

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:	123A CENTRAL AVENUE HAYES	
Development:	Alterations and extension to existing extension to create new end of terrace dwelling with associated amenity, parking and bin storage	
LBH Ref Nos:	78009/APP/2025/1540	
Drawing Nos:	Planning Statement dated May 2025 Impact Assessment by Sunlight Assessments UK Habitat Map reference MGC-000-L-490 Biodiversity Net Gain Assessment Issue 2.1 dated 25/06/2025 Preliminary Ecological Appraisal & Preliminary Roost Assessment Issue 2 dated 24/06/2025 1031-01_Rev01 Rev 8 1037-11 Rev 08 Flood Risk Assessment Version 1 dated June 2024 1037-12 Rev 01 1037-13 Rev 08 1037-14 Rev 08 1037-15 Rev 08 1037-16 Rev 08 1037-30 Rev 08 1037-35 Rev 08 1037-38 Rev 01 1037-39 Rev 01	
Date Plans received:	26-06-25	Date(s) of Amendments(s):
Date Application valid	26-06-25	

1. SUMMARY

Planning permission is sought for alterations and extension to existing extension to create new end of terrace dwelling with associated amenity, parking and bin storage.

The development is a re-submission of a previously refused scheme at the site under reference 78009/APP/2024/1578. The application was dismissed at appeal under reference APP/R5510/W/24/3351213. The decision notice included two refusal reasons:

1. The proposal by reason of its siting in this prominent corner position, size, scale, bulk, width,

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

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

The proposed development has sought to overcome these refusal reasons by decreasing the width of the new dwelling. The proposed development has failed to overcome both of the above refusal reasons, as the proposal is still considered as an incongruous and cramped form of development and an overdevelopment of the site to the detriment of the character and appearance of the street scene and Area of Special Local character. The development would also fail to provide suitable private and useable external amenity space to the detriment of future occupiers amenity.

As such, the development is recommended for refusal.

A detailed assessment has been made in the below report.

2. RECOMMENDATION

REFUSAL for the following reasons:

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

The proposal by reason of its siting in this prominent corner position, size, scale, bulk, width, height, design, proximity to the side boundary and garden areas would result in the loss of an important gap characteristic to the area, resulting in a cramped appearance. The proposal would therefore represent an overdevelopment of the site to the detriment of the character, appearance and visual amenities of the area and Central Avenue Area of Special Local Character. Therefore the proposal is contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMH6, DMHB 5, DMHB 11, DMHB 12 and DMHB 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies D3, D4, D6 and D8 of the London Plan (2021) and paragraph 135 of the NPPF (2024).

2. NON2 Insufficient External Amenity

The proposed external amenity space by reason of its location and awkward contrived design would fail to provide a suitable level of outdoor accommodation that is sufficiently private, useable and well located. The future occupiers of the property would therefore be subjected to a poor standard of living accommodation to the detriment of their amenities. The proposal would therefore be contrary to Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and paragraph 135 (f) of the NPPF (2024).

INFORMATIVES

1. I52 Compulsory Informative (1)

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

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

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

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

I53 Compulsory Informative (2)

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

DMH 6	Garden and Backland Development
DMEI 9	Management of Flood Risk
DMEI 10	Water Management, Efficiency and Quality
DMHB 5	Areas of Special Local Character
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMT 2	Highways Impacts

DMT 6	Vehicle Parking
LPP GG2	(2021) Making the best use of land
LPP GG4	(2021) Delivering the homes Londoners needs
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP D8	(2021) Public realm
LPP D14	(2021) Noise
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF11 -24	NPPF11 2024 - Making effective use of land
NPPF12 -24	NPPF12 2024 - Achieving well-designed places
NPPF2 -24	NPPF2 2024 - Achieving sustainable development
NPPF5 -24	NPPF5 2024 - Delivering a sufficient supply of homes

3. CONSIDERATIONS

3.1 Site and Locality

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

The building is set back from the highway of Central Avenue, benefits from off road parking to the front driveway and a private rear garden. The property has been extended by way of a double storey side extension, single storey rear extension, rear dormer and an outbuilding structure within the rear garden. The property is finished in white render with grey rooftiles and fenestrations.

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

3.2 Proposed Scheme

Planning permission is sought for Alterations and extension to existing extension to create new end of terrace dwelling with associated amenity, parking and bin storage

3.3 Relevant Planning History

78009/APP/2024/1578 123a CENTRAL AVENUE HAYES

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

Decision: 09-08-2024

Refusal

Appeal: 08-04-25 Dismissed

Comment on Planning History

The planning history for the site is listed above.

The proposed development is a resubmission of a previously refused scheme that was subsequently dismissed at appeal under reference 78009/APP/2024/1578 (APP/R5510/W/24/3351213). The application was refused for the following reasons:

1. The proposal by reason of its siting in this prominent corner position, size, scale, bulk, width, height, design, proximity to the side boundary and front amenity area would result in the loss of an important gap characteristic to the area, resulting in a cramped appearance. The proposal would therefore represent an overdevelopment of the site to the detriment of the character, appearance and visual amenities of the area and Central Avenue Area of Special Local Character. Therefore the proposal is contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMH6, DMHB 5, DMHB 11, DMHB 12 and DMHB 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies D3, D4, D6 and D8 of the London Plan (2021) and paragraph 135 of the NPPF (2023).
2. The proposed amenity space by reason of its location and shape would fail to provide a suitable level of outdoor accommodation that is sufficiently private, useable and well located. The future occupiers of the property would therefore be subjected to a poor standard of living accommodation to the detriment of their amenities. The proposal would therefore be contrary to Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and paragraph 135 (f) of the NPPF (2023).

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:

12 neighbouring properties were consulted on the application by letter dated 08-07-25. The consultation period expired 13-08-25. One objection has been received and is summarised as:

- The current property already has limited outdoor amenity space. The proposed development will reduce this further.
- The existing site is already crowded and cramped and is an eyesore for residents
- Concerns regarding impact to wildlife

- Concerns regarding garden space for new dwelling
- The number of applications and development has lead to excessive upset and disturbance

Hayes Conservation Advisory Panel:

We consider the plot that was originally 123 Central Avenue has already been over-developed to the detriment of the Area of Special Local Character of which it is part, especially by closing the gap to the adjacent property on this prominent corner site. Further building here would only make this worse. It would also be wasteful of resources to modify such a recently built structure. We expect this application to be refused - especially as the submitted elevation drawings do not accurately represent the existing structure, giving a false impression of the proposals.

OFFICER COMMENT:

- A full assessment of the proposed development on the character and appearance of the surrounding area and Area of Special local Character has been made in section 07.2 of this report.
- An assessment of the level of external amenity space has been made in section 07.5 of this report.
- An assessment of biodiversity has been made in section 07.6 of this report.

INTERNAL CONSULTEES:

Access Officer:

This proposal for a one bedroom dwelling, 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.

Waste Services:

No comments/ objections

Conservation Officer:

We would be concerned that the proposal has made relatively minor changes when compared to the previously refused scheme. The site still appears to be over development, the garden/ amenity space is nominal and does not appear to be particularly usable. The site layout plan would appear to show parking to the front reducing this further. We do not believe that this has successfully addressed the previous reasons for refusal, still harms the character of the area of local significance and as such we would object and recommend refusal.

Highways Officer:

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

Conditions

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

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

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

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

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

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

HIGHWAY INFORMATIVES:

The Highway Authority recommends inclusion of the following informatives to ensure that any works as part of this development are carried out in accordance with the provisions of the Highways Act 1980 and other relevant processes.

Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway.

Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.

Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway.

New or amended vehicle crossover access: Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf.

Avoidance of surface water discharge onto the highway: The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.

6. Local Plan Designation and London Plan

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

Part 1 Policies:

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

Part 2 Policies:

DMH 6	Garden and Backland Development
DMEI 9	Management of Flood Risk
DMEI 10	Water Management, Efficiency and Quality
DMHB 5	Areas of Special Local Character
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
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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 -24	NPPF11 2024 - Making effective use of land
NPPF12 -24	NPPF12 2024 - Achieving well-designed places
NPPF2 -24	NPPF2 2024 - Achieving sustainable development
NPPF5 -24	NPPF5 2024 - 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) (2024) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

7. MAIN PLANNING ISSUES

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

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

The proposed development involves alterations and extensions to the existing double storey side extension at No.123A Central Avenue to provide an additional dwelling.

The proposed dwelling would be attached to no.123A central Avenue which would be sited south of the application site. The proposed front elevation would be set in line with no.123A and the proposed rear elevation at first floor level would extend approx. 0.6m beyond the first floor of this

neighbour. Although a 45 degree angel line from the closest neighbouring habitable room window of 123A has not been provided, it is not considered that this limited depth would create any adverse loss of light, overshadowing, loss of outlook nor would it be overbearing. The proposed ground floor of the new dwelling would not extend beyond the rear extension of no.123A. Overall there would be no significant harm caused to the amenities of this neighbouring property.

Number 59 orchard Road is located north of the application site. This property benefits from double story side extensions. At its narrowest point, the proposed dwelling would be sited approx. 1.8m away from the shared boundary with this neighbour. There would be no direct overlooking from the new dwelling due to the position of the windows and there are no side elevation windows. The application is accompanied with BRE sunlight and daylight report, however it is noted that this is for the previously designed development. The proposed development has been reduced in width from the previously refused scheme. The results conclude that the previous development would not create a noticeable reduction in daylight or sunlight in compliance with the BRE guidance. The results show that all assessed windows would meet the BRE criteria. Given the development has been reduced in size, the assessment would give a 'worst case scenario' result and as such it is not considered that a further study is required. The development would not lead to any significant loss of light or overshadowing. There would be no upper floor rear facing windows and as such there would be no overlooking concerns.

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

The surrounding area is in residential use and it is considered that the addition of one new residential property will not cause an unacceptable level of noise or disturbance.

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

7.2 Impact on Street Scene

Paragraph 135 of the NPPF(2024) states:

'Planning policies and decisions should ensure that developments:

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

with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'

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

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

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

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

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

- A) Within Areas of Special Local Character, new development should reflect the character of the area and its original layout. Alterations should respect the established scale, building lines, height, design and materials of the area.
- B) Extensions to dwellings should be subservient to, and respect the architectural style of the original buildings and allow sufficient space for appropriate landscaping, particularly between, and in front of, buildings.
- C) The replacement of buildings which positively contribute to the character and local importance of Areas of Special Local Character will normally be resisted.

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

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

quality of the surrounding area.

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

The proposed development is a re-submission of the previously refused scheme under reference 78009/APP/2024/1578 and was subsequently dismissed at appeal under reference APP/R5510/W/24/3351213.

It is important to note that the applicant has described the development as 'Alterations and extension to existing part single/part two storey side extension to create new end of terrace dwelling with associated amenity, parking and bin storage'. However the proposed development would substantially alter the appearance of the existing side extension and would in fact create a substantially different development to the existing side extension and as such it cannot be argued that these are minor changes to the existing development, rather it is a new self contained end of terrace dwelling.

Within the appeal decision the Inspector stated:

"3. The appeal site comprises a two storey end of terrace dwelling which is located on a corner position at the junction of Orchard Road. The appeal site is located within the Central Avenue, Hayes, Area of Special Local Character (ASLC). Its significance is derived from the consistency of the layout, scale and appearance of rows of properties. The area is characterised by short terraces with a similar scale and design which results in uniformity in the street scene. Corner properties such as the appeal site are also set in from their side boundaries, which combined with the set back from the street and wide pavements results in a spacious character which makes a positive contribution to the ASLC.

5. The appeal property has already been extended with a two storey side extension. However, the extension is subordinate to the main dwelling by virtue of its set down from the ridge and set back from the elevation at first floor level. The proposal would utilise the extension but would match the ridgeline and building line of 123A as well as increase in width.

6. The proposal would appear as an extension of the existing terrace which would result in the terrace being overly long and cramped within the plot, despite the proposed set back. The overall width would also erode the spacious gap which would further highlight the cramped appearance of the development.

7. I note that the existing two storey extension was considered acceptable at appeal¹ and I agree that there is variation in the size of undeveloped side outdoor spaces in the area, including that they are generally not uniform. However, I do not consider the increase in width to be minor, instead, the increase, as well as the other concerns would upset the uniformity of the street scene and result in an uncharacteristically small gap to the side.

8. The proposed rear garden would be very small which is uncharacteristic of the area, particularly the spacious corner plots. Furthermore, an area of garden is proposed to the front of the dwelling which with the potential for domestic paraphernalia to be present would further erode the spacious character and appear as an incongruous feature in the context of the mostly open frontages in the wider area.

9. I therefore conclude that the proposed development would harm the character and appearance of the area, including the ASLC. It would be contrary to Policy BE1 of the A Vision for 2026 Local

Plan: Part 1 Strategic Policies (Adopted November 2012), Policies DMH6, DMHB5, DMHB11, DMHB12 and DMHB14 of the London Borough of Hillingdon Local Plan Part 2 Development Management Policies Adopted Version 16 January 2020 (LP2), Policies D3, D4, D6 and D8 of the London Plan 2021 and Paragraph 135 of the Framework. Amongst other things, these seek to ensure that new development enhances the local distinctiveness of the area, within ASLC, new development should reflect the character of the area and its original layout and establish or maintain a strong sense of place."

The application site lies within the Central Avenue, Hayes Area of Special Local Character. The surrounding area is made up of predominantly two storey terraced and semi-detached dwellings set back from the highway with front driveways or small gardens with private amenity space to the rear. Many of the properties have benefitted from extensions. The corner plot properties benefit from spacious side plots providing separation between the properties. It is considered that these open spaces contribute positively to the character and appearance of the street scene. The open space character and visual gaps also help to clearly define the semi-detached and end terraced contexts of several junction/corner properties in the immediate locality.

The proposed development has been slightly reduced in width from the previously refused scheme. It would measure approx. 5m in width, 6.9m in depth at both ground and first floor level (plus additional front porch), and measure approx. 7.4m in height characterised with a gable end roof form. The new dwelling would be in line with the front building line of 123A and include a front porch, front gable feature and would be finished in render. The development at its narrowest point within the plot would be set in from the side boundary by approx. 1.25m.

It is not considered that the reduction in width (approx. 2m) has sufficiently overcome the previous refusal reasons. The development would still harmfully enclose and infill the already diminished corner plot setting. It is not considered that the set in from the side boundary is adequate. As stated within the previous decision, the existing property at 123A Central Avenue benefits from a double storey side extension, this is set down from the main ridge and set back from the front elevation at first floor level appearing subordinate to the host dwelling. Whilst the applicant has stated that the development would be 'alterations and extensions' to this existing structure, the proposal would result in a substantially different structure that would no longer appear subordinate to the main dwelling.

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

The reduction in width of the new dwelling has resulting in a slightly larger side garden, however the rear garden would still appear uncharacteristically small which is uncommon within the immediate surrounding area. As explained within the previous decision, whilst surrounding rear gardens are on the smaller side, the proposed rear garden area would be extremely cramped within its plot appearing out of character with the prevailing design of the surrounding area. Along with this, the development would provide amenity space to the front of the site which is uncharacteristic within the surrounding area. Where side gardens do appear, these do not necessarily provide amenity space, rather they are a landscaped area.

For the above reasons, the proposed development has not sufficiently overcome refusal reason 1 of

the previous decision. It would result in an incongruous and cramped form of development and an overdevelopment of the site to the detriment of the character and appearance of the street scene and Area of Special Local Character. Therefore the proposal is contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMH6, DMHB 5, DMHB 11, DMHB 12 and DMHB 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies D3, D4, D6 and D8 of the London Plan (2021) and paragraph 135 of the NPPF (2024).

7.3 Traffic Impact/Pedestrian Safety

See below section

7.4 Carparking & Layout

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

Policy DMT 6 states 'Development proposals must comply with the parking standards outlined in Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity. The Council may agree to vary these requirements when: i) the variance would not lead to a deleterious impact on street parking provision, congestion or local amenity.

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

Parking and Access:

The proposed car parking arrangement remains unchanged from the previously refused scheme. It should be noted that the development was not refused on highway related matters.

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

Electric Vehicle Charging Points (EVCP's):

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

Cycle Parking:

The London Plan Table 10.2 - Minimum Cycle Parking Standards requires that a minimum of 1.5no. cycle parking spaces should be provided. Drawing 1037-11 08 titled Proposed Site Plan shows the

provision of 2 cycle parking spaces within the middle section (zone 2) of the garden space. This is shown in close proximity to the an access gate which is considered acceptable. Should the application have been recommended for approval, a suitable condition would have been added securing the details of the cycle storage ensuring it was adequality secure and enclosed.

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

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 has been consulted on the application and raised no objection to the proposed dwelling in terms of accessibility subject to the imposition of conditions regarding step free access and compliance with a M4(2) dwelling. Should the application be recommended for approval, the conditions will be added to the decision.

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).

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

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

EXTERNAL LIVING STANDARDS:

Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all new residential development and conversions will be required to provide good quality

and usable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.3.

The previous application included a refusal reason for the design of the external amenity space provided. The refusal reason states:

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

This refusal reason was upheld at appeal. Within the appeal statement the Inspector stated:

"10. Policy DMHB 18 states that all new residential development, and conversions will be required to provide good quality and useable private outdoor amenity space. In terms of the amount of space a one-bedroom dwelling should provide a minimum of 40sqm and there is no dispute that the proposal would provide more space than this minimum standard.

11. A small section of the amenity space is proposed to the rear of the dwelling but its narrow width and particularly narrow sections next to the proposed dwelling would make it an unattractive space for future occupiers to use.

12. The majority of the proposed outdoor amenity space is to the frontage of the dwelling which as a result of a 0.5m high fence and hedge it would be clearly visible by people passing the site. I note the appellants considers that each zone of the outdoor space could be used for different purposes. However, the most usable and attractive space would be at the frontage which would only be screened by a low fence and would provide a lack of privacy for future occupiers to be able to use the space. I am not convinced that a condition could address the lack of privacy without harming the character and appearance of the area.

13. I therefore conclude that the proposed development would not provide adequate living conditions for future occupiers with regard to private outdoor amenity space. It would be contrary to Policy DMHB18 of the LP2 and Paragraph 135 of the Framework. Amongst other things, these seek to ensure that all new residential development and conversions will be required to provide good quality and useable private outdoor amenity space and provides a high standard of amenity for future occupiers."

Table 5.3 of Policy DMHB 18 requires a one bedroom dwelling to have a minimum of 40sqm that is private and useable. The proposed development within this current application has reduced the width of the proposed dwelling and as such has slightly increased the amount of garden space. The applicant has stated there would be approx. 47sqm of private amenity space within zones 1 (rear space) and zone 2 (side space). Whilst a slight improvement to the original scheme the garden areas are still clearly marked into zones with the rear garden space being unusable given its limited size and shape. As additional side door has been added to provide access into the side garden area (zone 2), however this is not considered sufficient to have overcome the previous refusal. A grassed front garden area (zone 3) has been shown on the proposed drawings. This again cannot be considered as private or useable garden space given the 0.5m high hedge boundary treatment.

As such, the proposed external amenity space is not considered as sufficiently private or useable and has not overcome refusal reason 2 of the previous application. The development would therefore fail to comply with Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

7.6 Other Issues

PRINCIPLE OF THE DEVELOPMENT:

The site is located within an established residential area.

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

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

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

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

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

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

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

LANDSCAPING:

Policy DMHB 14 states :

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

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

BIODIVERSITY NET GAIN:

In England, Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). It became mandatory for major developments on 12 February 2024 and small sites on 2 April 2024. Developers must deliver a BNG of at least 10%. This means a development will result in more or better-quality natural habitat than there was before development. The land owner is legally responsible for creating or enhancing the habitat and managing that habitat for at least 30 years to achieve the target condition.

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

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

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

Paragraph 6.28 of Policy 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.

The applicant has provided the statutory baseline metric to establish the baseline habitat units at the site. The associated reports conclude that the baseline habitat value of the site was 0.01 units of poor condition modified grassland. The post development habitat value of the site would be 0.01 units comprising vegetated gardens which results in a net change of 0.05 units equating to 21.39%. As such, the development complies with the statutory minimum. Should the application have been recommended for approval, a habitat management plan condition would have been secured.

The application is also accompanied with a Preliminary Ecological Appraisal & Preliminary Roost Assessment. The assessment concludes that Building B1 & B2 have negligible value for roosting bats due to a lack of potential roosting and as such bats are very unlikely to be roosting within the building. The assessment recommend the installation of 2 bat boxes on mature trees around the

site boundaries or on retained buildings will provide additional roosting habitat for bats. It also recommends the planting of native tree, shrub and hedgerows to increase foraging opportunities.

The assessment concludes that local habitats could support local hedgehog populations and as such the installation of haps under boundary fencing to enable hedgehogs to move freely through the site is recommended.

The site is considered likely to support common and widespread garden breeding bird species. The installation of 2 bird boxes is recommended.

Should the application have been recommended for approval. A compliance condition would have been added to ensure the development incorporated these features.

DRAINAGE:

Policy DMEI 10 of the Local Plan states '

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

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

C) Rain Gardens and non householder development should be designed to reduce surface water run-off rates to Greenfield run-off rates.

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

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

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

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

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

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

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

The application site lies within an area at risk of surface water flooding. The development would

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

COMMUNITY INFRASTRUCTURE LEVY: :

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

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

CONCLUSION:

The proposed development has failed to overcome both of the previous refusal reasons and as such 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 (2024)

Contact Officer: Rhian Thomas **Telephone No:**