

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.	ADVERTISEMENT CONSENT (excluding Hoardings)	☐
19.	PRIOR APPROVAL APPLICATION	☐
20.	OUT-OF-BOROUGH OBSERVATIONS	☐
21.	CIRCULAR 18/84 APPLICATION	☐
22.	CORPSEWOOD COVENANT APPLICATION	☐
23.	APPROVAL OF DETAILS	☐
24.	ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where 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:	26 WINDSOR AVENUE HILLINGDON	
Development:	Part single; part two-storey rear extension to the host dwelling (following demolition of rear extension); part single part two-storey side/rear extension to form an attached new dwelling (following demolition of side extension); raising of overall ridge height; removal of front gable to host dwelling; sub-division of site; hard and soft landscaping; boundary treatment; new vehicular crossover including alterations to the existing parking provision and refuse/cycle storage (amended description)	
LBH Ref Nos:	75963/APP/2024/1397	
Drawing Nos:	20/028_S1 20/028_P1 20/028_P3 20/028_S0 20/028_P2 20/028_P1 20/028_S3 20/010_P4 20/028_P0 20/028_P0L 20/028_S1 20/028_S2 20/028_S4 20/028_S5	
Date Plans received:	24-05-24	Date(s) of Amendments(s):
Date Application valid	24-05-24	

1. SUMMARY

Planning permission is sought for the erection of a part single; part two-storey rear extension to the host dwelling (following demolition of rear extension); part single part two-storey side/rear extension to form an attached new dwelling (following demolition of side extension); raising of overall ridge height; removal of front gable to host dwelling; sub-division of site; hard and soft landscaping; boundary treatment; new vehicular crossover including alterations to the existing parking provision and refuse/cycle storage.

The scheme is a resubmission of the previous refused scheme under reference

75963/APP/2021/1243 that was subsequently dismissed at appeal under reference APP/R5510/W/22/3296325. The changes proposed are internal arrangements and the extension of the existing vehicle crossover to the front.

It is not considered that the proposed development has sufficiently overcome refusal reason one of the previous application as it would still appear as a cramped form of development within its plot. As such it would harm the character and appearance of the original dwelling and the surrounding area.

In addition to this, the level of internal amenity space provided for the dwelling at no.26A is insufficient and would not comply with Policy D6 of the London Plan (2021) or Policy DMB 16 of the Hillingdon Local Plan Part 2 (2020).

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 Character and Appearance

The proposed dwellings by reason of their size, scale, siting, design and appearance in this open prominent position, would result in the loss of an important gap characteristic to the area and appear overbearing, cramped and visually intrusive within the street scene, and would harm the architectural composition of the original dwelling. The proposal would therefore represent a visually incongruous overdevelopment of the site to the detriment of the appearance of the original dwelling, the character and visual amenities of the street scene and the wider area. Therefore the proposal is contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D3 of the London Plan (2021) and the National Planning Policy Framework (2023).

2. NON2 Internal Amenity

The proposed new dwelling at number 26A Windsor Avenue would have an insufficient amount of Gross Internal Area which would therefore subject future occupiers to cramped internal living accommodation to the detriment of their amenities, contrary to Policy D6 of the London Plan (2021) and Policy DMHB 16 of the Hillingdon Local Plan: Part 2- Development Management Policies (2020).

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.

3. I74 Community Infrastructure Levy (CIL) (Refusing Consent)

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

4. I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2021). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a prominent two-storey detached dwelling on the corner junction of Windsor Avenue and Richmond Avenue. The dwelling has a single storey side garage with the area to the side covered in soft landscaping. The frontage is also largely soft landscaped but there is a crossover directly in front of the garage (pavement level) of which facilitates parking for one vehicle in front. A dropped kerb is noted towards the rear from Richmond Avenue although the rear of the site is landscaped and acts as the entire private amenity space.

The dwelling has a part single storey pitched roof extensions towards the side boundary of no.24 - the host dwelling (at both levels) runs almost along the boundary of the adjacent dwelling. The dwelling previously had a single storey rear addition although appears to have been demolished.

A street tree is noted adjacent to the existing crossover along Windsor Avenue. Small unprotected trees are noted within the rear garden of the host dwelling along the rear boundary.

Windsor Avenue comprises a range of properties of which tend to be uniform in their form, proportion and appearance in rows or pairs. As you can see from an ariel perspective, this side/section of the road is made up of three clusters. The subject cluster of which the site forms part of (northern side) contains 3 blocks of terraced properties with no.2 forming on the 'end' and the host dwelling also forming on the 'end' - although the host dwelling is a detached dwelling. The

middle cluster (west) contains 4 semi-detached properties with no.28 being a detached corner plot (adjacent to the host dwelling) and no.48 which has an attached two-storey side addition of which is a separate dwelling - no.48A with the entrance door fronting Merton Avenue. This dwelling was added to the corner plot in 2008 (61190/APP/2007/421). The third cluster (south) also contains 4 semi-detached properties with no.50 being detached and no.70 having an attached two-storey dwelling of which was constructed in 2018 (72584/APP/2017/473). On the opposite side of the road, there are no 'end' properties apart from no.1 and 105 Windsor Avenue. These properties along this side of the road are very uniform in pairs or rows with the properties to the north of the road terraced and south being semi-detached.

The uniformity and subsequent sense of space in the street scene is one of the defining aspects of the locality.

The land levels appear relatively flat.

The site is within a critical drainage area and falls within a surface water floodzone. There are no other policy or heritage constraints on site.

3.2 Proposed Scheme

Planning permission is sought for the erection of a Part single; part two-storey rear extension to the host dwelling (following demolition of rear extension); part single part two-storey side/rear extension to form an attached new dwelling (following demolition of side extension); raising of overall ridge height; removal of front gable to host dwelling; sub-division of site; hard and soft landscaping; boundary treatment; new vehicular crossover including alterations to the existing parking provision and refuse/cycle storage

It should be noted that there would be substantial modifications to the original detached dwelling (removal of parts of the dwelling and extensions) and therefore the proposal has been assessed as the creation of a semi-detached pair of dwellings. However, the assessment will break down each element of the proposal.

3.3 Relevant Planning History

75963/APP/2021/1243 26 WINDSOR AVENUE HILLINGDON

Part single; part two-storey rear extension to the host dwelling (following demolition of rear extension); part single part two-storey side/rear extension to form an attached new dwelling (following demolition of side extension); raising of overall ridge height; removal of front gable to host dwelling; sub-division of site; hard and soft landscaping; boundary treatment; new vehicular crossover including alterations to the existing parking provision and refuse/cycle storage.

Decision: 17-02-2022 Refusal **Appeal:** 16-08-22 Dismissed

75963/PRC/2020/209 26 WINDSOR AVENUE HILLINGDON

Renovation and extension of existing property and new build 3 bedroom house to side.

Decision: 21-12-2020 Objection

Comment on Planning History

The planning history for the site is listed above.

It is important to note the refused application under reference 75963/APP/2021/1243 dated 17-02-22 and subsequently dismissed at appeal under reference APP/R5510/W/22/3296325 dated 16-08-22 for the erection of a 'Part single; part two-storey rear extension to the host dwelling (following demolition of rear extension); part single part two-storey side/rear extension to form an attached new dwelling (following demolition of side extension); raising of overall ridge height; removal of front gable to host dwelling; sub-division of site; hard and soft landscaping; boundary treatment; new vehicular crossover including alterations to the existing parking provision and refuse/cycle storage.'

The application was refused for the following reasons:

1. The proposed dwellings and landscaping by reason of their size, scale, siting, design and appearance in this open prominent position, would result in the loss of an important gap characteristic to the area and appear overbearing, cramped and visually intrusive within the street scene, and would harm the architectural composition of the original dwelling. The proposal would therefore represent a visually incongruous overdevelopment of the site to the detriment of the appearance of the original dwelling, the character and visual amenities of the street scene and the wider area. Therefore the proposal is contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D3 of the London Plan (2021) and Section 12 of the National Planning Policy Framework.
2. The proposal would result in the loss of a street tree along Windsor Avenue harming the visual amenity of the street scene and character of the area and diminishing the important role that trees play in an urban environment contrary to policies D8 and G7 of the London Plan (2021), Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) and Policies DMHB 11, DMHB 12 and DMHB 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).
3. The proposed development by reason of its design and layout would fail to provide accessible and adaptable dwellings contrary to Policies D5 and D7 of the London Plan (2021).

Within the dismissed appeal, with regard to character and appearance, the Inspector stated:

4. As a modestly sized detached dwelling on a well-proportioned plot with an open side garden, the appeal site is not typical of the area, where many such plots have been developed with extensions or additional dwellings. As such, the site makes a positive contribution to openness and thus the character and appearance of the otherwise densely developed area.
5. The proposed dwelling would project into the open space to the side of the property as shown on the submitted plans, to within 1m of the boundary, removing the contribution to the openness of the area. Furthermore, the appeal scheme would project a notable distance beyond the established building line of the adjoining street, Richmond Avenue.
7. I saw other examples of similar infill developments referred to by the appellant. In particular, 48 Windsor Avenue was previously granted consent for an additional dwelling to the side, I note that in that instance the property still maintains a good degree of separation to the side boundary. The presence of those properties referred to by the appellant are material considerations that weigh in favour on the appeal scheme.
8. To conclude this main issue, while the appeal scheme is reflective of the tight grain of

development of the surrounding area and I saw that development which is not dissimilar to the appeal scheme has been brought forwards nearby, nonetheless the appeal scheme would result in the loss of the positive contribution that the site currently makes to the area, removing an element of openness and projecting beyond the established building line on Richmond Avenue.

9. I therefore find that the appeal scheme would harm the character and appearance of the area contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) that, amongst other matters, seek to promote high quality design and enhance local distinctiveness.

OFFICER COMMENT:

The proposed development is identical in terms of its external appearance. The internal arrangements have been reconfigured, there are small landscape changes and the vehicle access has been amended to extend the existing dropped kerb to facilitate access to both the existing dwelling and proposed dwelling.

It is considered that refusal reasons 2 and 3 have been sufficiently overcome. However, refusal reason 1 has not.

A full assessment of the application has been made in the below sections of the report.

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date: Not applicable

4.2 Site Notice Expiry Date: Not applicable

5. Comments on Public Consult

EXTERNAL CONSULTEES:

11 neighbouring properties and Oak Farm Residents Association were consulted on the application by letter dated 06-06-24. During the process of the application the description was changed and these properties were re-consulted. The consultation period expired 27-09-24. One neighbouring objection was received and is summarised as:

- The scheme has been rejected in 2016 and 2022 and the same reasons for refusal remain.
- Overdevelopment of the site
- loss of a open corner plot and green space
- The examples given of other corner plots are not in keeping with the local streetscape and are not generally piece of stunning architecture
- Concerns over parking stress and highway safety
- Concerns over potential flooding
- The development is for profit only

Oak Farm Residents Association:

- This proposal for an additional 3-bedroom property is essentially repeating previous refused (and appealed) applications. The existing detached property occupies a prominent corner plot that forms a designed break in housing that is common to the residential street pattern and character of the Oak Farm Estate. The proposal will significantly compromise the return building line to Richmond

Avenue, breaking both the established layout of the estate and Local Plan guidance. The previous and historical applications quoted should not represent a planning precedent where planning guidelines may not have been applied appropriately. Because of its proximity to the footway, the result will be a build of cramped appearance. Similar sited proposals have been refused and the adopted Local Plan has specific policies to protect the openness of these plots. We ask the planning officer to note that the site is rated at High Risk of Surface Water Flooding on detailed environment agency maps and sits in a critical drainage area. Building an additional property at this site would reduce natural drainage and increase the risk and duration of surface water flooding. Importantly, the proposal also alters the design and appearance of the original house, which is a prevailing feature of the estate. Houses at the end of streets on corner plots share a common design throughout the Estate, with a high apex design to the front elevation above a bay window, with mock Tudor or beamed features set within this. The proposal removes this feature and makes a complete departure from established rooflines on corner plot properties. The justification for demolition of the existing property, which matches the existing housing design and pattern, is weak. We note that the current design does not retain the minimum 25% for soft landscaping to the front of the properties, which is a key planning condition and, given the critical drainage area it sits within, this should not be ignored. Vehicular access also falls within a few metres of a busy junction. OFRA believes that this development would be harmful to the character and appearance of the local area, would conflict with the policies Unitary Development Plan, adopted Local Plan, and London Plan which seek to ensure development is designed to harmonise with and protect the local character of the area.

OFFICER COMMENT:

- An assessment of the proposed development on the character and appearance of the surrounding area has been made within section 07.2 of this report.
- An assessment of the highway impact has been made within section 07.3 of this report.
- An assessment of the impacts on flooding and drainage has been made in section 07.6 of this report.
- Comments made about developers profit is not a material planning consideration and therefore has not been discussed further.

INTERNAL CONSULTEES:

Access Officer:

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

Highways Officer:

I refer to the above planning application ref 75963/APP/2024/1397 which was received on 24 May 2024 and previous application 75963/APP/2021/1243 which was refused although not on highway grounds and was dismissed at Appeal Ref: APP/R5510/W/22/3296325

The Highway Authority is concerned that the application is invalid as the red line and blue line of the application site have been drawn incorrectly as shown in Drawing 20/028_P0 titled Proposed Location.

Should the red and blue line of the application be shown correctly by way of relevant plans and drawings clearly showing the application site edged with a red line that includes all land necessary to carry out the proposed development and a blue line drawn around any other land owned by the applicant, close to or adjoining the application site, the following highway comment would apply:

Site Description

The application site is located on Windsor Avenue, a residential road and bus route with a 30mph speed limit, which is subject to waiting restrictions for goods vehicles and coaches Midnight-8am and 6.30pm - Midnight, at the junction with Richmond Avenue.

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

Access

The application proposes to extend the existing residential dwelling to provide an additional three-bedroom unit. It is proposed that vehicular access to the application site would be gained over the existing vehicle crossover, however it is considered likely that the crossover would require amendment to accommodate additional parking for the proposed dwelling. Any changes to the crossover must be compliant with the Council's own Domestic Vehicle Footway Crossover Policy. This appears achievable. The Highway Authority require that is secured by way of a planning condition.

Car Parking

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The applicant has submitted a Design & Access Statement dated 08.05.24 which states that 2no. car parking spaces would be provided for each dwelling. The London Plan Table 10.3 - Maximum Residential Parking Standards allows dwellings in Outer London with a PTAL of 1b to have a maximum of 1.5no. spaces per dwelling. Drawing 20/028_P0 titled Proposed Location shows that 2no. parking spaces would be provided for the proposed dwelling. Taking into account the proposal site has a low PTAL ranking indicating that access to public transport is poor, and there would be a greater reliance on the private car for trip making, the Highway Authority is able to accept in principle 2no. car parking spaces per dwelling. The Highway Authority does however

require the applicant to provide swept path drawings that demonstrate the vehicles can safely and conveniently manoeuvre in and out of each of these spaces. If it is necessary for the vehicle crossover to be widened to achieve this then this must be provided in full accordance with the Council's own Domestic Vehicle Footway Crossover Policy guidance

Electric Vehicle Charging Points (EVCPs)

The London Plan (2021) requires that 20% car parking spaces have active EVCPs and 80% of spaces have passive EVCPs. The Design & Access Statement 3.1 Vehicular states that EVCPs would be provided for each dwelling. 1no. active 7Kw EVCP would be required for the proposed dwelling which should be conditioned for provision and retention.

Cycle Parking

The London Plan (2021) Table 10.2 - Minimum Cycle Parking Standards would require each dwelling to provide a minimum of 2no. cycle parking spaces which should concur with The London Cycle Design Standards (LCDS) 8.5.3 Residential Cycle Parking. Drawing 20/028_P0 titled Proposed Location shows 2no. cycle parking spaces for the proposed dwellings which would be acceptable.

Recommendation

There are no highway objections to this proposal subject to the following planning condition.

Condition

The Highway Authority require the applicant to submit drawings to the Council for approval that demonstrate that access to the 2no. vehicle parking spaces proposed for each dwelling can be achieved as existing or if necessary, with the provision of a new vehicle crossover that is in full compliance with the Council's own Domestic Vehicle Footway Crossover Policy guidance.

REASON to be in accordance with the London Plan 2021 Policy T4 Assessing and mitigating transport impacts.

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:

DMHD 1	Alterations and Extensions to Residential Dwellings
DMH 6	Garden and Backland Development
DMEI 9	Management of Flood Risk
DMEI 10	Water Management, Efficiency and Quality
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 states that buildings should be laid out so that adequate daylight and sunlight can penetrate into and between them, and the amenities of existing houses are safeguarded. Furthermore the policy stresses the importance of new buildings and extensions providing adequate amount of external amenity space, that not only protects the amenity of the occupants of the proposed development, but also of those of the surrounding buildings, as well as protecting both parties privacy.

Number 24 Windsor Avenue is located north of the application site and is separated by the host. The host dwelling although detached is sited approx. 0.2m away from the shared boundary of this neighbour. Due to the position of the new attached dwelling this would not impact the amenities of this neighbouring property. The existing dwelling would also be extended within this application. The proposed rear extensions would not project into the 45 degree line of sight from the closest neighbouring habitable room window. Whilst the existing dwelling is sited largely along the common boundary, with the proposal to enlarge the current situation, it is considered that the side garage of no.24 does afford some separation and to some degree would reduce the impact to this occupier. It is appreciated that the level of impact from the garden might be worse than the current situation, but the overall rearward projection with the set in of the first floor element would not be overly detrimental to this occupier. It is not considered that the proposed roof changes would impact this neighbouring property. There would be windows within the flank wall which would face this neighbour and as such, there would not be any harmful overlooking or loss of privacy.

Number 123 Richmond Avenue is located west of the application site along the rear boundary. This neighbour does not include any primary side facing windows and the proposed property, due to its position would not have any direct views onto this neighbour. The proposed extensions to number 26 would provide similar views as existing and given its separation distance would not create any adverse loss of light, overshadowing, loss of outlook nor would it be significantly overbearing.

Number 28 Windsor Avenue is located south of the application site and is separated from the host by Richmond Avenue Road. Given its separation distance the new dwelling would not be significantly overbearing or cause any harmful loss of light or overshadowing. There would be no windows within the flank elevation which would face this neighbour, as such, there would be no harmful overlooking or loss of privacy.

As such, the proposed development would not be detrimental to the occupiers of the surrounding context in terms of overlooking, loss of privacy, sense of enclosure, visual impact, overbearing impact, outlook and loss of daylight/sunlight. Therefore, the proposal complies with Policy DMHB 11 of the Hillingdon Local Plan: Part Two (2020).

7.2 Impact on Street Scene

Paragraph 135 of the National Planning Policy Framework (2023) states. Planning policies and decisions should ensure that developments: 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.

Policy D1 of the London Plan states that design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability and accessibility of the neighbourhood.

Policy D4 of the London Plan states developments 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 establishing an enhanced character for the future function of the area.

The Hillingdon Local Plan: Part One Strategic Policy BE1 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 DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) advises that all development will be required to be designed to the highest standards and incorporate principles of good design. It should take into account aspects including the scale of the development considering the height, mass and bulk of adjacent structures; building plot sizes and established street patterns; building lines and streetscape rhythm and landscaping. It should also not have an adversary impact on the amenity, daylight and sunlight of adjacent properties and open space.

Policy DMHD 1 requires that alterations and extension of dwellings would not have an adverse cumulative impact on the character and appearance of the street scene, and should appear subordinate to the main dwelling. It also required that there is no unacceptable loss of outlook to neighbouring occupiers.

The proposed development consists of the erection of a new two storey attached dwelling with alterations and extensions to the existing property. The development would essentially make a pair of semi-detached properties and as such the development will be assessed as a whole on this basis. It is important to note that this is a re-submission of a previously refused scheme under reference 75963/APP/2021/1243 and was subsequently dismissed at appeal under reference APP/R5510/W/22/3296325. The proposed development is essentially the same as the previously refused application in its built form, however, there have been internal alterations as well as a revised highway access.

The application site comprises a prominent two-storey detached dwelling on the corner junction of Windsor Avenue and Richmond Avenue. The dwelling has a single storey side garage with the area to the side covered in soft landscaping. There is a crossover directly in front of the garage (pavement level) of which facilitates parking for one vehicle in front. To the rear is an enclosed garden.

Within the previous application, the case officer commented 'Windsor Avenue comprises a range of properties of which tend to be uniform in their form, proportion and appearance in rows or pairs. As shown on an ariel perspective, this side/section of the road is made up of three clusters. The subject cluster of which the site forms part of (northern side) contains 3 blocks of terraced properties with no.2 forming on the 'end' and the host dwelling also forming on the 'end' - although the host dwelling is a detached dwelling. The middle cluster (west) contains 4 semi-detached properties with no.28 being a detached corner plot (adjacent to the host dwelling) and no.48 which has an attached two-storey side addition of which is a separate dwelling - no.48A with the entrance door fronting Merton Avenue. This dwelling was added to the corner plot in 2008 (61190/APP/2007/421). The third cluster (south) also contains 4 semi-detached properties with no.50 being detached and no.70 having an attached two-storey dwelling of which was constructed in 2018 (72584/APP/2017/473). On the opposite side of the road, there are no 'end' properties

apart from no.1 and 105 Windsor Avenue. These properties along this side of the road are very uniform in pairs or rows with the properties to the north of the road terraced and south being semi-detached.' This is still the case within this application. The immediate surrounding area is of uniform design with spacious corner plots maintained.

Within this submission, the applicant has provided a document listing examples of 'similar' development within the area. Whilst every application should be assessed on their own merits, these have been taken into consideration. Whilst many of these examples have been approved on corner plots within the area, it is important to note their differences. Numbers 63 and 65 Victoria Avenue had existing large two storey extensions in place approved under the outdated local plan. As such the openness to the corner plot had already been diminished. The development at number 48 Windsor Avenue was noted by the inspector within the previous appeal, they stated that there would still be a degree of separation distance to the boundary.

Turning to the examples at numbers 21A Victoria Avenue (73784/APP/2018/1685) and 23 Victoria Avenue (12211/APP/2020/3220). These permissions had been granted at the time of the previous dismissed appeal and the inspector made no comment to these weighing in favour of the development. Whilst these are corner plot developments number 23 Victoria Avenue forms an end terrace property with a larger plot, the site characteristics differ to that at the host site. The development at 21A Windsor Avenue has been built out and is similar in terms of its design, however, again the site characteristics and pattern of development vary. Within the proposed scheme there are two very prominent detached properties on the corner plots, numbers 26 and 28 Windsor Avenue. These are a focal point of the street. Although number 21 was originally a detached property this was on its own and not a pair which differs from the context of the street scene.

The proposed development would see the demolition of existing side garage, part single storey rear addition and front gable (including parts of the existing roof) alongside removal of part of the existing dwelling and construction of a two storey side extension and part single, part two storey rear extension to form a pair of semi-detached dwellings with the raising of ridge height.

As noted within the previous case officers report 'In order to accommodate the proposed semi-detached pair, the host dwelling would have to lose its characteristic front gabled feature (noting no.28 does not have this) and be reduced in width by approx. 0.7m. This would result in the host and proposed dwelling appearing overly narrow and elongated when viewed in isolation with the properties along this part of Windsor Avenue and especially the subject corner plots of reference - no.2, 28, 50 and also no.48 and 70 of which have historically constructed extensions to form new attached dwellings. This lack of proportion would be exacerbated by the raising of the roof ridge. The works undertaken to the host dwelling as an initial stage of the proposal would detriment the form, proportions and appearance of the dwelling as viewed within the street scene'.

The proposed development would form a pair of semi-detached properties identical in form to each other. However in doing so the development would lose the character and appearance of the existing property and would appear cramped within its plot. The site is at an angle where the development would be approx. 2.7m away from the boundary at its widest point however at its narrowest points would be sited only 1m away from the boundary. Whilst in parts, the proposal would retain larger gaps, the overall combined siting, height, width and depth of the proposed dwelling would be overly close and as such result in the development appearing too cramped and dominated in its setting. Given its corner plot position the development would be readily seen from multiple vantage points and would close the openness of the plot significantly.

The development would involve changing the roof form and raising the ridge height of the property

by approx. 0.5m. A street scene elevation drawing has not been provided to show how the development would integrate with the surrounding properties. As such, it cannot be concluded what impact this would have on the surrounding area. Any future application should be accompanied with existing and proposed street scene elevation drawings.

A similar scheme was refused by officers at no.2 Windsor Avenue (75970/APP/2020/3506), notably on design grounds. This was subject to an appeal (APP/R5510/W/21/3271803) which was dismissed on 09/12/2021. Under paragraph 6 of the Appeal Decision, the Planning Inspector stated that 'despite the small gap to the side boundary, the 2 storey high flank elevation would appear as an unusually high feature near to the pavement.' Whilst appreciating in parts the new dwelling would be at varying distances to pavement level, it would still be 1m at its closest point, which is considered too close to the side boundary and encloses the openness that is characteristic of these corner plots. Noting the host dwelling already is almost directly adjoining along the boundary of no.24 with a two-storey scale, the overall level of built form would be too cramped and dominating from the streetscene of this prominent corner site. It is also noted that an application for a similar two storey attached house was refused at 2 Windsor Avenue on 09/05/24 under reference 41714/APP/2024/551 for similar reasons.

As such, the proposed development has not sufficiently overcome refusal reason one of application 75963/APP/2021/1243. The proposed dwellings, by reason of their siting, combined height, width and depth including design and general reduction in size of the host dwelling would result in a dominating, overbearing, visually intrusive, incongruous and cramped form of overdevelopment that would harm the architectural composition of the original dwelling and openness of the plot, character and appearance of the surrounding immediate Windsor Avenue context, visual amenities of this prominent corner siting and general relationship with the properties along this stretch. Therefore, the proposal would be contrary to local and national policies.

7.3 Traffic Impact/Pedestrian Safety

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

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

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

Access:

The application proposes to extend the existing residential dwelling to provide an additional three-bedroom unit. It is proposed that vehicular access to the application site would be gained over the

existing vehicle crossover, however it is considered likely that the crossover would require amendment to accommodate additional parking for the proposed dwelling. Any changes to the crossover must be compliant with the Council's own Domestic Vehicle Footway Crossover Policy. Should the application have been recommended for approval, a condition would have been added to the decision.

There are concerns regarding the position of the parking spaces and pedestrian access to the properties. Should the application have been recommended for approval, a revised parking layout would have been requested to ensure pedestrian access to the properties could be achieved.

Car Parking:

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The applicant has submitted a Design & Access Statement dated 08.05.24 which states that 2no. car parking spaces would be provided for each dwelling. The London Plan Table 10.3 - Maximum Residential Parking Standards allows dwellings in Outer London with a PTAL of 1b to have a maximum of 1.5no. spaces per dwelling. Drawing 20/028_P0 titled Proposed Location shows that 2no. parking spaces would be provided for the proposed dwelling. Taking into account the proposal site has a low PTAL ranking indicating that access to public transport is poor, and there would be a greater reliance on the private car for trip making, the Highway Authority is able to accept in principle 2no. car parking spaces per dwelling. However, should the application have been recommended for approval, a swept path analysis drawing would have been requested to demonstrate the vehicles can safely and conveniently manoeuvre in and out of each of these spaces.

Electric Vehicle Charging Points (EVCPs):

The London Plan (2021) requires that 20% car parking spaces have active EVCPs and 80% of spaces have passive EVCPs. The Design & Access Statement 3.1 Vehicular states that EVCPs would be provided for each dwelling. 1no. active 7Kw EVCP would be required for the proposed dwelling which would have been conditioned should the application have been recommended for approval.

Cycle Parking:

The London Plan (2021) Table 10.2 - Minimum Cycle Parking Standards would require each dwelling to provide a minimum of 2no. cycle parking spaces which should concur with The London Cycle Design Standards (LCDS) 8.5.3 Residential Cycle Parking. Drawing 20/028_P0 titled Proposed Location shows 2no. cycle parking spaces for the proposed dwellings which would be acceptable.

Other Matters:

Drawing 20/028_P0 titled Proposed Location shows the new dwelling outlined in blue and the existing dwelling in red. This should be amended to both be outlined in red.

7.4 Carparking & Layout

See above section.

7.5 Urban Design, Access and Security Considerations

INCLUSIVE DESIGN AND ACCESS:

Policy D5 of the London Plan (2021) states that development proposals should achieve the highest

standards of accessible and inclusive design.

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

The Councils access officer was consulted on the application and raised no objection to the proposed dwelling in terms of accessibility subject to the imposition of conditions. Should the application be recommended for approval, the conditions will be added to the decision. It is considered that the proposed development has overcome refusal reason 3 of the previous planning application reference 75963/APP/2021/1243.

INTERNAL LIVING STANDARDS:

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

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

The proposed dwellings would be classed as 3 bed 5 person dwellings given the size of the bedrooms. Policy D6 of the London Plan (2021) requires that 3 bedroom properties with an occupancy level of 5 should have a minimum GIA of 93sqm with 2.5sqm of built in storage. The dwelling at no.26 would have a GIA of approx. 97sqm which would meet this requirement. However, the new dwelling (no.26A) would have a GIA of approx. 91sqm which is under the required amount which would leave future occupiers to have a poor level of internal living accommodation to the detriment of their amenities.

As such the proposed development would be contrary to Policy D6 of the London Plan (2021) and Policy DMHB 16 of the Hillingdon Local Plan (2020).

EXTERNAL AMENITY SPACE PROVISION:

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 5.3: Private Outdoor Amenity Space Standards.

The subdivision would leave approx. 110sqm of useable rear private amenity space for the host dwelling and 131sqm for the new attached dwelling (including the side/rear decked area) which would be sufficient.

7.6 Other Issues

PRINCIPLE OF DEVELOPMENT:

Policy DMH 6 of the Local Plan (2020) states that there is a presumption against the loss of

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

- 1) neighbouring residential amenity and privacy of existing homes and gardens must be maintained and unacceptable light spillage avoided;
- 2) 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;
- 3) development on backland sites must be more intimate in mass and scale and lower than frontage properties; and
- 4) features such as trees, shrubs and wildlife habitat must be retained or re-provided.

The principle of development, with the provision of an additional housing unit, purely in land use terms, given the residential context would be acceptable. However, this has to be reviewed in isolation with the appropriateness of the development in the context of the plot and area, relationship with neighbouring occupiers, quality of accommodation and associated highways and pedestrian/occupier considerations. As per the above sections the proposed scheme would be overdevelopment of the site to the detriment of the character and appearance of the area contrary to Policy D6 of the Local Plan (2020).

FLOODING AND DRAINAGE:

The application site lies within a critical drainage area and on an area at risk from surface water flooding. Had the scheme been considered acceptable, it would be expected for this type of proposal that some form of flood risk strategy is in place to prevent and reduce flood risk for any future times. Any future planning application should be accompanied by this information.

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 DME1 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.

During the process of the application, the applicant has provided the Biodiversity Net Gain Metric Calculation for the site along with an existing and proposed map showing the type of vegetation at the site. The submitted information shows that a 10% increase in biodiversity can be achieved at site by the introduction of 3 new trees within the rear garden. Should the application have been recommended for approval, the standard Biodiversity Net Gain condition and Habitat Management Plan Condition would have been added to the decision.

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:

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: