or established pattern of development within the area. It would result in the potential parking overspill onto the public highway derived from the lack of acceptable access for the parking space shown to be retained for the existing dwelling and would result in a shortfall in amenity space to serve both dwellings thus failing to provide adequate standards of living accommodation. As such the proposal is clearly contrary to Policy DMH 6 and no public benefits have been put before Officers which would outweigh the harm identified and clearly presents an overdevelopment of a constrained site. Based on these points the principle of the intensification of the use of the site is unacceptable.

It should be noted that the Council is currently able to demonstrate a five-year supply of deliverable housing sites. As such, the "tilted balance" as set out in Paragraph 11d) of the NPPF (2023) is not engaged.

Landscaping

Policy DMHB 14: Trees and Landscaping requires:

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

The western boundary of the site is lined with trees which partially overhang the existing garage. It is difficult to see how these trees could be retained, as is indicated in the application form and in the correspondence with the agent, both during the construction and for the lifespan of the development. Trees are clearly a material consideration and where affected and arboricultural assessment should be submitted which assesses the value of the trees and also the potential impact to them. The application is also not supported by a comprehensive landscaping scheme which could demonstrate a net improvement in terms of planting and the landscaping provision in comparison with what exists. Without this level of detail it is considered that the proposal would potentially result in a loss of trees and intensify the use and built form on site with very little to no landscaping value provided.

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:	Christopher Brady	Telephone No:	01895 250230
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Mr D Newman - Dan Architectural Services Ltd
154 Carlton Avenue West
Wembley
HA0 3QX

Application Ref: 18794/APP/2023/1934

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 an attached 2-bedroom dwelling

Location of development: 1 Sedgwick Avenue Hillingdon

Date of application: 18th July 2023

Plan Numbers: See attached Schedule of plans

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

R Schin

Head of Development Management and Building Control

Date: 27th September 2024

- 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: 18794/APP/2023/1934

SCHEDULE OF REASONS

- 1 The development would result in a harmful loss of garden land and the principle of intensifying the residential use involving the loss of existing private garden areas is considered to be unacceptable. The development is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMH 6 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D3 of the London Plan (2021) and Paragraph 128d) of the National Planning Policy Framework (2023).
- 2 The development, by reason of its siting, size, scale, bulk, design, materials, layout, site coverage would result in a cramped, contrived and visually incongruous form of development that would fail to harmonise with the existing context of the surrounding area. The development as proposed would be detrimental to the character, appearance and visual amenity of the site and surrounding area. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 11, DMHB 12 and DMHB 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D3 of the London Plan (2021) and Paragraphs 128d), 135b) and c) of the National Planning Policy Framework (2023).
- 3 The development would fail to provide safe and acceptable vehicle access, car and cycle parking, which would increase parking stress, prejudice highway safety and fail to encourage sustainable modes of transport including cycling and walking. The development is therefore contrary to Policies DMT 1, DMT 2, DMT 5 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies T2, T4, T6 and T6.1 of the London Plan (2021) and Paragraphs 115 and 116 of the National Planning Policy Framework (2023).
- 4 The development, by virtue of its failure to maintain an adequate provision of private external amenity space, would have a harmful effect on the living conditions of the occupants of the proposed new dwelling. The development is therefore contrary to Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Paragraph 135f) of the National Planning Policy Framework (2023).
- 5 In the absence of an Arboricultural Survey the applicant has failed to provide adequate information regarding the value of the existing trees on site and that they will be protected during the construction of the development. Accordingly, the development would result in adverse and irreversible impacts to landscaping, trees, biodiversity or other natural features of merit, detrimental to the visual amenities of the area and Ickenham Village Conservation Area, contrary to paragraph 136 of the National Planning Policy Framework (2023), Policy G7 of the London Plan (2021), and Policies DMHB 4, DMHB 11, DMHB 12 and DMHB 14 of the Hillingdon Local Plan: Part 2 (2020).

INFORMATIVES

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

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.EM8 (2012) Land, Water, Air and Noise
- PT1.H1 (2012) Housing Growth

Part 2 Policies

- DMH 6 Garden and Backland Development
- 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
- 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

END OF SCHEDULE

Address:

Development Management
Directorate of Place
Hillingdon Council
3 North, Civic Centre, High Street, Uxbridge UB8 1UW
www.hillingdon.gov.uk

REFUSAL OF PLANNING PERMISSION

Application Ref: 18794/APP/2023/1934

SCHEDULE OF PLANS

RIGHTS OF APPLICANTS AGGRIEVED BY DECISION OF LOCAL PLANNING AUTHORITY

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 website at www.Planning-inspectorate.gov.uk

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

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

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

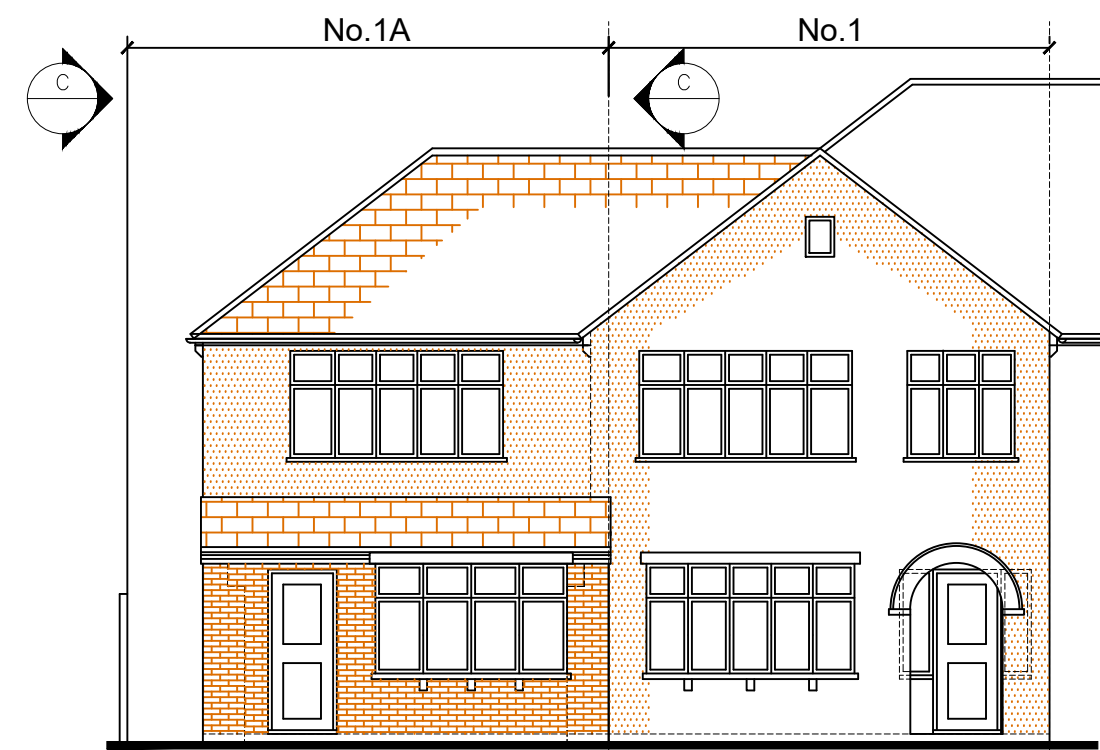
The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of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

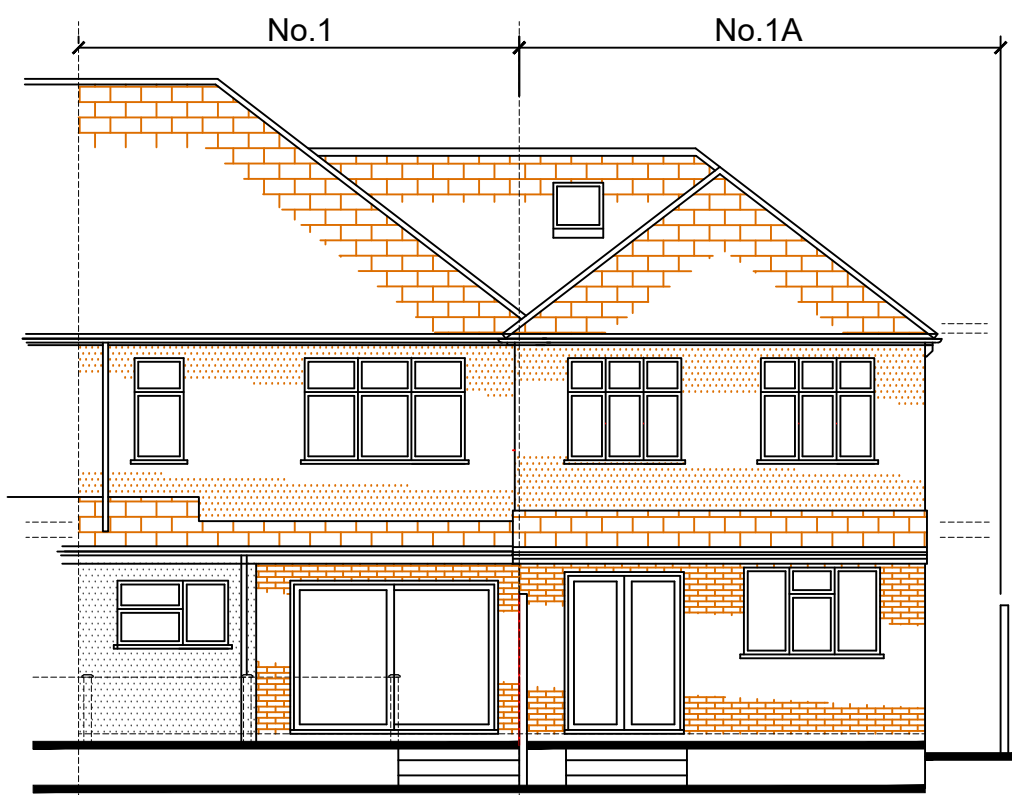
Purchase Notices.

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.



PROPOSED FRONT ELEVATION
SCALE- 1:100



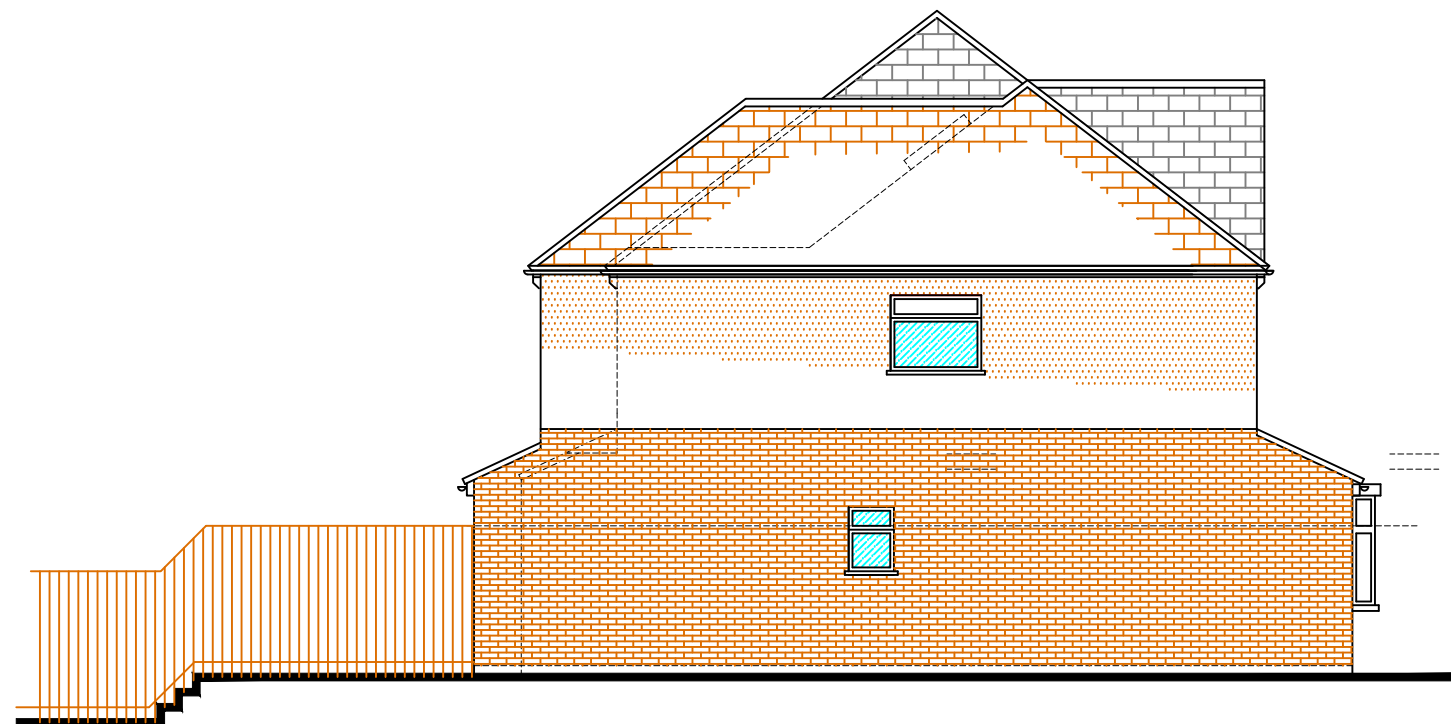
PROPOSED REAR ELEVATION
SCALE- 1:100



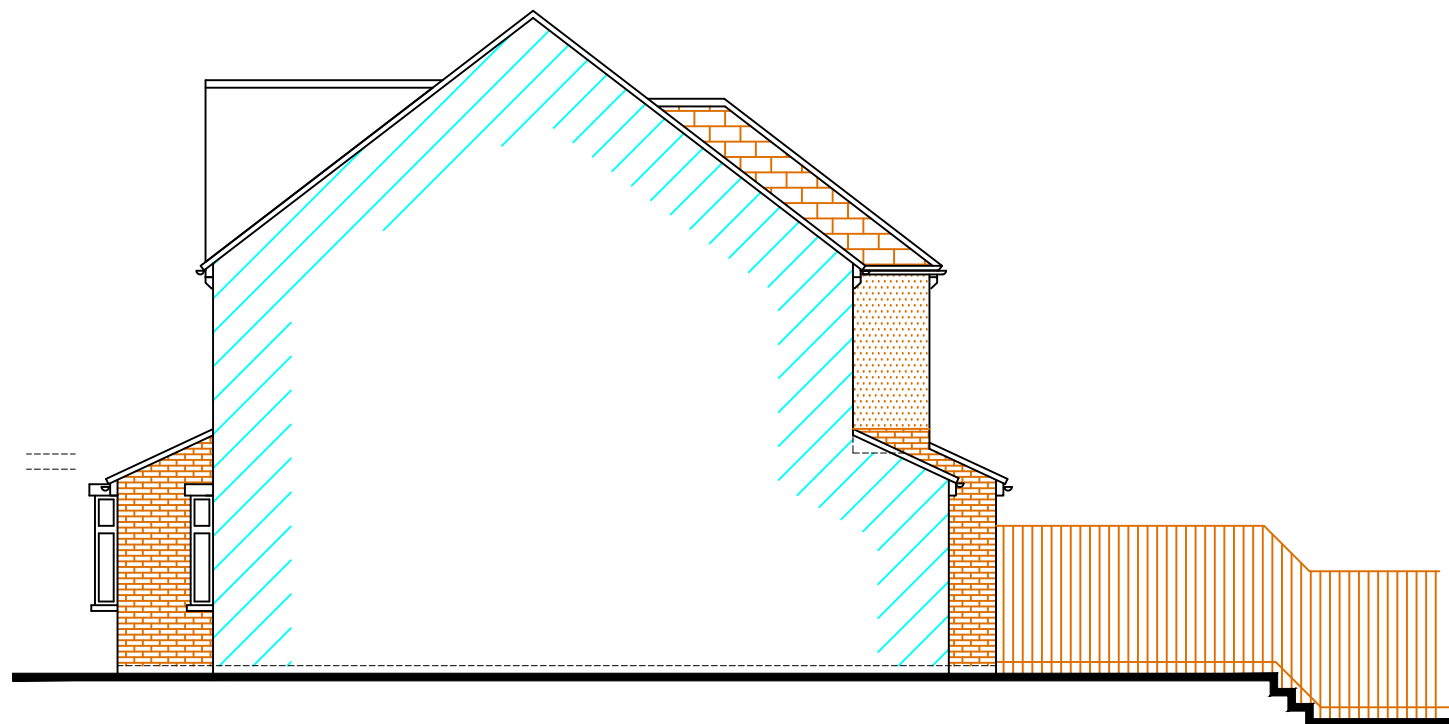
AERIAL PLAN
SCALE- NTS



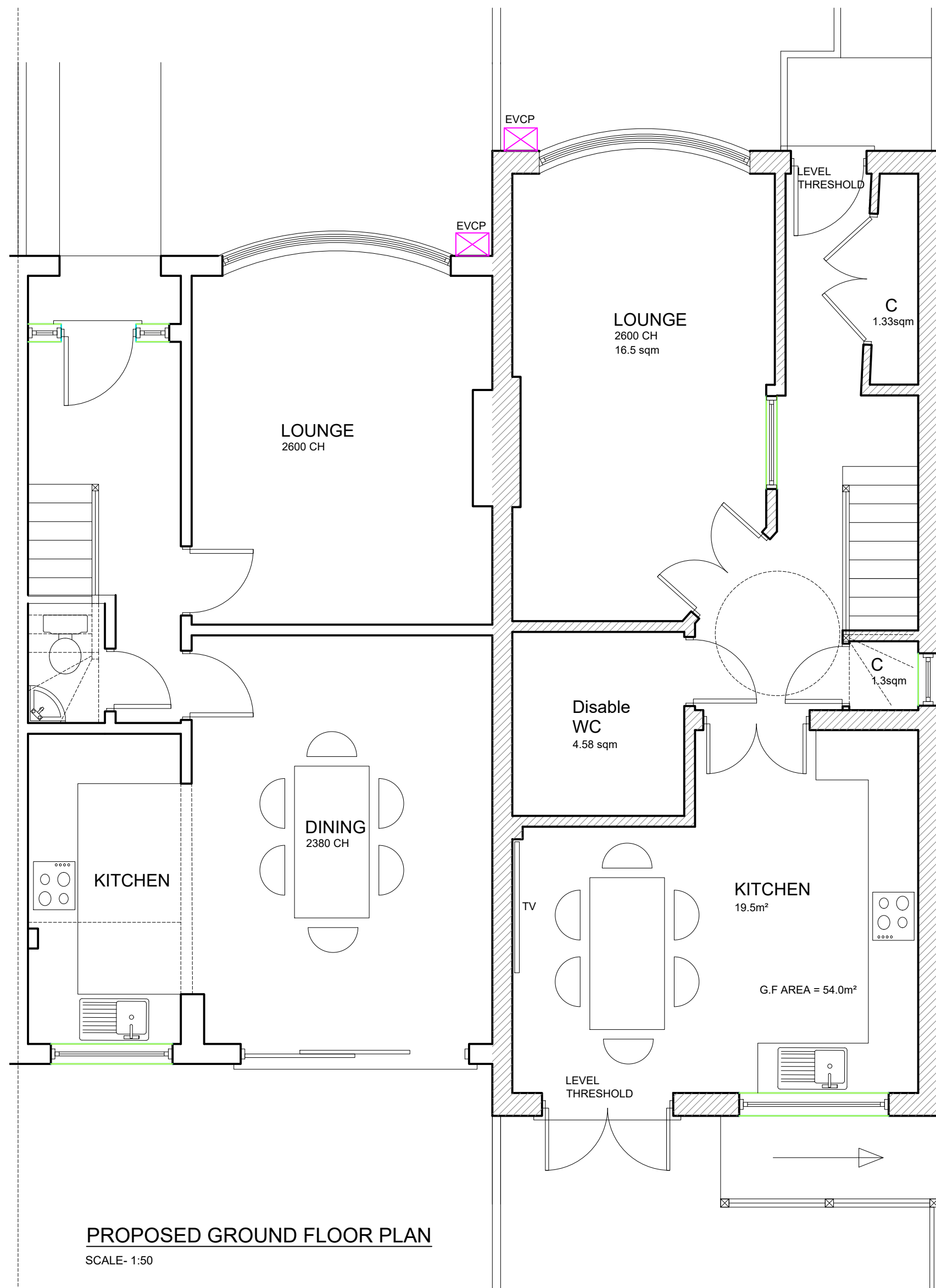
LOCATION PLAN
SCALE- 1:1250



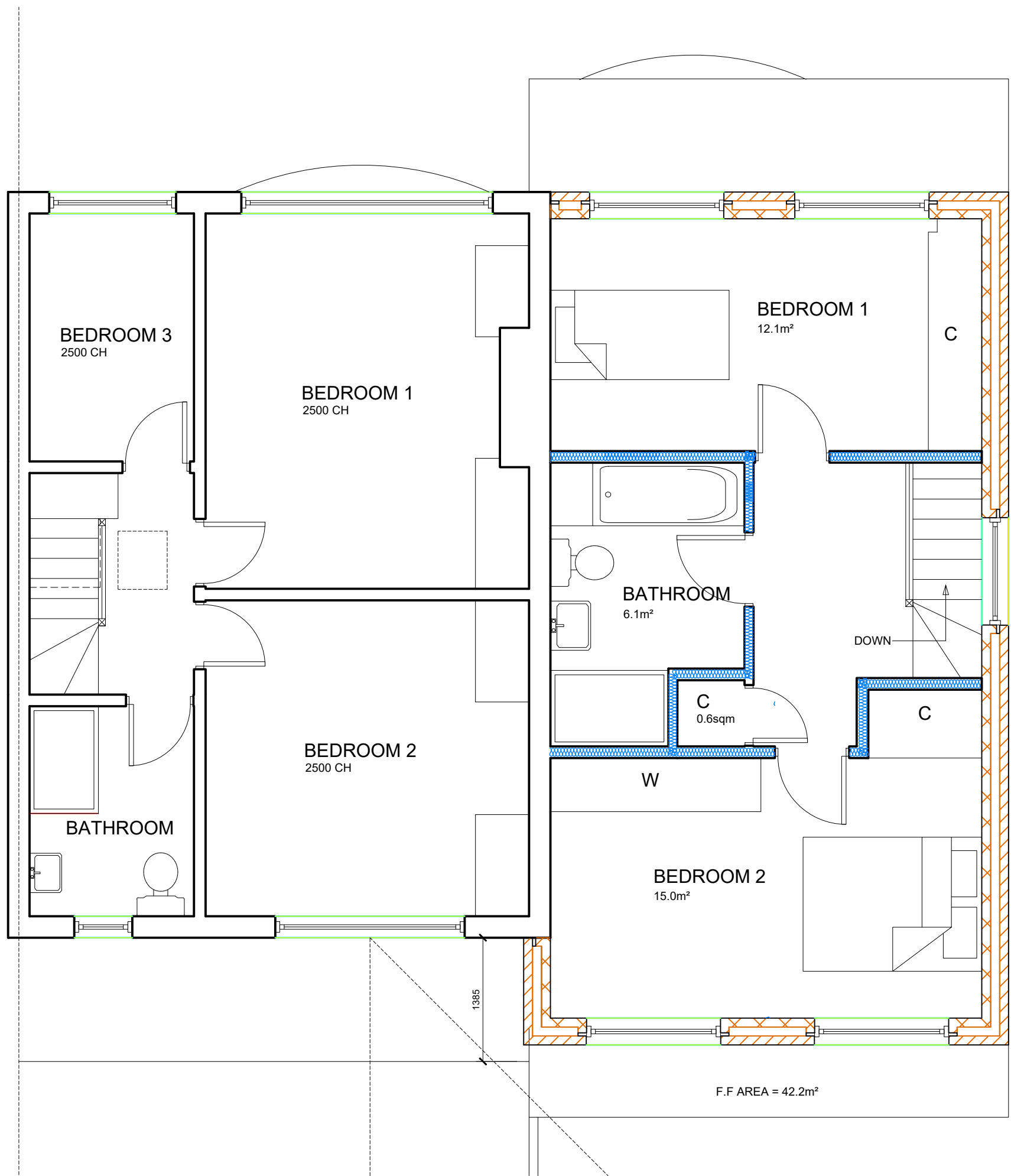
PROPOSED SIDE ELEVATION
SCALE- 1:100 IN DIRECTION 'C'



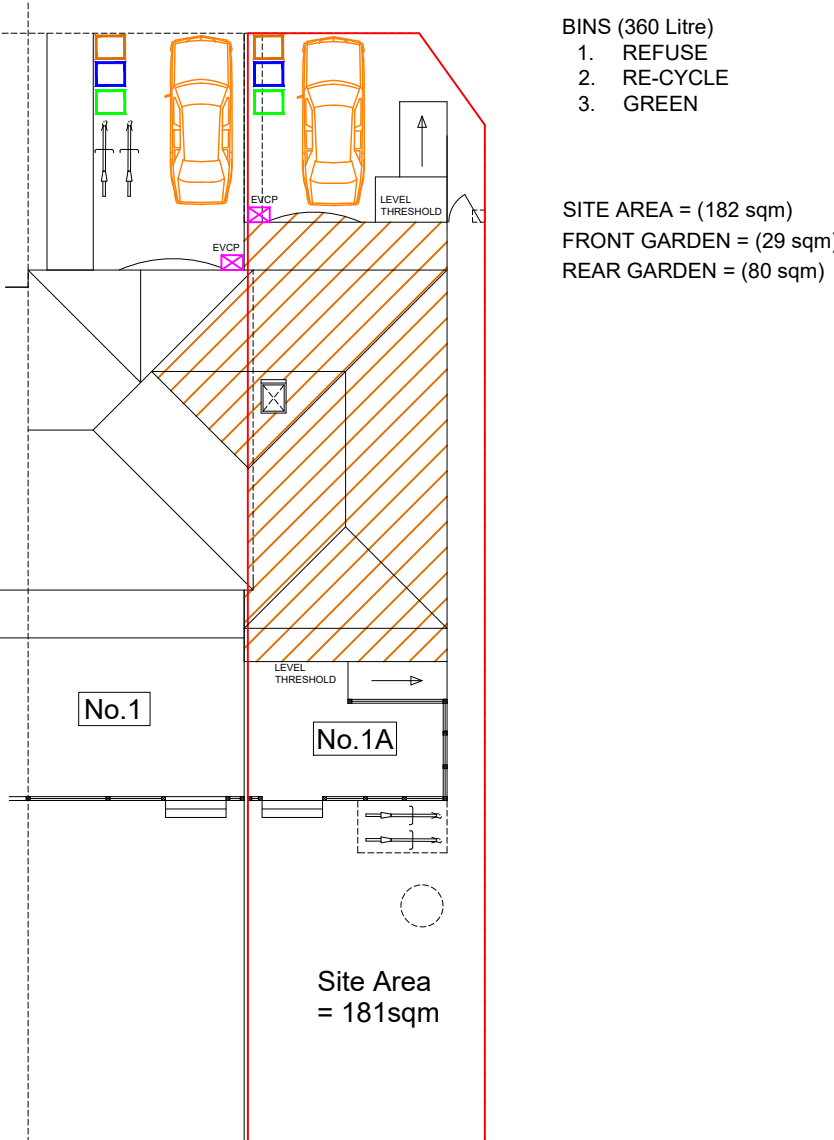
PROPOSED SIDE ELEVATION
SCALE- 1:100 IN DIRECTION 'D'



PROPOSED GROUND FLOOR PLAN
SCALE- 1:50



PROPOSED FIRST FLOOR PLAN
SCALE- 1:50



PROPOSED BLOCK PLAN
SCALE- 1:200

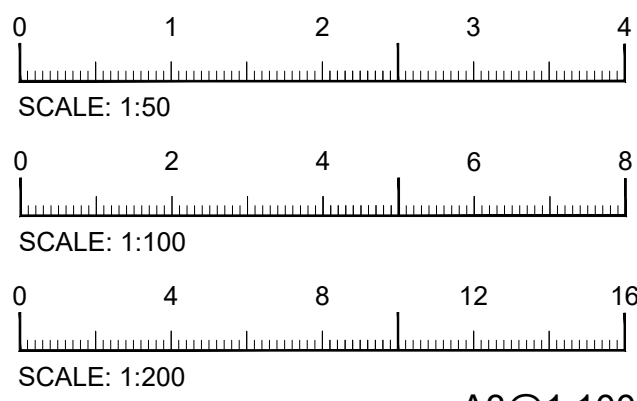
C	FEB 24	D.A.N	PLANNING UPDATES
B	DEC 23	D.A.N	PLANNING UPDATES
A	JUN 23	D.A.N	ADD BINS
REV	DATE	DRAWN BY	DESCRIPTION

PLANNING

CLIENT: MR & MRS THOMPSON			
PROJECT: 1 SEDGWICK AVENUE, UXBRIDGE, MIDDX. UB10 9DF			
TITLE: PROPOSED NEW DWELLING/ LOFT PLANS & ELEVATIONS			
SCALE: 1:200/1:100 1:50/1:1250	DATE: APR 23	DRG NO: 23/9/3	REV: C A1



DAN ARCHITECTURAL SERVICES LTD
info@DANArchitecturalservices.co.uk



A3@1:100



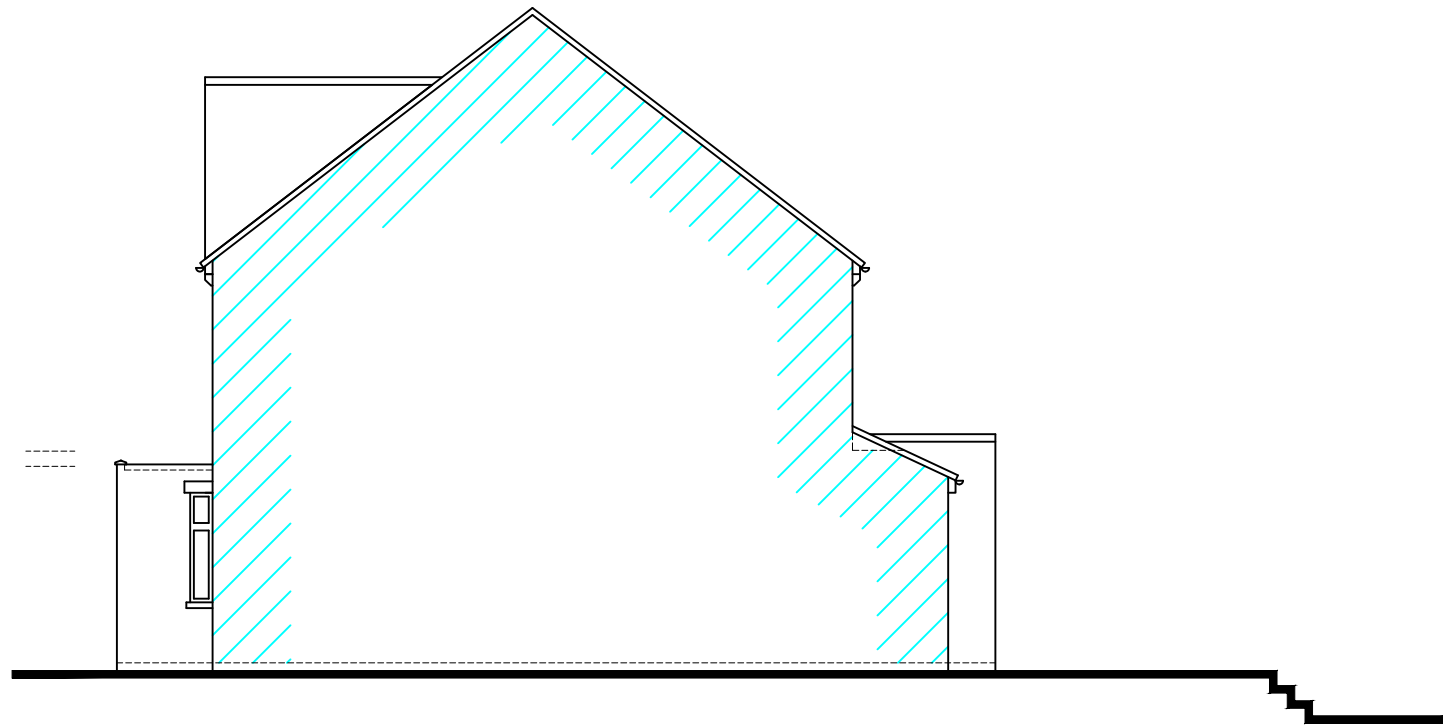
EXISTING FRONT ELEVATION
SCALE- 1:100



EXISTING REAR ELEVATION
SCALE- 1:100



EXISTING SIDE ELEVATION
SCALE- 1:100 IN DIRECTION 'A'



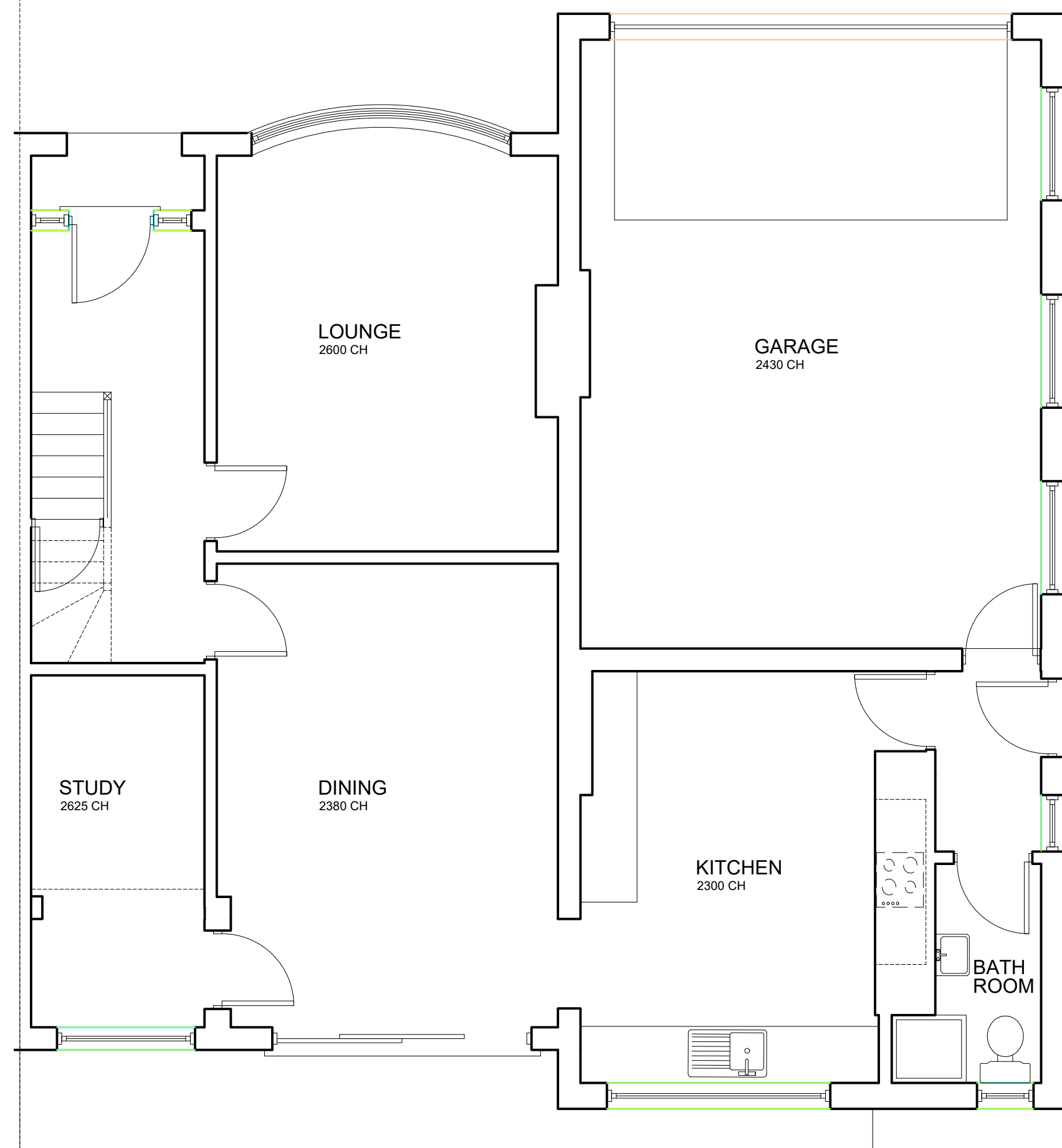
EXISTING SIDE ELEVATION
SCALE- 1:100 IN DIRECTION 'B'



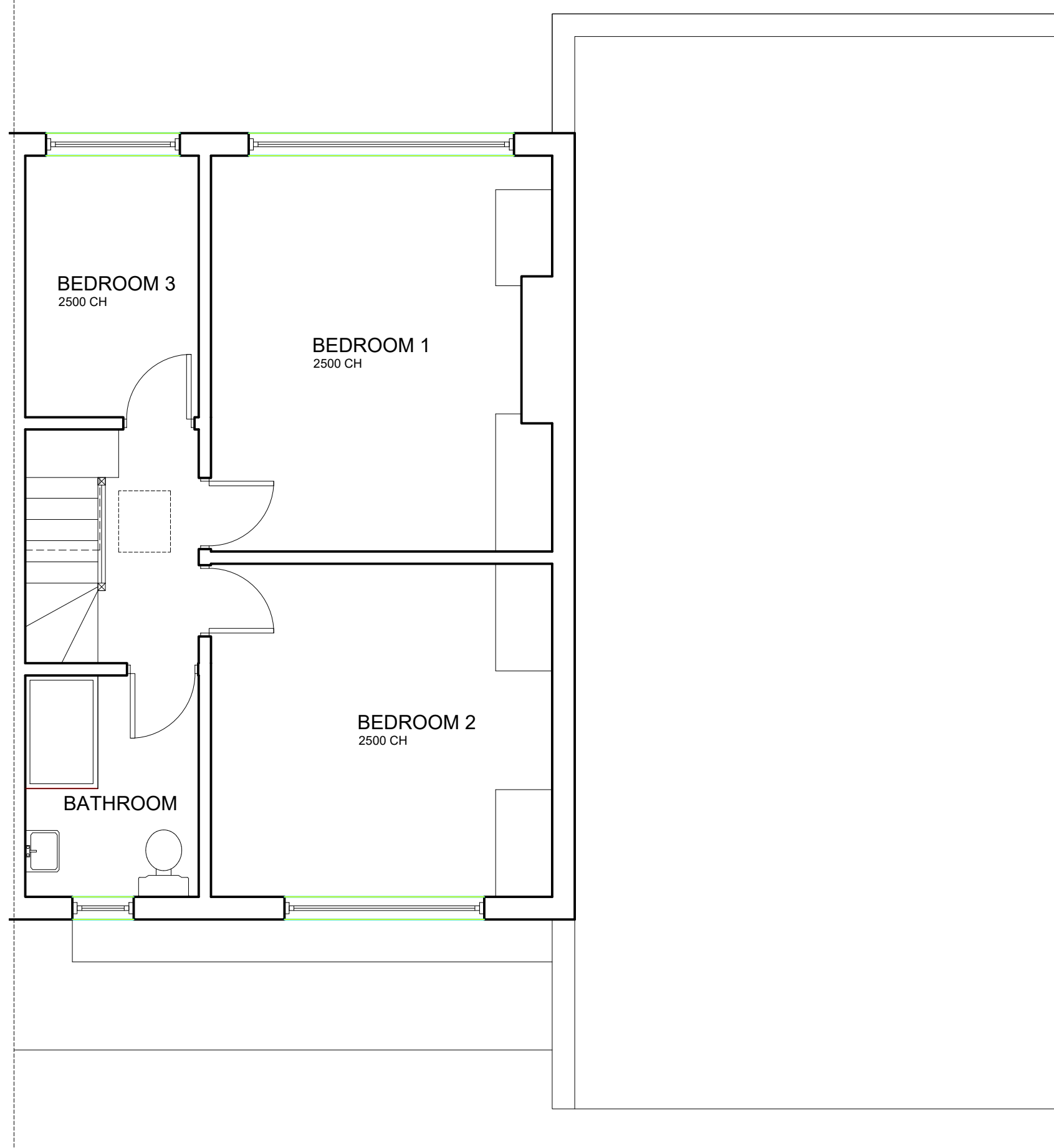
LOCATION PLAN
SCALE- 1:1250



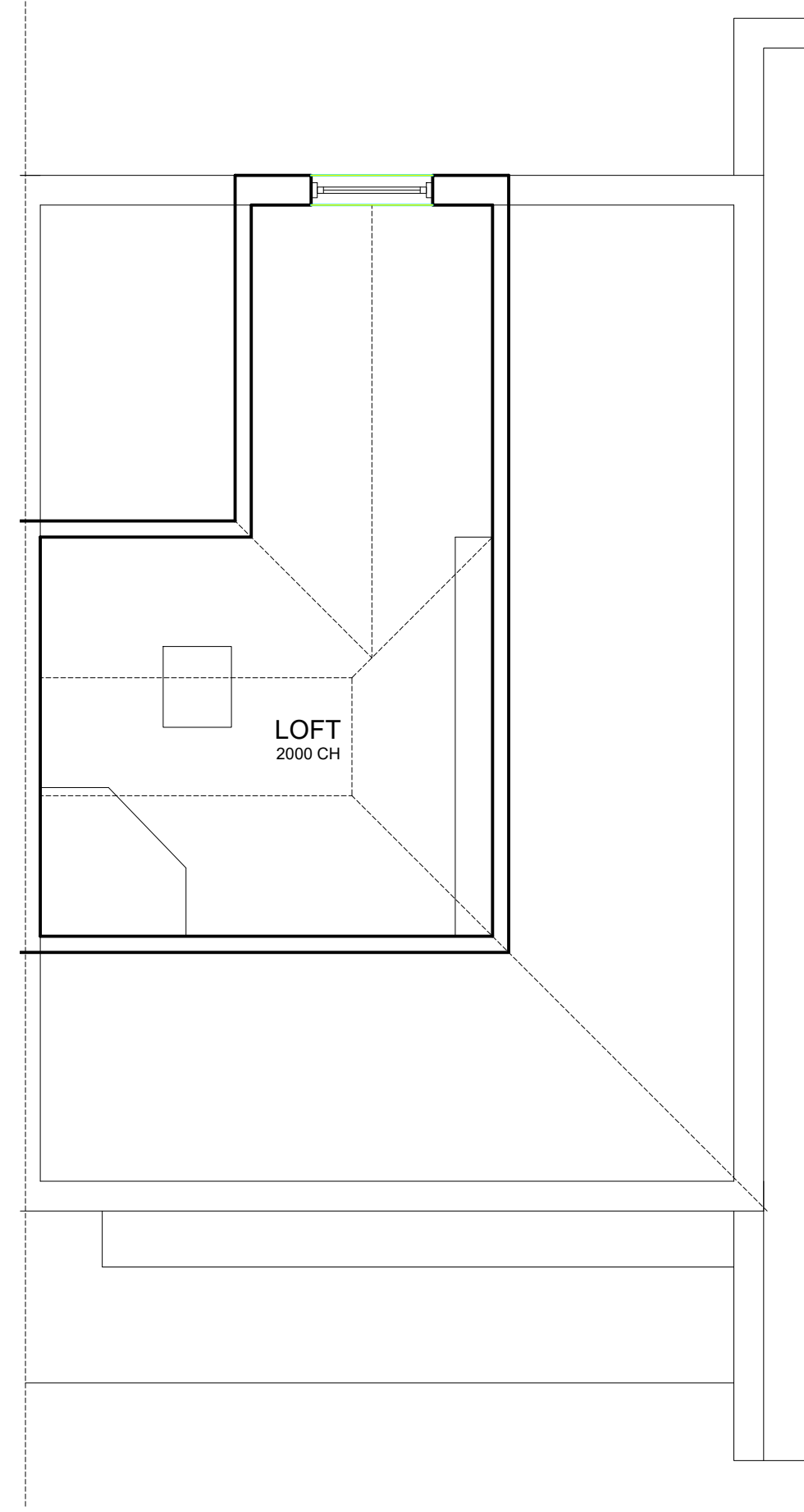
AERIAL PLAN
SCALE- NTS



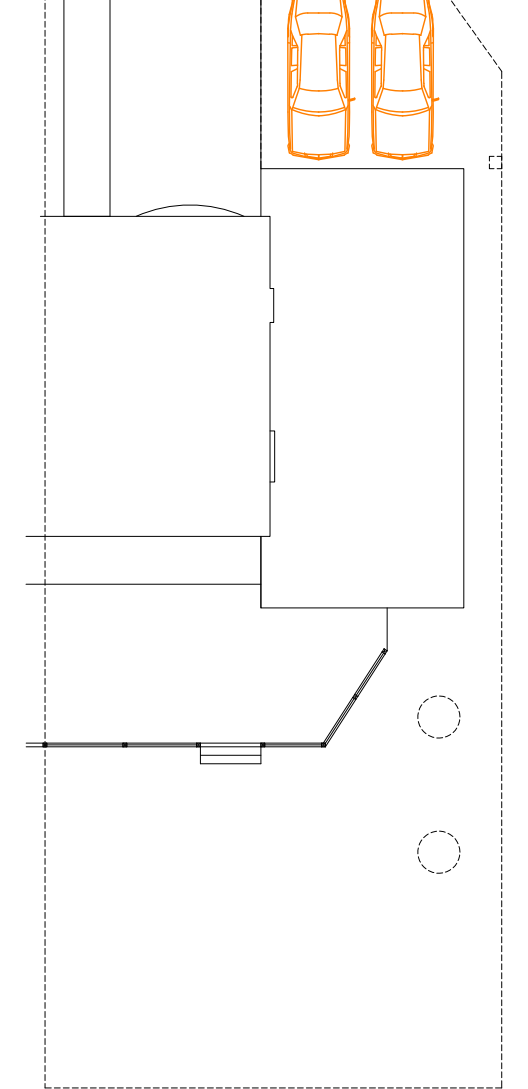
EXISTING GROUND FLOOR PLAN
SCALE- 1:50



EXISTING FIRST FLOOR PLAN
SCALE- 1:50



EXISTING ROOF PLAN
SCALE- 1:50



EXISTING BLOCK PLAN
SCALE- 1:200

REV	DATE	DRAWN BY	DESCRIPTION
PLANNING			
CLIENT: MR & MRS THOMPSON			
PROJECT: 1 SEDGEWICK AVENUE, UXBRIDGE, MIDDX. UB10 9DF			
TITLE: EXISTING PROPERTY PLANS & ELEVATIONS			
SCALE: 1:200/1:100 1:50/1:1250	DATE: APR 23	DRG NO: 23/9/1	REV: A1



A3@1:100



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