

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 Option

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

REFUSAL RECOMMENDED: GENERAL

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

RESIDENTIAL DEVELOPMENT

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

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

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

CERTIFICATE OF LAWFULNESS

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

CERTIFICATE OF LAWFULNESS

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

The delegation powers schedule has been checked. Director of Residents Services can determine this application.

Case Officer

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives 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 DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

Item No.	Report of the Head of Planning, Transportation and Regeneration
Address	87 MULBERRY CRESCENT WEST DRAYTON
Development:	Erection of a two storey, 1-bed dwelling house with associated parking and amenity space including demolition of existing single storey side extension
LBH Ref Nos:	6476/APP/2020/1931
Drawing Nos:	Location Plan (1:1250) 01 Rev. A 02 Rev. A 03 Rev. A 04 Rev. A 05 Rev. A

Date Plans received : 01/07/2020

Date(s) of Amendment(s):

Date Application Valid: 01/07/2020

1. SUMMARY

The proposal to erect a two storey side extension with associated landscape and parking spaces to form a separate dwelling. The proposed two storey dwelling would result in the part infilling of the side plot space within the curtilage of No.87 Mulberry Crescent which would result in the loss of this prominent open space feature to the detriment of the visual amenity of the Mulberry Crescent and Eastwood Road street scenes and the wider area.

The development proposed would unbalance the pair of semi-detached houses resulting in a cramped form of development that would be harmful to the character of Mulberry Crescent, and be out of keeping with the established pattern of development in the row and would provide a dwelling with substandard floor area.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposal would provide an indoor living area of an unsatisfactory size for the future occupiers of the unit and would therefore give rise to a substandard form of living accommodation to the detriment of the amenity of future occupiers. The proposal is thus contrary to Policy DMHB 16 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy 3.5 and Table 3.3 of the London Plan (2016), the Housing Standards Minor Alterations to The London Plan (March 2016), the Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016) and the Technical Housing Standards - Nationally Described Space Standard (March 2015).

2 NON2 Non Standard reason for refusal

The proposal would fail to provide a dwelling which is accessible and adaptable to the detriment of the amenity of future occupiers. The proposal is thus contrary to Policies 3.8 and 7.2 of the London Plan (2016) and the Technical Housing Standards - Nationally Described Space Standard (March 2015).

3 NON2 Non Standard reason for refusal

The proposed development, by reason of its siting in this visually prominent position, its

size, scale, bulk and width to the rear would give rise to a cramped form of development, which would be detrimental to the visual amenities of the street scene and the surrounding area generally. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies.

4 NON2 Non Standard reason for refusal

The proposal has not demonstrated that sufficient off street parking/manoeuvring arrangements would be provided for the existing and proposed units, and therefore the development is considered to result in substandard car parking provision, leading to on-street parking/queuing to the detriment of public and highway safety and contrary to policies DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and to Hillingdon's Adopted Parking Standards as set out in Appendix C of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

DMH 4	Residential Conversions and Redevelopment
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 18	Private Outdoor Amenity Space
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 7.1	(2016) Lifetime Neighbourhoods
LPP 7.2	(2016) An inclusive environment
	(2016) Local character

LPP 7.4

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

3 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

The application site relates to a semi-detached two storey dwellinghouse located on the north-west of Mulberry Crescent. The application site is setback from the adjacent highway with front garden laid in hardstanding providing up to two off-street parking spaces and a low brick fence as boundary treatment. To the rear is an enclosed rear garden with an outbuilding at the bottom end of the garden.

The street scene is residential in character and appearance comprising a mixture of traditional two storey semi-detached and terraced dwellings.

3.2 Proposed Scheme

The applicant is seeking planning permission for the erection of a two storey side extension to form a separate dwelling comprising a 1 bedroom self-contained dwelling house with associated parking and amenity space including demolition of existing single storey side extension. The proposed dwelling would be attached to host dwelling at No 87 Mulberry Crescent.

3.3 Relevant Planning History

6476/APP/2014/3618 87 Mulberry Crescent West Drayton
Store (Application for a Certificate of Lawful Development for an Existing Development)

Decision: 18-12-2014 Approved

6476/APP/2019/3864 87 Mulberry Crescent West Drayton
First floor rear extension

Decision: 24-01-2020 Approved

6476/APP/2020/611

87 Mulberry Crescent West Drayton

Erection of a two storey, 2-bed dwelling house with associated parking and amenity space including demolition of existing single storey side extension

Decision: 23-04-2020 Refused

Comment on Planning History

6476/APP/2019/3864 : First floor rear extension. Approval

6476/APP/2020/611: Erection of a two storey, 2-bed dwelling house with associated parking and amenity space including demolition of existing single storey side extension. Refusal

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

8 neighbouring properties were consulted via letter on 03-07-20. One representation was received against the application on the following ground;

1. Impact on residential amenity causing loss of light and overshadowing.
2. Deep excavation for foundation is less than 1.80m from my building may cause damage to my foundation and structural walls of my property.

Highway officer:

This is an application for the creation of a two storey, one bedroom dwelling house with associated parking and amenity space. The section of Mulberry Avenue is a quiet residential road, currently with no parking restrictions and a high level of on street parking. This area was subject to a consultation for an area wide Parking Management Scheme, going forward the area of the application site will be part of the WD5 parking management scheme. This is to be located next to an existing three bedroom house. There is a proposed ratio of 1:1 car parking. The Council's car parking standards allows for 2 spaces to be provided for three bedroom properties. There is concern that one space for the three bedroom property in this area would not be sufficient, resulting in vehicles associated with the development parking on the highway, which is currently unrestricted. The layout of the parking currently shown in the plans could not be accommodated without an extension of the existing single dropped kerb to a double. There are significant restrictions in the area including a telegraph pole, lamp column and services in the footway. The access arrangement to the parking associated with the development needs to be reconsidered. Currently, this application cannot be supported from a highways perspective. In addition, a condition should be applied that only the three bedroom existing property would be allowed to join the PMS scheme. The new one bedroom property should not be permitted to join the scheme

Access officer:

This proposal for a single dwelling house raises accessibility concerns. London Plan Policy 3.8(c) requires all new housing to be designed and constructed as accessible and adaptable in accordance with M4(2) as set out in Approved Document M to the Building Regulations (2015 edition). Revised plans should be requested prior to any grant of

planning permission to address the following concerns: 1. In accordance with the Technical Housing Standards referenced above, an entrance level W/C should be provided. No facility is shown on plan. 2. By virtue of its small size it is doubtful that any such housing accommodation on this site could ever result in suitable accessible living accommodation.

Conclusion: unacceptable.

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 4 Residential Conversions and Redevelopment

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 18 Private Outdoor Amenity Space

DMT 2 Highways Impacts

DMT 6 Vehicle Parking

LPP 3.3 (2016) Increasing housing supply

LPP 3.4 (2015) Optimising housing potential

LPP 3.5 (2016) Quality and design of housing developments

LPP 3.8 (2016) Housing Choice

LPP 7.1 (2016) Lifetime Neighbourhoods

LPP 7.2 (2016) An inclusive environment

LPP 7.4 (2016) Local character

NPPF- 2 NPPF-2 2018 - Achieving sustainable development

NPPF- 5 NPPF-5 2018 - Delivering a sufficient supply of homes

NPPF- 11 NPPF-11 2018 - Making effective use of land

NPPF- 12 NPPF-12 2018 - Achieving well-designed places

In addition:

7. MAIN PLANNING ISSUES

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

Policy DMHD 1 states that ii) a satisfactory relationship with adjacent dwellings is achieved; there is no unacceptable loss of outlook to neighbouring occupiers; vi) two storey extensions should not extend into an area provided by a 45-degree line of sight drawn from the centre of the nearest ground or first floor habitable room window of an adjacent property and should not contain windows or other openings that overlook other houses at a distance of less than 21 metres;

The proposed development would be set-off from the side boundary adjacent to properties at No.2 & 4 Eastwood Road. Given the design and scale of the development proposed, 45 degree line of sight would not be breached when taken from the nearest window within adjacent property. There is a non-habitable window within the flank elevation belonging to No.2 & 4 Eastwood facing the application property.

Taking into account the development proposed in terms of its design, scale, massing and relationship with plot boundaries and adjoining properties, it is unlikely that it would significantly harm the amenity of the neighbouring properties in terms of loss of light or outlook. There are no windows along the flank elevation facing the adjoining properties, such there is no unsatisfactory relationship in terms of overlooking or loss of privacy.

7.2 Impact on Street Scene

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design.

Policy DMHD 1 states that alterations and extensions of dwellings will be required to ensure that there is no adverse cumulative impact of the proposal on the character, appearance or quality of the existing street or wider area; side extensions should not exceed half the width of the original property;

Policy DMHB 11 states that A) All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including: 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;

Paragraph 4.11 The conversion of single dwellings into more dwellings or the redevelopment of dwellings into new blocks of flats can enable more effective use of sites to be achieved. However, this type of development must seek to enhance the local character of the area.

No.87 Mulberry Crescent is a two storey semi-detached dwellinghouse with a side plot along the side boundary adjacent to the highway. The local area is characterised by row of terrace houses and semi-detached houses separated by notable breaks between the buildings and street scene. The application site represents a very prominent corner plot, where the front and side of the property can be easily viewed from public positions along Mulberry Crescent.

The applicant has proposed to erect a two storey side extension to form a new dwelling alongside the existing host dwelling. The proposed development would be clearly visible from the street scene. The proposed dwelling is effectively an extension to the side of the existing pair of semi-detached house. It has been designed to integrate with the existing dwelling by being constructed to appear subordinate to the host dwelling. The development proposed would be set off from the side boundary with the neighbouring properties at No.2 & 4 Eastwood Road, and the submitted drawings show that the proposed new dwelling would be setback from the front elevation of the host dwelling and the ridge height lower below the host dwelling.

The surrounding area is characterised by pairs of semi-detached dwellings and short terraces arranged relatively uniformly along Mulberry Crescent and the surrounding roads.

Various extensions and alterations to the dwellings, are noted, however these have generally been undertaken in a sympathetic manner and have maintained the pleasant suburban character and appearance of the area and of the dwellings themselves.

Whilst the development proposed would be set-off from the side boundary to maintain visual break to the side, the design and appearance of the proposed dwelling along the street view is considered to be unacceptable as the design in itself is not compatible with the host dwelling. Thus, the proposed development, by reason of its siting in this visually prominent position, its size, scale, bulk and width to the rear would give rise to a cramped form of development, which would be detrimental to the visual amenities of the street scene and the surrounding area generally. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies.

7.3 Traffic Impact/Pedestrian Safety

Policy DMT 2 states that development proposals must ensure that: i) safe and efficient vehicular access to the highway network is provided to the Council's standards;

Policy DMT 6 states that A) Development proposals must comply with the parking standards outlined in Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity. For dwellinghouse, two off-street parking is required.

In this case, both the proposed dwelling and host dwelling would be served by an existing vehicular access off Mulberry Crescent. The submitted drawings indicated that two off-street parking spaces within the front garden would be provided for the proposed dwelling and existing dwelling would retain off-street parking to its front.

In relation to parking, the highway officer states:

"The section of Mulberry Avenue is a quiet residential road, currently with no parking restrictions and a high level of on street parking. This area was subject to a consultation for an area wide Parking Management Scheme, going forward the area of the application site will be part of the WD5 parking management scheme. This is to be located next to an existing three bedroom house. There is a proposed ratio of 1:1 car parking. The Council's car parking standards allows for 2 spaces to be provided for three bedroom properties. There is concern that one space for the three bedroom property in this area would not be sufficient, resulting in vehicles associated with the development parking on the highway, which is currently unrestricted. The layout of the parking currently shown in the plans could not be accommodated without an extension of the existing single dropped kerb to a double. There are significant restrictions in the area including a telegraph pole, lamp column and services in the footway. The access arrangement to the parking associated with the development needs to be reconsidered. Currently, this application cannot be supported from a highways perspective."

Thus, the proposal has not demonstrated that sufficient off street parking/manoeuvring arrangements would be provided for the existing and proposed units, and therefore the development is considered to result in substandard car parking provision, leading to on-street parking/queuing to the detriment of public and highway safety and contrary to policies DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and to Hillingdon's Adopted Parking Standards as set out in Appendix C of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

Cycle sheltered storage would be located alongside the bin storage towards the rear of the application site. This is considered acceptable in this case.

Paragraph 5.42 of the Adopted Local Plan states that new development are expected to provide satisfactory arrangements for the internal and external storage and collection of general waste, recycling and organic waste. External bins should be located and screened to avoid adverse visual impacts and nuisance to both occupiers and neighbours.

The submitted plans shows that bin storage would be located towards the rear of the application site, away from public view. This arrangement is considered acceptable.

7.4 Carparking & Layout

See above.

7.5 Urban Design, Access and Security Considerations

On 25 March 2015, the Government introduced new technical housing standards in England, which comprise of new additional 'optional' Building Regulations on water and access, and a nationally described space standard (referred to as "the new national technical standards"). These new standards came into effect on 1 October 2015. The Mayor of London has adopted the new national technical standards through a minor alteration to The London Plan.

The Housing Standards (Minor Alterations to the London Plan) March 2016 sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. A two person, two storey, one bedroom dwellinghouse is required to provide 58 square metres. The proposal provides some 56 sq.m, which falls some way short of the required minimum level. The proposal would, therefore provide an indoor living area of an unsatisfactory size for the future occupiers of the unit and would therefore give rise to a substandard form of living accommodation to the detriment of the amenity of future occupiers. The proposal is thus contrary to Policy DMHB 16 Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy 3.5 and Table 3.3 of the London Plan (2016), the Housing Standards Minor Alterations to The London Plan (March 2016), the Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016) and the Technical Housing Standards - Nationally Described Space Standard (March 2015).

Policy DMHB 18 of the Hillingdon Local Plan (2020) recognises that new residential buildings should 'provide external amenity space which is sufficient to protect the amenity of the occupants of the proposed and surrounding buildings'. Submitted plans demonstrate that the development proposed would be served by an outdoor amenity space of 98 square metres and the host dwelling would retained an outdoor amenity space of 70 square metres, which is considered acceptable.

Policy DMHB 14 states that 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.

In this case, the applicant have annotated on the submitted plans that some part to the side boundary would be earmark for soft landscaping. The submitted plans indicates that the entire front garden would be covered in hardstanding. Given that the application is recommended for a refusal, officer deemed it unnecessary requesting for further details regarding the soft landscaping.

7.6 Other Issues

Accessible Dwelling

The Council's access officer states:

"This proposal for a single dwelling house raises accessibility concerns. London Plan Policy 3.8(c) requires all new housing to be designed and constructed as accessible and adaptable in accordance with M4(2) as set out in Approved Document M to the Building Regulations (2015 edition). Revised plans should be requested prior to any grant of planning permission to address the following concerns: 1. In accordance with the Technical Housing Standards referenced above, an entrance level W/C should be provided. No facility is shown on plan. 2. By virtue of its small size it is doubtful that any such housing accommodation on this site could ever result in suitable accessible living accommodation.

Conclusion: unacceptable."

Thus, The proposal would fail to provide a dwelling which is accessible and adaptable to the detriment of the amenity of future occupiers. The proposal is thus contrary to Policies 3.8 and 7.2 of the London Plan (2016) and the Technical Housing Standards - Nationally Described Space Standard (March 2015).

CIL

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £60 per sq metre.

The proposal would attract a CIL Liability of:£6,694.62

Mayoral Cil = £2,142.64

Hillingdon CIL = £4,551.98

8. Reference Documents

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

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

The London Plan (2016)

The Housing Standards Minor Alterations to The London Plan (March 2016)

Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)

Technical Housing Standards - Nationally Described Space Standard

National Planning Policy Framework

Contact Officer: Batatunde Aregbesola

Telephone No: 01895 250230