

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:	10 LAWN AVENUE WEST DRAYTON		
Development:	Erection of 1no. dwellinghouse including associated landscaping, parking provision, bin storage and cycle storage.		
LBH Ref Nos:	77359/APP/2025/2851		
Drawing Nos:	Planning Statement (10LA-2879) Transport Statement (Sep 2025) Arboricultural Assessment Archaeology Desk-Based Assessment C02-Rev C S03-Rev B C01-Rev A S01-Rev C S02-Rev C C03-Rev A C04-Rev A C10-Rev A C11-Rev A C12-Rev A C20-Rev A BASEMENT IMPACT ASSESSMENT (06488L)		
Date Plans received:	25-11-25	Date(s) of Amendments(s):	11-11-25
Date Application valid	25-11-25		11-11-25
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1. SUMMARY

Planning permission is sought for the erection of a detached two storey 1x bedroom dwelling with associated car parking, bicycle parking and refuse storage.

The proposed development is considered to constitute an unduly cramped and unacceptable form of garden development that would detract from the character and appearance of the area and the Garden City, West Drayton Area of Special Local Character. It would also cause harm to the local highways network, whilst providing a poor level of external amenity for its future occupants. The development would also fail to provide a dwelling which meets accessibility standards. The proposed development is therefore considered to be contrary to the development plan and other material planning considerations.

In summary the applicant has failed to demonstrate that the intensification of the residential use of this site would not result in an overdevelopment of the site.

The current application is a resubmission of the previously refused scheme under 77359/APP/2024/2375. Other than the increase in off-street car parking space provision, the current proposal is identical to that under 77359/APP/2024/2375. Having reviewed the applicant's submission and the proposal, the officer considers the current proposal has not overcome the previous refusal reasons.

It is therefore recommended that planning permission be refused for these reasons which have been explained in detail below.

2. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Non Standard reason for refusal

Due to its design, siting, height and bulk the proposed development would result in an cramped and uncharacteristic form of development which would fail to harmonise with the street scene, urban grain and character of the surrounding area. The proposal is therefore considered to be 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 DMH 6, DMHB 5, DMHB 11 and DMHB 12 of the adopted Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D1, D3 and D6 of the London Plan (2021), as well as paragraphs 75, 129 and 135 of the NPPF (2024).

2. NON2 Non Standard reason for refusal

Due to its design and internal arrangement, the proposed 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). The proposed dwelling would therefore fail to comply with Policy D7 of the London Plan (2021).

3. NON2 Non Standard reason for refusal

The proposed development, by reason of its excessive car parking provision and lack of pedestrian visibility splays, would fail to promote sustainable transport and ensure highway and pedestrian safety, in contrary to Policy DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies T6 and T6.1 of the London Plan (2021), Hillingdon Domestic Vehicle Footway Crossover Policy (DVFC) 4.7.1 and Paragraphs 116 and 117 of the National Planning Policy Framework (2024).

4. NON2 Non Standard reason for refusal

The proposed development would result in an unacceptable level of overlooking of the garden to serve future occupants of the dwelling, leading to a significant lack of privacy for future occupants. Furthermore, the development would introduce an insufficient living, dining and kitchen area, as well as a poor level of outlook, daylight and sunlight to serve the ground floor habitable room area, resulting in an oppressive and overbearing sense of enclosure. It is therefore considered that users of the new dwelling would have a poor standard of internal and external amenity space 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. 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

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 NPPF (2023).

DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 7	Biodiversity Protection and Enhancement
DMHD 1	Alterations and Extensions to Residential Dwellings
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature
LPP T2	(2021) Healthy Streets
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T6.1	(2021) Residential parking
DMH 6	Garden and Backland Development
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 15	Planning for Safer Places
DMT 2	Highways Impacts
DMT 1	Managing Transport Impacts
DMHB 18	Private Outdoor Amenity Space
DMT 6	Vehicle Parking
DMEI 10	Water Management, Efficiency and Quality
LPP D8	(2021) Public realm
LPP D6	(2021) Housing quality and standards
LPP H2	(2021) Small sites
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
DMT 5	Pedestrians and Cyclists
LPP T6	(2021) Car parking
LPP D3	(2021) Optimising site capacity through the design-led approach

LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D7	(2021) Accessible housing
LPP D11	(2021) Safety, security and resilience to emergency
LPP T5	(2021) Cycling
LPP GG1	(2021) Building strong and inclusive communities
LPP GG2	(2021) Making the best use of land
LPP GG4	(2021) Delivering the homes Londoners needs
NPPF12 -24	NPPF12 2024 - Achieving well-designed places
NPPF9 -24	NPPF9 2024 - Promoting sustainable transport
NPPF15 -24	NPPF15 2024 - Conserving and enhancing the natural environment
NPPF5 -24	NPPF5 2024 - Delivering a sufficient supply of homes

3. CONSIDERATIONS

3.1 Site and Locality

The site is a corner plot located on the north-west side of Lawn Avenue, north-east of its junction with Sunray Avenue. It is occupied by an 'L' shaped, two-storey, detached dwelling with a small, single-storey rear extension. The dwelling is finished in brick and off-white render with a tiled, part gable and part hipped roof. The area is generally residential in character, including a variety of detached and semi-detached developments.

The site is located in the Garden City, West Drayton Area of Special Local Character, the Colne Valley Archaeological Priority Area, the Hillingdon Air Quality Management Area, Flood Zone 1 and has a Public Transport Accessibility Level (PTAL) of 1b.

3.2 Proposed Scheme

Planning Permission is sought for erection of 1no. dwellinghouse including associated landscaping, parking provision, bin storage and cycle storage.

The proposed dwellinghouse would be 2 storey high with excavation for a lower ground floor. It would have a footprint of approximately 44.2 sqm, sitting on a 134.8 sqm large site sub-divided from the host site of No. 10 Lawn Avenue. It would be a 1-bedroom-2-person dwelling with a GIA of 60sqm.

A revised proposed lower G/F plan was received on 07/01/2026 to include the re-provision of off-street car parking space to the host dwelling. The applicant has confirmed that no change has been made to the current scheme compared to the previous scheme other than the increase in off-street car parking space provision.

3.3 Relevant Planning History

77359/APP/2024/2375 10 LAWN AVENUE WEST DRAYTON

Erection of a detached two storey 1x bedroom dwelling with associated car parking, bicycle parking and refuse storage.

Decision: 07-11-2024 Refusal

77359/APP/2023/198 10 LAWN AVENUE WEST DRAYTON

Erection of a double storey front extension with alterations

Decision: 08-06-2023 Approval

77359/APP/2022/3437 10 LAWN AVENUE WEST DRAYTON

Part single; part two-storey rear extension; new ground floor side window and first floor front window; replacement windows/doors; replacement chimneys and new chimneys and front porch extension.

Decision: 13-01-2023 Approval

77359/PRC/2022/206 Land Adjacent to 10 LAWN AVENUE WEST DRAYTON

Erection of a detached, 2 bedroom dwelling house on two levels with semi - basement and an upper ground floor Accessible house adhering to Part M Category 3, involving the demolition of a single-storey garage and outbuilding.

Decision: 17-02-2023 Objection

77359/APP/2022/1919 10 LAWN AVENUE WEST DRAYTON

Erection of single storey side and rear extensions and alterations to existing front porch extension (Application for a Certificate of Lawful Development for a Proposed Development).

Decision: 29-08-2022 Approval

Comment on Planning History

The application site is subject to the following application for a very similar proposal refused in 2024.

77359/APP/2024/2375 - Erection of a detached two storey 1x bedroom dwelling with associated car parking, bicycle parking and refuse storage

- Refused on 07-11-24

- Reasons:

1. Due to its design, siting, height and bulk the proposed development would result in an cramped and uncharacteristic form of development which would fail to harmonise with the street scene, urban grain and character of the surrounding area. The proposal is therefore considered to be 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 DMH 6, DMHB 5, 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), as well as paragraphs 72, 128 and 135 of the NPPF (2023).

2. Due to its design and internal arrangement, the proposed 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). The proposed dwelling would therefore fail to comply with Policy D7 of the London Plan (2021).

3. The applicant has failed to demonstrate that adequate parking would be provided for the existing dwelling. The lack of parking provision would result in parking being displaced on street. The applicant has failed to provide information to demonstrate that the local highway network has sufficient capacity to withstand the displaced parking on street, which in turn reduces highway and pedestrian safety, whilst also prejudicing the free flow of traffic on the local highways network. The proposal is therefore contrary to Policy DMT 2 and DMT 6 of the Local Plan and Policy T4 and T6 of the London Plan (2021).

4. The proposed development would result in an unacceptable level of overlooking of the garden to serve future occupants of the dwelling, leading to a significant lack of privacy for future occupants. Furthermore, the development would introduce a poor level of outlook, daylight and sunlight to serve the ground floor habitable room area, resulting in an oppressive and overbearing sense of enclosure. It is therefore considered that users of the new dwelling would have a poor standard of internal and external amenity space 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).

Comparing to the previous scheme under 77359/APP/2024/2375, the current proposal has increased the number of off-street car parking space from 1 to 2 for the proposed dwelling in response to refusal reason no. 3. Two off-street car parking space would also be re-provided for the host dwelling. The applicant has also submitted a planning statement containing justifications regarding refusal reasons no. 1, 2 & 4. No design change has been proposed under the current proposal in relation to these refusal reasons.

It is also noted that the application site is subject to approved proposals for single storey side and rear extensions (under 77359/APP/2022/1919 - certificate of lawful development), part single; part two-storey rear extension (under 77359/APP/2022/3437 - householder application) & two-storey front extension (under 77359/APP/2023/198). Their potential cumulative impacts with the current proposal are discussed below:

- The approved single storey side and rear extensions (under 77359/APP/2022/1919) would be situated in between the host building and the proposed dwelling. Nevertheless, given its modest scale and discreet location where it would be largely screened by the host building when viewing from the streetscene, should the approved scheme be implemented in the future, it would not create significant conflict nor additional impact with the current proposal cumulatively.

- The part single; part two-storey rear extension (under 77359/APP/2022/3437) was granted on 13-01-23. As per condition 1 of the permission, the permission would lapse three years after the date of permission, i.e. 13-01-26. Therefore, this approved scheme would not carry significant weight to the assessment of the current application.

- The approved 2-storey front extension (under 77359/APP/2023/198) would be located to the southeastern elevation of the host building, therefore the implementation of such 2-storey front extension in the future would not reduce the separation between the host building and the proposed

dwelling. No significant cumulative impact is anticipated with the current proposal.

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

17 neighbouring properties and West Drayton Conservation Area Advisory Panel were consulted on 02-12-25. The consultation period ended on 23-12-25.

4 representations were received from the neighbouring properties, objecting the proposal based on the following reasons:

- Identical to Previously Refused Application: Proposal is the same as an earlier application that was refused; no material changes or environmental changes to justify approval.
- Out of Keeping with Local Character: Development is considered inappropriate for the Garden City Estate and Area of Special Local Character. The proposal would undermine the established character and design principles of the estate and lead to overdevelopment in the area.
- Errors and Inaccuracies in Submitted Plans: Incorrect property references (e.g., adjoining property misidentified). Discrepancies in boundary distances and plot dimensions.

Officer's Responses:

- It is noted that the current proposal has not included significant design changes other than the increase in off-street car parking spaces. The assessment and refusal reasons of the previous application would inform the assessment of the current application.
- The impact on character and appearance on the Garden City Estate and Area of Special Local Character would be assessed below.
- The incorrect property references on the submitted plans are noted. The dimensions and distances on the submitted plan have been cross-reference with the Council's GIS system.

An objection was received from West Drayton Conservation Area Advisory Panel:

I am writing on behalf of West Drayton Conservation Area Advisory Panel. This application is very similar to the previous one that was refused (77359/APP/2024/2375). We do not consider that any of the reasons for this refusal have been overcome and are therefore repeating our objections which we consider also apply to the current proposals. We expect this application to be refused. "We are completely opposed to this application as the semi-miniaturised house is out of keeping with the buildings around it. We note the site plans do not show most of the extensions to the existing house for which planning permission has been granted (eg 77359/APP/2023/198). While not in active conflict with these new proposals, the overall effect, if all were to be built, would be of a crowded site with a variety of buildings in different styles. In addition, the reason given for building here - the provision of accommodation for elderly parents who would otherwise have to live in a care home - is at odds with the design of the proposed house: it is necessary to climb at least one flight of stairs to enter the house, to move from one main habitable space to the other, to reach a toilet from the living area and to exit into the rear garden. We also note there is no provision for wheel-chair access or manoeuvring space, and even an agile adult would have problems accessing the far side of the bed. The proposals will also remove the vehicle access to the existing house and must remove at least three parking spaces currently available to it (the garage and 2 spaces on the

hardstanding in front of it). The position of trees in the garden will make the siting of new parking spaces problematic, and the position of the existing house at a blind corner between two busy residential streets will mean that siting a new dropped kerb to allow a new vehicle access will be far from simple. Overall we consider this proposal inappropriate over-development and expect it to be refused."

Officer's Responses:

As the design of the current proposal is largely similar to that of the previous refused proposal, the concerns raised by the Panel on the previous application would be taken into consideration under this application. The potential cumulative impact of the current proposal with the previous approved extensions would be discussed below. The accessibility and highways impact of the proposed dwelling has been assessed by the Council's Access Officer and Highways Officer respectively.

INTERNAL

The Council's Access Officer, Highways Officer, Urban Design Officer and Land Contamination Officer were consulted.

Access Officer has objected to the application:

This application has been reviewed with reference to London Plan Policy D7 which requires all new homes to be accessible and adaptable, in accordance with the technical standards prescribed by Building Regulations M4(2). Based on the plans submitted, it is considered that the design and layout would be incompatible with the prescribed standards, resulting in an inappropriate form of development. Conclusion: Unacceptable.

Urban Design Officer has objected to the application:

We object to this application. Due to its form its relationship to the existing house and surrounding area. The lower ground level and adversely affect front elevation with awkwardly located window with unsatisfactory solid to void relationship. The proposed house is out of proportion with the area and is over development due to its awkward relationship with the existing house. Clarification is required on the affects to the main house on where the storage and car parking for the existing house will be located. Concern is raised that no car parking is provided for the main house and the potential for car parking in the future will require more garden area to be lost for car parking potential impact the trees and garden. Potential to explore a one and half storey building with hipped roof. Sinking the building is uncharacteristic of the area and results in sub-optimal accommodation.

Land Contamination Officer has no objection to the application subject to the recommended land contamination condition should the application be granted.

Highways Officer has objected to the application:

The applicant has submitted a Transport Statement (TS) in support of the proposal for a new 1-bed dwelling, which includes the provision of two off-street parking spaces. In line with the London Plan (Policy T5), and cycle storage for two cycle parking spaces.

In the TS, the application site is described as "a large detached family dwelling located on the corner of Lawn Avenue and Sunray Avenue. The existing property benefits from a garage, which is accessed via a dropped kerb on Sunray Avenue."

Under the current proposals, the two new parking spaces for the proposed dwelling would be created by removing the existing parking provision that serves the existing donor property.

It is noted that the site was previously the subject of a similar application for the demolition of the garage and construction of a two-storey, one-bed dwelling (ref. 77359/APP/2024/2375), which was refused. One of the refusal reasons related to highways matters and is reproduced below for clarity: "The applicant has failed to demonstrate that adequate parking would be provided for the existing dwelling. The lack of parking provision would result in parking being displaced on street. The applicant has failed to provide information to demonstrate that the local highway network has sufficient capacity to withstand the displaced parking on street, which in turn reduces highway and pedestrian safety, whilst also prejudicing the free flow of traffic on the local highways network. The proposal is therefore contrary to Policy DMT 2 and DMT 6 of the Local Plan and Policy T4 and T6 of the London Plan (2021)."

The application site has a PTAL rating of 1b, indicating very poor access to public transport. The nearest bus stop is approximately 700m from the site, whereas 400m is generally recognised as the acceptable walking distance to a bus service. As a result, both occupiers and visitors of the proposed dwelling would be highly reliant on private car travel, which is contrary to the objectives of NPPF (2025) Chapter 9: Promoting Sustainable Transport and the Mayor's Transport Strategy, both of which seek to encourage walking, cycling and the use of public transport over private car dependency.

According to the London Plan (Table 10.3), the maximum parking standard for a 1-2 bed dwelling in an Outer London PTAL 0-1 location is up to 1.5 spaces per unit. Hillingdon Local Plan Part 2 Policy DMT6 sets a standard of 2 spaces per dwelling with curtilage, though this local standard does not differentiate by number of bedrooms.

In this case, providing 1.5 spaces is not feasible. Taking into account the very poor PTAL rating (1b), the fact that the proposal is a new-build, and that the unit is only a 1-bed dwelling (and therefore does not qualify as a family-sized home that might justify 2 spaces under the flexibility of the London Plan or the local parking standard), the appropriate and policy-compliant level of provision for the proposed unit is 1 on-site parking space.

However, the existing donor dwelling is a family-sized 4-bed house, and under both the London Plan maximum standards and, in particular, Hillingdon Local Plan Part 2 Policy DMT6, such a dwelling is expected to be served by 2 on-site car parking spaces.

Nevertheless, the applicant proposes two parking spaces for the new dwelling, which exceeds the London Plan maximum standards, and no on-site parking for the existing dwelling, which is substandard under both the London Plan and Policy DMT6. As such, both elements are unacceptable and contrary to adopted parking policies.

The consultant's justification centres on the approach that it is acceptable for a new development to provide on-site parking only by displacing parking currently used by the existing dwelling, on the basis that a parking stress survey indicates spare capacity on the surrounding public highway. This approach is fundamentally flawed.

The public highway cannot be treated as an ancillary extension of private parking provision, nor can it be relied upon to offset inadequate on-site parking caused by the subdivision or redevelopment of a site. If such an approach were accepted, any development could avoid providing compliant on-site parking by simply relying on the highway network, undermining both local and strategic parking policies.

The requirement for supporting surveys, such as parking stress surveys is dependent on both the nature of the proposed development and the site-specific highway conditions. Surveys are typically justified in circumstances where:

- On-site parking cannot reasonably be provided, for example due to physical constraints of the plot;
- The site is located within a dense, built-up urban area with historically high parking demand;
- The proposal involves conversions into multiple flats or intensified residential use, where parking pressures are already known to be significant; or
- There is a demonstrable need to establish baseline highway conditions to assess whether the development may exacerbate existing issues.

However, the need for a survey does not override policy requirements. Where on-site parking can be provided in accordance with the London Plan and Local Plan standards, a parking stress survey cannot be used as justification to avoid delivering policy-compliant on-site provision. Surveys are intended to support decision-making only in genuinely constrained scenarios, not to justify non-compliance where policy-compliant parking could reasonably be accommodated within the site.

Car parking standards exist to ensure that developments are planned in a sustainable, responsible and policy compliant manner. They are not optional, nor are they intended to be bypassed through reliance on kerbside capacity surveys. In this case, reallocating or reducing the existing dwelling's parking to serve the new unit does not render the development acceptable. Each unit, existing and proposed, must independently comply with adopted parking standards.

This position is supported by the following policies and guidance:

London Plan (2021) Policy T6 and T6.1 - Requires developments to comply with maximum parking standards and emphasises restraint-based parking provision to support sustainable travel. It also makes clear that shortfalls should not lead to unacceptable on-street parking pressures.

Hillingdon Local Plan Part 2 - Policies DMT 5 and DMT 6 - Require developments to provide appropriate on-site parking in accordance with the Council's adopted standards and to ensure that no adverse impact is created on on-street parking or highway safety.

NPPF (Dec 2025) paragraphs 115-116 (formerly 110-112) - State that development should provide appropriate parking provision and should not result in a severe residual impact on the highway network or unacceptable levels of on-street parking.

Manual for Streets (MfS) - Notes that developments should be designed to minimise reliance on kerbside parking and avoid conflict, obstruction, or displacement onto the public highway.

In summary, the proposed parking arrangement fails to comply with adopted policy by:

- Over-providing parking for the new dwelling;
- Providing no parking for the existing dwelling; and
- Improperly relying on the public highway to absorb displaced demand.

As such, the parking strategy for the development is considered unacceptable.

Additional concerns:

Given that the proposed dwelling is a new-build, the planning process provides an opportunity to improve conditions for both the development and highway safety by applying current, higher standards relating to policy, design, accessibility, and safety. New developments are expected to meet these up-to-date requirements rather than rely on, retain, or replicate historic or obsolete

standards (sometimes referred to as "grandfather rights").

Furthermore, access to new builds/developments should adhere to current higher standards of safe accessibility which require the provision of pedestrian visibility splays.

For residential driveways:

- Pedestrian visibility splays of 2.4 m x 2.4 m must be provided on both sides of each vehicle access.

No visibility splays are illustrated on the plans. This is a critical highway safety omission.

The scheme appears to rely on utilising the existing crossover arrangement. The Council's Domestic Vehicle Footway Crossover Policy (2022) applies:

- Crossovers must be safe, meet visibility standards, and avoid obstruction.
- Crossovers for new dwellings must comply fully "grandfather rights" for old substandard accesses cannot be applied to new developments.

Relevant guidance:

https://www.hillingdon.gov.uk/media/10036/Domestic-Vehicle-Footway-Crossover-Policy/pdf/p3New_Vehicle_Crossover_Policy_Aug_2022.pdf and
<https://www.hillingdon.gov.uk/building-dropped-kerb>

Recommendation

Based on the information submitted, the HA cannot support the proposed development due to:

- Overprovision of parking exceeding London Plan maximums for new dwelling
- No provision of parking for the existing donor dwelling.
- Lack of required pedestrian visibility splays for vehicle access.
- No evidence of compliance with crossover safety and design standards.

The proposal is contrary to Policies:

- London Plan T2 (Healthy Streets)
- London Plan T6 & Table 10.3 and LBH DMT6 (Car Parking Standards)
- NPPF (2025) paragraphs 115-116
- Manual for Streets (visibility and inclusive design)
- Hillingdon Domestic Vehicle Footway Crossover Policy (2022)

Until the applicant submits a revised layout addressing the above issues, the proposal remains unacceptable in highway and transport terms.

Officer's note:

Subsequent to the receipt of the above comments, the applicant has submitted a revised proposed lower G/F plan to include a re-provision of 2 off-street car parking spaces for the host dwelling. Whilst such revision should address the concern on the lack of parking for the existing donor dwelling, its impacts on the amenity space provision and highway safety would be discussed below.

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.EM7	(2012) Biodiversity and Geological Conservation
PT1.H1	(2012) Housing Growth

Part 2 Policies:

DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 7	Biodiversity Protection and Enhancement
DMHD 1	Alterations and Extensions to Residential Dwellings
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature
LPP T2	(2021) Healthy Streets
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T6.1	(2021) Residential parking
DMH 6	Garden and Backland Development
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 15	Planning for Safer Places
DMT 2	Highways Impacts
DMT 1	Managing Transport Impacts
DMHB 18	Private Outdoor Amenity Space
DMT 6	Vehicle Parking
DMEI 10	Water Management, Efficiency and Quality
LPP D8	(2021) Public realm
LPP D6	(2021) Housing quality and standards
LPP H2	(2021) Small sites
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
DMT 5	Pedestrians and Cyclists
LPP T6	(2021) Car parking
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D7	(2021) Accessible housing
LPP D11	(2021) Safety, security and resilience to emergency

LPP T5	(2021) Cycling
LPP GG1	(2021) Building strong and inclusive communities
LPP GG2	(2021) Making the best use of land
LPP GG4	(2021) Delivering the homes Londoners needs
NPPF12 -24	NPPF12 2024 - Achieving well-designed places
NPPF9 -24	NPPF9 2024 - Promoting sustainable transport
NPPF15 -24	NPPF15 2024 - Conserving and enhancing the natural environment
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 D3 of the London Plan (2021) states that development proposals should deliver appropriate outlook, privacy, and amenity.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all development will be required to be designed to the highest standards and incorporate principles of good design. It should also not have an adversary impact on the amenity, daylight and sunlight of adjacent properties and open space. 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 or onto private open spaces.

At present No.10 Lawn Avenue has a living room and kitchen at ground floor, however the main windows for those spaces face away from the proposed dwelling, as such they would not be

adversely impacted. Above the living room, is a first floor bedroom which would face directly toward the new dwelling at a short distance. Notwithstanding, this point the room is dual aspect and its main source of light and outlook comes from the south east facing window which faces the main road and would be unaffected. The development is therefore considered to cause no harmful loss of light or outlook to its nearest neighbour. The dwelling has no first floor. Nor does it have habitable side windows which would cause a loss of privacy to No.10. its front windows would face the road and its rear windows would face the blank side wall of No.8 Lawn Avenue. Overall the development is therefore considered to cause no significant harm to the amenities of No.10.

While not substantial enough to form part of a reason for refusal it is important to note that the proposed development has been designed with voids at either end of the side elevation to provide rooflights instead of side windows for natural light and ventilation. This would appear to have been designed within the scheme to address the potential loss of outlook, daylight and sunlight to the windows in the side elevation at the upper floor level of the existing property. Although a laudable attempt to address this material consideration within the design it does compound Officers view that this is an overdevelopment of the site.

The proposed dwellinghouse would be at least 10m away / 4m from the neighbouring property at No. 7 Sunray Avenue and 8 Lawn Avenue. The proposed rear-facing window on upper ground level would be screened by the existing mature tree to the rear of the proposed dwelling whilst there is no side window facing the application site at No. 8 Lawn Avenue. Therefore, the development is considered to cause no significant harm to the amenities of No. 7 Sunray Avenue and 8 Lawn Avenue.

Due to its design (no first floor accommodation or side elevation windows), height, position and separation from properties No. 8 Lawn Avenue and 7 Sunray Avenue, the proposed dwelling is unlikely to lead to any loss of light or privacy to those properties. Nor is it likely to be overbearing or to lead to any significant loss of outlook from their habitable room windows.

The addition of one 1B2P dwelling would be unlikely to cause any significant increase in noise and disturbance which would be harmful to neighbouring amenities.

Taking into consideration the above, the proposed development would cause no significant harm to neighbouring amenities.

7.2 Impact on Street Scene

Paragraph 75 of the NPPF (2024) states inter alia:

"Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area."

Paragraph 129 of the NPPF (2024) states:

"Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services - both existing and proposed - as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e) the importance of securing well-designed, attractive and healthy places."

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'.

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

- 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.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that new development must be designed to the highest standards and incorporate principles of good design including:

- i) harmonising with the local context by taking into account the surrounding: · scale of development, considering the height, mass and bulk of adjacent structures; · building plot sizes and widths, plot coverage and established street patterns; · building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure; architectural composition and quality of detailing; local topography, views both from and to the site; and impact on neighbouring open spaces and their environment.
- ii) ensuring the use of high quality building materials and finishes;
- iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities;
- iv) protecting features of positive value within and adjacent to the site, including the safeguarding of

heritage assets, designated and un-designated, and their settings; and
v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

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 development site is located within the Garden City, West Drayton Area of Special Local Character. While there has been some development within the local area, it is important to note that the established pattern of development and key characteristics remain. In terms of design the proposed dwelling would resemble a miniature two storey dwelling and it would be finished in render and tiling. It would have two off-street parking spaces via an existing entrance and crossover and a small rear garden. The dwelling would be located in the rear garden of No.10 Lawn Avenue.

It is noted that the proposed dwelling would replace a garage, however the existing garage is single storey in height and generally smaller in scale in order to remain ancillary to the function of the main dwelling, as such the proposed dwelling in the context of the garage would be significantly larger, i.e. its footprint would increase by 81% compared to that of the existing garage. The application site currently sits at the junction of Lawn Avenue and Sunray Avenue with spacious front and rear gardens which positively contribute to the openness of this corner and the verdant character of the Garden City. The proposed 2-storey dwelling would infill the existing rear garden with a greater footprint and massing. Its northern and southern flank walls would only be 1.3m / 2m away from the side boundary / the host building of No. 10 Lawn Avenue respectively. It is therefore considered that due to its height, width, site coverage and close proximity to No.10 Lawn Close, the proposed development would appear visually cramped when compared with other sites in the area. It would also cause harm to the areas character as the dwellings surrounding the site have much wider frontages, making the narrow front elevation of the proposed dwelling an unusual and uncharacteristic feature in the streetscene.

Comparing to the existing gardens in the area which are spacious and mostly undeveloped with small outbuildings and garden structures only, the proposal would form an oversized and unduly prominent addition to the existing rear garden of No. 10 Lawn Avenue. As a result the host dwelling at No. 10 Lawn Avenue would lose its entire rear garden area. It is considered that the proposal would be out of keeping with the pattern of development and character of the area.

The proposed development would involve an excavation of lower ground level to allow the lower floor of the dwelling sitting below ground level as an attempt to reduce the proposed building height and bulk. A front lightwell and a front window on LG/F which would be visible from the streetscene have been proposed to the proposed dwelling. No basement development can currently be seen in the area. Whilst noting the effort to reduce the height and bulk, the basement development would be uncharacterised to the area. The proposed front elevation design with unsatisfactory solid to void relationship would also be out of keeping to the character and appearance of the area.

The proposed dwelling would feature small front and rear gardens (42sqm and 36sqm large respectively). The proposed front garden area would be hard-paved (as shown on the Proposed Site Layout) with the majority of its area occupied by the two proposed off-street car parking spaces (approximately 55% of the front garden area) whilst the proposed rear garden area would only be 3.7m deep. In contrary, gardens within the area are generally spacious whilst a considerable amount of these gardens feature abundant landscaping treatment to the front, positively contributing to the streetscene and the verdant character of the area. Therefore, the provision of small garden areas would be out of keeping with the character of the area whilst the proposal would also fail to provide sufficient space for appropriate landscaping in front of the proposed dwelling and

in between the adjoining properties as required by Policy DMHB 5 of the Hillingdon Local Plan (Part 2). Further discussion on landscaping and trees is included in the following section.

The applicant has submitted a planning statement with justifications in response to the previous refusal reasons. Regarding refusal reason 1, the applicant argued:

- The dwelling is designed to be subordinate to No.10 and sit comfortably in the street scene. Plot coverage is said to be consistent with other corner plots; the scheme is not "overdevelopment".
- The design draws on local cues (render/roof form/materials) to integrate visually.
- DMH6 allows limited infill/ backland development. The proposed scheme retains garden, avoids access roads, and seeks to protect trees.
- Garden City Area of Special Local Character (ASLC) does not preclude development. The proposal balances efficient land use with maintaining a verdant character.
- The area is diverse with no consistent architectural style and building line, therefore there is scope for an infill dwelling.
- The new dwelling replaces a garage and is comparable to some bungalows/chalet bungalows locally.

Officer's Responses:

- Whilst the officer noted there are some design measures attempting to make the proposed dwelling subordinate to the host building, the refusal reason relates to the introduction of an independent dwelling within a garden plot, resulting in a cramped and uncharacteristic form that fails to harmonise with the established pattern of development in the ASLC. The proposed dwelling has a plot coverage of approximately 33% whilst the existing host building and neighbouring property at No. 2 Sunray Avenue have a plot coverage of 15% and 20% respectively. In comparison, it is not considered the proposed plot coverage would be consistent to those of the neighbouring properties. Without any change to the proposed bulk and massing, the officer is not convinced that the previous refusal reason can be dismissed.
- The refusal was not primarily about materials/roof form, but more about the typology and spatial character (garden development, narrow frontage, altered pattern of development). "Matching cues" does not overcome the identified harm to the urban grain and character.
- DMH6 sets a presumption against garden loss and only supports limited development in exceptional cases. The previous report concluded the proposal failed overall due to character/highways/amenity impacts; retaining some garden area does not, by itself, demonstrate an "exceptional" case nor remove the character harm. Further discussion on DMH 6 is included within the Principle of Development section below.
- The ASLC designation requires developments to reflect the established layout, spacing and openness. The proposal would erode that character by introducing an oversized, unduly prominent form of garden development visible in the street scene.
- While variation exists locally, the prevailing characters at this corner and within the Garden City ASLC are the spacious plots, wide frontages, and gardens largely free from independent dwellings. Some variation does not justify a form of development that fails to harmonise with the established

pattern of development and plot widths.

- The existing garage is a small ancillary structure. The proposed dwelling would be significantly larger, changing the plot's character and creating a prominent independent unit within garden land. The existing bungalows in the area sit on much larger sites which remain the spacious character of the area, therefore not comparable to the proposal.

Based on the above, the officer considered that the current proposal has not overcome the previous refusal reason No. 1 under 77359/APP/2024/2375.

Overall it is considered that the proposed development, by reason of its siting (in No.10 Lawn Avenue's garden), uncharacteristic design, layout, and site coverage, would fail to harmonise with the existing local and historic context of the surrounding area. The proposal is therefore considered to be detrimental to the visual amenity and character of the surrounding area and contrary to Policies DMH 6, DMHB 5, DMHB 11 and DMHB 12 of the adopted Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D1, D3 and D6 of the London Plan (2021), as well as paragraphs 75, 129 and 135 of the NPPF (2024).

7.3 Traffic Impact/Pedestrian Safety

Paragraph 116 of the NPPF (2024) states - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 117c) of the NPPF (2024) continues by stating -. Within this context, applications for development should: create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards.

Policy T2 Part A of the London Plan (2021) states - Development proposals and Development Plans should deliver patterns of land use that facilitate residents making shorter, regular trips by walking or cycling.

Policy T4 Parts E and F of the London Plan (2021) states - E) The cumulative impacts of development on public transport and the road network capacity including walking and cycling, as well as associated effects on public health, should be taken into account and mitigated; and, F) Development proposals should not increase road danger.

London Plan (2021): Policy T6.1 (Residential Parking) requires that new residential development should not exceed the maximum parking standards as set out in Table 10.3.

Policy DMT 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals will be required to meet the transport needs of the development and address its transport impacts in a sustainable manner.

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

The application site has a PTAL rating of 1b. The proposal would provide four off-street car parking spaces (two for each dwellings). One cycle locker for 2 bikes would be provided within the rear garden of the proposed dwelling.

Policy T6.1 of the London Plan states the max. car parking provision for a 1-2 bed dwelling in an Outer London PTAL 0-1 location is up to 1.5 spaces per unit. Taking into account the very poor PTAL rating (1b), the fact that the proposal is a new build, and that the unit is only a 1 bed dwelling (and therefore does not qualify as a family sized home that might justify 2 spaces under the flexibility of the London Plan or the local parking standard), the appropriate and policy compliant level of provision for the proposed unit is 1 on site parking space. Therefore, the proposed car parking provision for the proposed dwelling would exceed the maximum standards and therefore failing to comply with Policy T6 of the London Plan and Policy DMT 6 of the Hillingdon Local Plan (Part 2).

Upon submission of a revised proposed plan, the applicant has included two off-street car parking spaces for the host dwelling. This would provide sufficient level of car parking to the host dwelling as per the London Plan standard. To facilitate the proposed off-street car parking spaces for the host dwelling, a new crossover has been proposed next to the existing one. It is noted that there is an existing mature tree located near the proposed off-street parking spaces. No visibility splays are illustrated on the plans.

Furthermore, the existing crossover at the application site is only 1.9m wide, below the minimum width of 2.4m required under the Council's Domestic Vehicle Footway Crossover Policy (2022). Given that the proposed dwelling is a new build, the planning process provides an opportunity to improve conditions for both the development and highway safety by applying current, higher standards relating to policy, design, accessibility, and safety. New developments are expected to meet these updated requirements rather than rely on, retain, or replicate historic or obsolete standards.

Therefore, both the existing and proposed crossovers would fail to demonstrate that there would be no adverse impact on highways and pedestrian safety with the proposal in place.

Overall, the proposal, by reasons of its over-provision of car parking spaces for the proposed dwelling, lack of required pedestrian visibility splays for vehicle access and no evidence of compliance with crossover safety and design standards, would fail to comply with Policies T2 and T6 of the London Plan, Policies DMT1, DMT2 and DMT6 of the Hillingdon Local Plan (Part 2), Hillingdon Domestic Vehicle Footway Crossover Policy (DVFC) 4.7.1 and Paragraphs 116 and 117 of the National Planning Policy Framework (2024).

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.

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

It is noted in the applicant's submission that the proposed dwelling would be used as the accommodation for the applicant's elderly parents.

As the proposed dwelling has been designed in split-level with lower and upper ground levels, no step-free access would be provided to both levels via the principal private entrance.

In the submitted planning statement, the applicant claims that the proposed circulation areas would be wide enough for stair-lift installation in the future and that accessibility is a Building Regulations matter and should not be duplicated in planning.

The officer considers that Policy D7 of the London Plan explicitly requires compliance with M4(2) standards, therefore it should be considered as a planning requirement. Whilst details of compliance would be covered under Building Regulations in future stage, the proposal should demonstrate reasonable prospect of the proposed dwelling complying with the M4(2) standards.

The proposed stair's overall width of 970mm indicated on the submitted plans appears capable of meeting the M4(2) expectation for future stairlift installation (minimum 850mm clear width as per the M4(2) requirements). However, this does not of itself demonstrate overall compliance with M4(2), which also requires step-free access and other technical specifications.

The proposal has been reviewed by the Council's Access Officer who objected to the proposal and considered that the proposed design and layout would be incompatible with the standards under Building Regulations M4(2), resulting in an inappropriate form of development. Therefore, the proposed dwelling is considered not accessible and adaptable. Overall it is considered that the proposed development would fail comply with Policy D7 of the London Plan (2021).

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.

Should the application be granted, a secure by design condition to achieve appropriate accreditation would be imposed.

LANDSCAPING AND TREES

Policy G5 of the London Plan (2021) states that major developments should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage.

Policy DMHB 14 of the Hillingdon Local Plan: Part 2 (2020) 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.

With regards to front garden and parking, Policy DMHD 1 of the Hillingdon Local Plan: Part 2 (2020) states:

- i) new or replacement driveways should use permeable (porous) surfacing. Surfaces of more than five square metres will need planning permission for laying traditional, impermeable driveways; and
- ii) the design, materials and height of any front boundary must be in keeping with the character of the area to ensure harmonisation with the existing street scene.

The application site is not located within Tree Preservation Area, but there are various existing mature trees located near the proposed dwelling. An arboricultural impact assessment has been submitted. The proposal involves the loss of Category U tree (T3) and the pruning of a Category C Tree (T2). The removal of the tree is considered to be acceptable. Remaining trees on site would be protected and retained. Space exists for the provision of a additional trees in the garden of the existing dwelling to offset the loss. The proposal is therefore considered to be acceptable.

No information regarding the proposed landscaping treatment and replacement planting for the tree removal has been submitted under the application. Should the application be recommended for approval, a condition for submission of a landscaping scheme would be imposed.

The proposed off-street car parking spaces would occupy a considerable amount of front garden area of the proposed dwelling, significantly limiting the opportunities for landscape improvement in the front garden. With reference to the requirement for retaining at least 25% of the front garden area under Policy DMHD 1, the proposed off-street car parking spaces, which would occupy approximately 55% of the proposed dwelling's front garden area, are considered to create significant loss of front garden area in the application site.

For the host dwelling, the two proposed off-street car parking spaces would occupy 23sqm of the existing garden area, which is not considered significant comparing to the size of the retained garden space.

There is also no information submitted regarding the surfacing material of the car parking spaces.

Having considered that the area in front of the existing garage is currently hard-paved without landscaping treatment, the loss of front garden area and lack of landscaping treatment may not be warrant refusal to the application on their own. Notwithstanding this, should the applicant be recommended for approval, the applicant would be advised to improve the landscaping treatment in the front garden area and proposed appropriate permeable surfacing materials for the off-street car parking spaces.

RESIDENTIAL LIVING CONDITIONS

Policy D3 of the London Plan (2021) states that developments deliver appropriate outlook, privacy and amenity and achieve indoor and outdoor environments that are comfortable and inviting for people to use.

Policy D6 of the London Plan (2021) states that housing development should be of high quality design and provide adequately sized rooms. Housing development should be of high quality design and provide adequately-sized rooms (see Table 3.1) with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures. Qualitative aspects of a development are key to ensuring successful sustainable housing. Table 3.2 sets out key qualitative aspects which should be addressed in the design of housing developments.

Policy DMHB 16 of the Hillingdon Local Plan: Part Two - 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 proposed dwelling is a 1B2P dwelling.

In accordance with Table 3.1 of the London Plan, a 1B2P two storey dwelling is required to have a GIA of at least 58sqm. The GIA of the proposed dwelling measures 60sqm, meeting the minimum unit size under the London Plan.

The London Plan (2021) and Nationally Described Space Standards (2015) requires that double bedrooms have a floor area of 11.5sqm and at least one double bedroom has a width of 2.75m and every other bedroom is at least 2.55m wide. A single bedroom must have a floor area of 7.5sqm and a width of 2.15m wide. The proposed bedroom would be 16.3sqm large, meeting the minimum size and width for double bedrooms.

The Housing Design Standards LPG (2023) requires minimum combined floor area of living, dining, and kitchen (LDK) spaces. 23sqm of combined LDK area would be required for a 1B2P dwelling. The proposed LDK area would be 20.6sqm large in total, failing to meeting the minimum

requirement.

The London Plan (2021) requires a headroom height of 2.5m for at least 75% of the GIA. The lower and upper ground floor would have a ceiling height of 2.45m and 2.2m to 3m respectively. No 2.5m headroom line has been indicated on the proposed UG/F plan. Therefore, the officer has no sufficient information to determine whether the proposal would comply the ceiling height requirement.

The London Plan (2021) and Housing Design Standards LPG (2023) require that developments should minimise the number of single aspect dwellings. Dual aspect dwellings benefit from better ventilation, daylight and the orientation enhance amenity, including views. The proposed dwelling would be dual aspect. All habitable rooms would benefit from openable windows and would benefit from adequate levels of light, outlook and ventilation. Despite the above, the bedroom would have front facing windows which would face the brick wall of the proposed patio which would only be 2m away from the window, providing limited outlook. It would also have high level rear windows which face the grass/lawn of the ground floor garden, providing limited outlook. Due to its design, layout and subterranean nature, the room is considered to provide its future resident(s) with a unacceptably poor level of outlook to the detriment of their amenities. Concerns also exist regarding access to light for the room, although they are not significant enough to warrant refusal of the application.

The proposed development, by reasons of its insufficient LDK area and lack of outlook, would provide poor living conditions to the future occupants, failing to meet the housing quality and standards of Policy D6 of London Plan (2021) and Policy DMHB 16 of Hillingdon Local Plan: Part Two - Development Management Policies (2020).

PRIVATE AMENITY SPACE

Paragraph 135f) of the National Planning Policy Framework (2024) states - Planning decisions should ensure the developments 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.

Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) requires all new residential development to provide good quality and useable private amenity space. In accordance with Table 5.3 houses with one bedroom are required to have at least 40 square metres of private outdoor amenity space.

The new dwelling would have 36sqm of private rear garden space and 5sqm of subterranean patio space.

Despite the amount of space being acceptable, the rear garden would be severely overlooked by the first floor bedroom windows of No. 10 Lawn Avenue. The garden would be 3.5m deep, surrounded by 1.8m high boundary fencing and large buildings (including the proposed dwelling), the space would therefore be somewhat cramped and would have poor access to light. No evidence has been submitted to suggest otherwise. Similarly, the patio area would have no meaningful outlook and limited light due to its predominantly subterranean nature.

Overall it is considered that the users of the new dwelling would be provided with a poor level of external amenity space to the detriment of their amenities, therefore failing to comply with the Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and paragraph 135f) of the NPPF (2024).

In response to the refusal reason No. 4 of 77359/APP/2024/2375, the applicant contends that the lower-ground bedroom would achieve acceptable living conditions because it is a generous-sized, dual-aspect room served by a high-level rear window and patio doors opening onto a reasonably deep courtyard, providing sufficient natural light, ventilation and "reasonable" outlook; they further argue that the private garden exceeds minimum size standards and that any overlooking from first-floor windows at No.10 would be limited/oblique and comparable to typical mutual overlooking in built-up areas.

However, the Council's previous assessment was directed to the quality and usability of the accommodation rather than quantum alone: the lower-ground habitable space would still experience materially constrained outlook dominated by enclosure associated with the courtyard arrangement (with limited meaningful aspect), and the applicant has not provided robust evidence (e.g. daylight/sunlight or amenity testing) demonstrating an improvement to those conditions. In addition, notwithstanding garden size, the rear amenity space was previously found to be severely overlooked from No.10, eroding privacy and reducing its practical enjoyment, such that the combined effects of enclosure, limited outlook and lack of privacy would continue to result in a poor standard of amenity for future occupiers, contrary to DMHB18 and the NPPF's requirement for a high standard of amenity.

7.6 Other Issues

PRINCIPLE OF DEVELOPMENT

The NPPF encourages the identification of suitable locations and developable sites or broad locations for growth, in terms of housing. It also states that the priority should be previously developed land. Paragraph 129 of the NPPF requires decisions to support efficient use of land taking into account the identified need for different types of housing, local market conditions and viability, infrastructure availability and capacity, the desirability of maintaining an area's prevailing character and setting (including residential gardens), and the importance of securing well-designed places.

Policy GG2 Making the best use of land of the London Plan (2021) states that those involved in planning and development must proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.

Policy H1 of The London Plan (2021) refers to the need to increase housing supply to meet demand within London and policy H9 promotes the efficient use of existing stock. This is supported by London Plan policy H10 which aims to ensure that development proposals achieve the maximum intensity of use compatible with local context.

London Plan Policy H2 Small Sites states Boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making in order to significantly increase the contribution of small sites to meeting London's housing needs.

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.

Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) takes a

restrictive approach to development on garden land, generally resisting proposals because gardens make an important contribution to local character, provide safe and secure amenity and play space, support biodiversity, help manage flood risk, and assist in mitigating climate change impacts such as the urban heat island effect. While development on garden land is generally not accepted, proposals on backland sites for other uses may be considered where they satisfy the criteria in Policy DMH 6 and other relevant policies. This stance aligns with the London Plan, which recognises the value of gardens, particularly back gardens, and supports a locally justified presumption against their loss.

Policy DMH 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that there is a presumption against the loss of gardens due to the need to maintain local character, amenity space and biodiversity. In exceptional cases, a limited scale of backland development may be acceptable, subject to the following criteria:

- 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.

Specifically, the Appendix 4 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states a definition for back-land development as: "Development of 'landlocked' sites behind existing buildings, such as rear gardens and private open space usually within predominantly residential areas. Such sites have no street frontage".

The proposal would provide a 1-bedroom bungalow in the rear garden of an existing detached dwellinghouse. It is located within a residential area characterised by detached dwellinghouses with spacious rear garden. The subject site differs from typical backland site as it has a direct street frontage along Sunray Avenue. Whilst the development would not necessarily be perceived as typical 'landlocked' backland development with its separate site frontage, the proposal would still result in a loss of private garden land and is therefore described as gardenland development. It should be noted that there is a presumption in the local plan against the redevelopment of gardens to provide new housing in order to safeguard garden space. At present the Council is able to demonstrate a 5 year housing land supply to fulfill its projected demand for new housing. As such it does not need to look to more constrained small sites such as backland or gardenland to meet this demand.

The proposal would retain a acceptable amount of garden space to the host dwelling and would have an acceptable impact on neighbouring amenities. However it would cause harm to the local highways network and trees, shrubs and wildlife habitat without adequate re-provision (as explained in detail earlier in the report). Overall it is considered that the development fails to comply with policy DMH 6 and is therefore unacceptable.

HOUSING MIX AND PROVISION

Policy DMH 2 of the Local Plan: Part 2 - Development Management Policies (2020) requires 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 need. Paragraph 4.6 outlines that there is a substantial borough-wide requirement for larger affordable and private market units, particularly three-bedroom properties. The London Plan defines family housing as "A dwelling that by virtue of its size, layout

and design is suitable for a family to live in and generally has three, four, five, or more bedrooms."

The development includes 1 x 1 bedroom dwelling. Due to the poor living environment it would provide for future residents and lack of accessibility, the resulting dwelling would provide no valuable contribution to the Borough's Housing Supply or housing mix. The provision of this property is therefore not considered to provide any weight in favour of the proposed development.

BASEMENT DEVELOPMENT

Policy DMHD 3 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that:

- A) When determining proposals for basement and other underground development, the Council require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability. The Council will only permit basement and other underground development that does not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability. Developers will be required to demonstrate by methodologies appropriate to the site that their proposals:
- i) avoid adversely affecting drainage and run-off or causing other damage to the water environment;
 - ii) avoid cumulative impacts upon structural stability or the water environment in the local area;
- B) Schemes should ensure that they:
- i) do not harm the amenity of neighbours;
 - ii) do not lead to the loss of trees or townscape or amenity value;
 - iii) do provide satisfactory landscaping, including adequate soil depth;
 - iv) do not harm the appearance or setting of the property or the established character of the surrounding area, for example through the introduction of front lightwells; and
 - v) do protect important archaeological remains.
- C) The Council will not permit basement schemes which include habitable rooms and other sensitive uses in areas prone to flooding.
- D) The Council will not permit basement schemes in Listed Buildings and will not permit them in Conservation Area locations where their introduction would harm the special architectural or historic character of the area.

A Basement Impact Assessment has been submitted in support of the proposal (06488L). The report concludes that

'based on the general overview, the proposed development is considered to have minimal impact on the stability of adjacent structures, and on the surrounding surface and subterranean water regimes.' Despite its conclusions it also states that a on site investigation has not taken place. Had the application been recommended for approval a more robust Assessment would have been recommended via condition.

DRAINAGE

Had the application been recommended for approval a condition would have been added to ensure that the sites drainage impacts were appropriately managed.

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 and the BNG planning condition does not apply to planning permission for development that is below a de minimis threshold, i.e.:

- does not impact an onsite priority habitat; and
- the development impacts less than 25sqm of onsite habitat that has biodiversity value greater than zero; and
- the development impacts less than 5m in length of onsite linear habitat

One exemption is Development below a de minimis threshold. This exemption applies to development that does not impact a priority habitat and impacts less than 25 square metres (e.g. 5m x 5m) of non-priority onsite habitat (such as modified grassland) or 5m for non-priority onsite linear habitats (such as native hedgerows).

The proposed dwelling would have a footprint of 44m². The existing garage has a footprint of 36m². Taking into consideration the 6m² difference, the fact that the majority of the additional footprint would replace hardstanding at the front of the site and that a tree of greater value than the category U tree to be lost could be replanted at the site, the development would almost be de minimis in terms of the BNG threshold. Nevertheless, it is considered that a net gain could be provided at the site and had the application been recommended for approval, a suitable condition would have been added.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Policy DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states: A) 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.

A relevant informative would be attached in the event of an approval pointing to these obligations. In this regard, the development accords with the aims of Policy DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), the NPPF (2024) and the Community Infrastructure Levy Regulations (2010).

8. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (2012)
Hillingdon Local Plan: Part 2 - Development Management Policies (2020)
London Plan (2021)
National Planning Policy Framework (2024)

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