

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: 58A STATION ROAD HAYES

Development: Erection of 2 additional storeys to create a flat at first and second floors above ground floor commercial unit.

LBH Ref Nos: 69395/APP/2025/797

Drawing Nos: Location Plan
 224/PP/003c
 224/PP/004a
 224/PP/005a
 224/PP/006
 224/PP/007
 224/PP/008
 Fire Safety Strategy, DOTS Architectural Services
 Impact Assessment, Sunlight Assessments UK

Date Plans received: 20-03-25 **Date(s) of Amendments(s):**

Date Application valid 20-03-25

1. SUMMARY

Planning permission is sought for the erection of a first and second floor extension to provide a new flat above an existing ground floor commercial use. It is considered that the proposed development would harm the character and appearance of the surrounding area, would harm the amenities of neighbouring occupiers, and fails to provide sufficient external private amenity space for future occupiers. As such the application is recommended for refusal. A detailed assessment is made in the below report.

2. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Harm to character and appearance of area

Due to its location, design, mass and scale the proposed development would form an uncharacteristic and visually incongruous development which would fail to harmonise with the local character and appearance of 58a Station Road and the surrounding area. The proposal is therefore detrimental to the visual amenity and character of the surrounding area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies, Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D1, D3

and D6 of the London Plan (2021).

2. NON2 Harm to neighbouring amenities

Due to the close proximity of the proposed development to the neighbouring properties no's 56A, 58A, 60A and 60B Station Road, the development would cause an unacceptable loss of outlook and be excessively overbearing to the occupiers of these properties to the detriment of the neighbours amenities and living conditions. The proposal is therefore considered to be contrary to Policies DMHB 11, of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D3 of the London Plan (2021), and paragraph 135 (f) of the NPPF (2023).

3. NON2 Lack of outdoor private amenity space

The proposed development fails to provide any private outdoor amenity space. As such the future occupiers of the property would 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. 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. I71 LBH worked applicant in a positive & proactive (Refusing)

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

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

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

This is a reminder that Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), should an application for appeal be allowed, the proposed development would be deemed as 'chargeable development' and therefore liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This would be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012.

For more information on CIL matters please visit the planning portal page at:
www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

3. CONSIDERATIONS

3.1 Site and Locality

Located within the Secondary Shopping Area of Hayes Town.

3.2 Proposed Scheme

Planning permission is sought for the erection of 2 additional stories to create a flat at First and Second floors above ground floor commercial unit.

3.3 Relevant Planning History

69395/APP/2023/3436 58A STATION ROAD HAYES

Erection of a first and second floor extension to provide a new flat above existing ground floor commercial use (amended description)

Decision: 22-01-2024 Refusal

69395/APP/2022/3825 58A STATION ROAD HAYES

Erection of a rear dormer and 2 front roof lights to flat above shop

Decision: 03-02-2023 Approval

69395/APP/2022/3569 58A STATION ROAD HAYES

Conversion of roof space to habitable use to include a rear dormer with 2 front roof lights (Application for a Certificate of Lawful Development for a Proposed Development)

Decision: 01-12-2022 Withdrawn (P)

69395/APP/2013/2305 58A STATION ROAD HAYES

Conversion of 3-bed maisonette to 1 x 2-bed and 1 x 1-bed self contained flats involving raising of roof to allow for conversion of roof space to habitable use to include a rear dormer and 1 front rooflight

Decision: 03-10-2013 Refusal **Appeal:** 03-03-14 Dismissed

Comment on Planning History

The relevant planning history is listed above.

This application is a resubmission to application ref: 69395/APP/2023/3436 (Erection of a first and second floor extension to provide a new flat above existing ground floor commercial use) which was refused for the following reasons:

1 Due to its location, design, mass and scale the proposed development would form an uncharacteristic and visually incongruous development which would fail to harmonise with the local character and appearance of the surrounding area. The proposal is therefore detrimental to the visual amenity and character of the surrounding area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies, Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D1, D3 and D6 of the London Plan (2021).

2 Due to the close proximity of the of the proposed development to the neighbouring properties no's 56A, 58A, 60A and 60B Station Road, the development would cause loss of light, overshadowing, and be excessively overbearing to the occupiers of these properties to the detriment of the neighbours amenities and living conditions. The proposal is therefore considered to be contrary to Policies DMHB 11, of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D3 of the London Plan (2021), and paragraph 135 (f) of the NPPF (2023).

3 The proposed development fails to provide any private outdoor amenity space. As such the future occupiers of the property would 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 The new dwelling would fail to meet the requirements for a M4(2) accessible and adaptable dwelling as set out in Approved Document M to the Building Regulations (2015 edition), contrary to Policy D7 of the London Plan (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

PUBLIC CONSULTATION

3 letters of support were received.

LBH CONSULTEES

- Access:

This proposal to erect an additional 2 stories above the existing commercial unit has been reviewed against the requirements of the 2021 London Plan policy D7. There is no requirement for an extension of this nature to meet the above policy requirements. Conclusion: no objections raised from an accessibility perspective."

- Highways:

The proposal involves the erection of 2 additional stories to create a 1 bed flat at first floor and another 1 bed flat on the second floor, above ground floor commercial unit.

No supporting statement or Design and Access statement has been submitted to detail and explain the proposals so based on the limited highway information provided by the applicant; the HA has the following comments to make:

The development involves the erection of 2 x 1 bed flats, both are car free.

The maximum residential car parking standards set out in the London Plan Policy T6: Table 10.3 requires developments sited within areas of PTAL 5 and 6, that no on-site car parking is to be provided.

The site has a PTAL rating of 5, indicating access to public transport is very good, therefore in accordance with the London Plan the applicant is proposing a car free development.

However, the London Plan does require secure and sheltered cycle parking to be provided in accordance with Policy T5: Cycling Table 10.2 - Minimum cycle parking standards

- 1 space per studio or 1 person 1 bedroom dwelling
- 1.5 spaces per 2 person 1 bedroom dwelling

Consequently, the applicant is required to provide on-site secure and sheltered cycle parking provision and storage, however if that is not possible the London Plan states the applicant in consultation with the LBH's cycle officer is required to propose alternative solutions which meet the objectives of the standards. These may include options such as providing spaces in secure, conveniently-located, on-street parking facilities such as bicycle hangers.

Recommendation

No objection subject to the following conditions:

Conditions:

Before the occupation of the proposed development, detailed plans showing the required cycle parking provision and storage layout in accordance with the London Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. If on-site cycle parking is not possible, then alternative solutions which meet the objectives of the standards shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The cycle storage shall be constructed and laid out in accordance with the agreed details and completed prior to occupation of the development hereby approved and shall thereafter be retained, maintained, and kept available for the occupants of the development at all times.

REASON To be in accordance with the published London Plan 2021 Policy T5 Cycling.

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Plan/Statement shall include details of:

- Construction vehicle numbers, type, routing
- Access arrangements to the site;
- Traffic management requirements

- Construction and storage compounds (including areas designated for car parking, loading/unloading and turning areas);
- Siting and details of wheel washing facilities;
- Cleaning of site entrances, site tracks and the adjacent public highway;
- Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- Provision of sufficient on-site parking prior to commencement of construction activities;
- Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements
- Phasing Plan.

REASON

To safeguard the amenity of surrounding areas in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

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.

- Noise specialist:

With regard to the impact of the existing noise environment on the proposed development: 'For the lifetime of the development hereby permitted the noise level shall not exceed: 30 dB LAeq 8 hrs between 2300 and 0700; and 35 dB LAeq 16 hrs between 0700 and 2300 measured inside any room of any permitted dwelling whilst achieving acceptable internal living conditions with respect to ventilation and temperature.' Reason: To ensure that occupants of the permitted development would not be exposed to noise that would be likely to cause an adverse effect on their health and quality of life. This has regard to the guidance set out in 'Guidance on Sound Insulation and Noise Reduction for Buildings' British Standard Institution BS8233: 2014

EXTERNAL CONSULTEES

Canal & River Trust:

Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is that the Trust has no comment to make on the proposal.

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 2	Housing Mix
DMHB 11	Design of New Development
DMEI 12	Development of Land Affected by Contamination
DMHB 12	Streets and Public Realm
DMHB 18	Private Outdoor Amenity Space
DMT 5	Pedestrians and Cyclists
DMT 2	Highways Impacts
LPP D3	(2021) Optimising site capacity through the design-led approach
DMTC 2	Primary and Secondary Shopping Areas
DMT 6	Vehicle Parking
LPP D5	(2021) Inclusive design
LLP D1	(2021) London's form character and capacity for growth
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP D8	(2021) Public realm
LPP GG4	(2021) Delivering the homes Londoners needs
LPP H1	(2021) Increasing housing supply
LPP H2	(2021) Small sites
LPP T6.1	(2021) Residential parking
LPP D4	(2021) Delivering good design
NPPF12 -24	NPPF12 2024 - Achieving well-designed places
NPPF5 -24	NPPF5 2024 - Delivering a sufficient supply of homes
NPPF9 -24	NPPF9 2024 - Promoting sustainable transport
DMHB 1	Heritage Assets

LPP HC1 (2021) Heritage conservation and growth

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 London Plan (2021)
The West London Waste Plan (2015)

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.

The proposed development has been assessed against the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020), including Supplementary Planning Guidance, and all relevant material considerations, including The London Plan (2021) and national guidance.

7. MAIN PLANNING ISSUES

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

IMPACT ON NEIGHBOURING RESIDENTIAL AMENITY:

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

The supporting text states that: The Council will aim to ensure that there is sufficient privacy for residents and it will resist proposals where there is an unreasonable level of overlooking between habitable rooms of adjacent residential properties, schools or onto private open spaces. A minimum of 21 metres separation distance between windows of habitable rooms will be required to maintain levels of privacy and to prevent the possibility of overlooking. In some locations where there is a significant difference in ground levels between dwellings, a greater separation distance may be necessary.

The proposed development would be sited above an existing commercial unit and adjacent to existing residential flats on Station Road, Hayes. The development would be located approx. 7.1m from no's 56A, 58A, 60A and 60B Station Road. A window within the upper level would directly face

these properties, and although the proposed window appears to serve a hallway, there would be some degree of overlooking.

The development itself would block sunlight and create overshadowing to these properties and it is considered it would be an overbearing and unduly dominant addition harming the amenities of these properties. To the rear of the development is a block of flats on Walters Close, Hayes. There would be habitable room windows facing these neighbouring properties. Due to the oblique angle of the windows in the flats facing the development, it is considered there would be no direct overlooking or loss of privacy, however it would be an overbearing presence.

A daylight and sunlight assessment has been submitted in support of the application in part to respond to reason for refusal 2 of planning application ref: 69395/APP/2023/3436. The Daylight & Sunlight Amenity Study that assesses the likely significant effects to daylight for neighbouring buildings in terms of Vertical Sky Component (VSC) and Annual Probable Sunlight Hours (APSH). The report demonstrates that satisfactory daylight and sunlight provision would be retained to neighbouring properties following the implementation of the proposed development.

Notwithstanding the above, due to the proximity to neighbours, the proposed development would cause an unacceptable loss of outlook and would have an overbearing impact on the neighbouring properties. As such, the proposal fails to comply with Policy DMHB 11 of Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy D3 of the London Plan (2021). As such reason for refusal 2 of planning application ref: 69395/APP/2023/3436 is sustained.

7.2 Impact on Street Scene

IMPACT ON THE CHARACTER AND APPEARANCE OF THE AREA

Paragraph 135 of the NPPF 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.'

Policies D1, D3 and D4 of the London Plan (2021) require development proposals to be of high quality and to enhance the local context by delivering buildings and spaces that positively respond to local distinctiveness

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

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states: 'All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including: i) harmonising with the local context by taking into account the surrounding scale of development, 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.'

Policy DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development should be well integrated with the surrounding area.

The proposed development would be a two storey residential dwelling located on top of an existing commercial unit. Although this arrangement is not uncommon in the immediate surrounding area, the location of the property is uncharacteristic as it is sited behind existing retail and residential units, this is exacerbated by the scale of the proposed building.

Relative to the previously refused scheme, the floor plans show the proposed second floor has been set back from the front elevation by 1.15m and has been redesigned with a flat roof. The proposed elevations show however both the first and second floor being set back, therefore the plans do not tally with the elevations.

The development would appear as disproportionate and out of place within its surrounding area and runs contrary to the characteristic urban grain of the area. The form, volume and architectural appearance fails to relate appropriately to the existing property and context of the site and surrounding area. The site photographs provided by the applicant show existing flue pipes, however the existing and proposed plans do not include these. It is assumed that these would be required to be relocated as a result of the development which could potentially harm the character and appearance of the area.

Due to the location, siting, design and scale of the development it would appear as an over dominant, unduly prominent addition that fails to harmonise with the surrounding area consequently harming its character and appearance. As such the development fails to accord with Policies D1, D3 and D4 of the London Plan (2021), Paragraph 135 of the NPPF (2024) and Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020). As such reason for refusal 1 of planning application ref: 69395/APP/2023/3436 is sustained.

IMPACT ON HERITAGE ASSETS

The application site lies within the setting of the Grade II listed Church of St Anselm. The Old Crown Public House, which is on the opposite side of Station Road is a locally listed building and is classed as a non-designated heritage asset.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the duty that in considering whether to grant planning permission development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Paragraph 212 of the NPPF 2024 sets out that when considering the impact of a proposed

development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Policy DMHB 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that in considering whether to grant planning permission

A) The Council will expect development proposals to avoid harm to the historic environment. Development that has an effect on heritage assets will only be supported where: i) it sustains and enhances the significance of the heritage asset and puts them into viable uses consistent with their conservation; ii) it will not lead to a loss of significance or harm to an asset, unless it can be demonstrated that it will provide public benefit that would outweigh the harm or loss, in accordance with the NPPF; iii) it makes a positive contribution to the local character and distinctiveness of the area; iv) any extensions or alterations are designed in sympathy, without detracting from or competing with the heritage asset; v) the proposal would relate appropriately in terms of siting, style, scale, massing, height, design and materials; vi) buildings and structures within the curtilage of a heritage asset, or in close proximity to it, do not compromise its setting; and vii) opportunities are taken to conserve or enhance the setting, so that the significance of the asset can be appreciated more readily.

B) Development proposals affecting designated heritage assets need to take account of the effects of climate change and renewable energy without impacting negatively on the heritage asset. The Council may require an alternative solution which will protect the asset yet meet the sustainability objectives of the Local Plan.

C) The Council will seek to secure the repair and reuse of Listed Buildings and monuments and improvements to Conservation Areas on the Heritage at Risk Register, through negotiations with owners, the provision of advice and guidance, the use of appropriate legal action, and through bids for external funding for improvement works.

With regard to Locally Listed Buildings, Policy DMHB 3 of the Local Plan Part 2 - Development Management Policies (2020) states that proposals will be permitted where they retain the significance, appearance, character or setting of a Locally Listed Building.

The London Plan (2021) similarly seeks to preserve and enhance heritage assets.

The application site lies within the setting of the Grade II listed Church of St Anselm. The Old Crown Public House, which is on the opposite side of Station Road is a locally listed building and is classed as a non-designated heritage asset.

The proposed building would sit within the context of the Grade II listed church and the building would to a degree obscure views towards the side elevation of this designated heritage asset, however accounting for the separation between the building and the limited scope of the views, accounting for the context of the adjoining buildings, it is considered that there would be no harm to the significance of setting of this heritage asset. In relation to the locally listed Old Crown Public House, the development is unlikely to be visible or perceived in the immediate context of the locally listed building accounting for the position of the building to the rear of the existing buildings in Station Road, consequently there would be no harm to this non-designated heritage asset.

7.3 Traffic Impact/Pedestrian Safety

HIGHWAY SAFETY AND PARKING:

Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part Two - Development Management

Policies (2020) require the Council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

Policy DMT 5 Part A of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states - Development proposals will be required to ensure that safe, direct and inclusive access for pedestrians and cyclists is provided on the site connecting it to the wider network.

Policy DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to ensure that all development is in accordance with the car parking standards set out in Appendix C, Table 1 unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network.

As detailed in section 5 of this report, the Highway authority have been consulted and do not raise an objection subject to conditions to secure a Construction Management Plan and detailed plans showing the required cycle parking provision and storage layout. Had the application been recommended for approval, the suggested conditions and informatives would have been attached to the decision notice.

7.4 Carparking & Layout

See 'Traffic Impact/Pedestrian Safety' section.

7.5 Urban Design, Access and Security Considerations

URBAN DESIGN

See 'Impact on Street Scene' section.

ACCESS

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

As detailed in section 5 of this report, the access officer has been consulted and does not raise an objection. Reason for refusal 4 of application ref: 69395/APP/2023/3436 is considered to be suitably addressed.

SECURITY

Policy DMHB 15 of the Hillingdon Local Plan: Part 2 (2020) states that the Council will require all new development to ensure safe and attractive public and private spaces by referring to the Council's latest guidance on Secured by Design principles. Where relevant, these should be included in the Design and Access Statement. Development will be required to comprise good design and create inclusive environments whilst improving safety and security by incorporating the following specific measures:

- i) providing entrances in visible, safe and accessible locations;
- ii) maximising natural surveillance;
- iii) ensuring adequate defensible space is provided;
- iv) providing clear delineations between public and private spaces; and
- v) providing appropriate lighting and CCTV.

Any grant of planning permission would be subject to a secure by design condition to achieve appropriate accreditation.

7.6 Other Issues

REFUSE/RECYCLING COLLECTION:

Part D) of Policy DMHB 11 of the Hillingdon Local Plan: Part 2- Development Management Policies (2020) states that development proposals should make sufficient provision for well-designed internal and external storage space for general, recycling and organic waste, with suitable access for collection.

The proposed drawings do not show any refuse storage. Should the application be recommended for approval, it is considered a suitable condition could be added.

INTERNAL AMENITY SPACE PROVISION:

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 dwelling is a 1 bed 2 person property and would have a GIA of approx. 75sqm split over 2 levels. This would meet the minimum requirement of 58sq.m as set out in Policy D6 of the London Plan (2021). All habitable windows would have an adequate source of light and outlook.

As such the development complies with Policy D6 of the London Plan (2021) and Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

EXTERNAL AMENITY SPACE PROVISION:

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 usable private outdoor amenity space. Table 5.3 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that 1 bed dwellings should have a minimum of 20sqm of private outdoor amenity space.

The proposed one bed dwelling does not appear to have access to any private outdoor amenity space. As such the proposal fails to accord with Policy DMHB 18 and would result in a form of development that would harm the living conditions of future occupiers. As such reason for refusal 3 of planning application ref: 69395/APP/2023/3436 is sustained.

SECONDARY SHOPPING AREA:

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

- B) In secondary shopping areas, the Council will support the ground floor use of premises for retail; financial and professional activities; restaurants, cafes, pubs and bars; launderettes and other coin operated dry cleaners; community service offices, including doctor's surgeries provided that:
- i) a minimum of 50% of the frontage is retained in retail use; and

- ii) the uses specified in policy DMTC4 are limited to a maximum of 15% of the frontage;
 - iii) the proposed use does not result in a concentration of non retail uses which could be considered to cause harm to the vitality and viability of the town centre.
- C) The Council will give consideration to the provision of community facilities within secondary frontages where it can be demonstrated that these will be open to members of the public and would support the vitality and viability of the centre.
- D) Outside of defined primary and secondary areas, proposals for a change of use from A1 retail will be permitted, provided the change does not result in the loss of an essential local service.

The application site lies within the Secondary Shopping Area of Hayes Town. The proposed development does not alter the existing commercial arrangements at ground floor level, nor would it impact the frontage of the street scene. As such, the proposed development would comply with Policy DMTC 2.

PRINCIPLE OF DEVELOPMENT:

Policy DMH 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that the net loss of existing self-contained housing, including affordable housing, will be resisted unless the housing is replaced with at least equivalent residential floorspace.

Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that the Council require the provision of a mix of housing units of different sizes in schemes of residential development to reflect the Council's latest information on housing needs.

It should be noted that the Council is currently able to demonstrate a five-year supply of deliverable housing sites. As such, the "tilted balance" as set out in Paragraph 11d) of the NPPF is not engaged. Whilst the proposed development represents a small windfall and would result in the net gain of 1 no small residential unit within a sustainable urban area, given the quantum of development this benefit would be limited and should not come at the expense of the harm identified.

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.

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.

Had the application been recommended for approval conditions would have been added requiring full drainage details to ensure that the development does not exacerbate existing drainage issues in the area.

BIODIVERSITY NET GAIN:

Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity. In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.

Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.

There are exemptions however any future application would need to demonstrate where applicable that it would deliver a biodiversity net gain, including development that is below a de minimis threshold, which is applicable in this instance. Therefore the proposal is considered to be BNG exempt and a biodiversity gain plan is not required.

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. An

informative would be attached to the decision notice with relevant guidance.

8. Reference Documents

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

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

London Plan (2021)

National Planning Policy Framework (2024)

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021)

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