

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 82 WILLOW TREE LANE HAYES

Development: Two storey, 1-bed attached dwelling with parking and amenity space

LBH Ref Nos: **25583/APP/2020/1775**

Drawing Nos: KKC/82/2020/A
 KKC/82/2020/C
 Design and Access Statement

Date Plans received : 01/07/2020

Date(s) of Amendment(s):

Date Application Valid: 01/07/2020

1. SUMMARY

The application seeks planning permission for the erection of a two storey, 1-bed attached dwelling with parking and amenity space.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development, by reason of it siting in this open prominent position, size, scale and bulk, would result in the loss of a substantial proportion of an important gap, characteristic to the area, which would breach the return building line and would be detrimental to the character, appearance of the street scene and the surrounding area. As such the proposal would conflict with Policy BE1 of the Hillingdon Local Plan (November 2012) and Policies DMHB11 and DMHD1 of the Hillingdon Local plan - Part Two (2020).

2 NON2 Non Standard reason for refusal

In the absence of a ground floor WC the proposal conflicts with the requirement of London Plan policy 3.8 (c) which requires all new housing to provide appropriate facilities for people with disabilities.

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.

DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMHD 1	Alterations and Extensions to Residential Dwellings
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 7.4	(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

3 I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2016). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

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

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

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

3. CONSIDERATIONS

3.1 Site and Locality

The application property comprises a two storey end-terrace dwelling located at the junction of Willow Tree Lane with Willow Tree Close. The property is served by a crossover from Willow Tree Close leading to a driveway.

3.2 Proposed Scheme

The application seeks planning permission for the erection of a two storey, 1-bed attached

dwelling with parking and amenity space.

3.3 Relevant Planning History

25583/APP/2018/1447 82 Willow Tree Lane Hayes

Single storey rear extension (Application for a Certificate of Lawful Development for a Proposed Development)

Decision: 01-06-2018 Approved

25583/PRC/2017/203 82 Willow Tree Lane Hayes

Erection of attached dwelling

Decision: 09-01-2018 OBJ

Comment on Planning History

The relevant planning history is listed above. It is noted that the conclusion of the pre-app advice was:

The current proposal, based on the plans and supporting documents that have been submitted could not be supported, as it would have a significant impact upon the visual amenities of the street scene. The proposal would represent an overdevelopment of the site to the detriment of the character and the visual amenities of the area and to this existing open area of the street scene. Therefore the proposal is contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5 and 7.4 of the London Plan (March 2016) and the adopted Supplementary Planning Document HDAS: Residential Layouts. Adequate parking has not been shown to be provided. The erection of a dwelling to the side of the host dwelling is therefore considered unacceptable in principle.

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

The Willow Tree Lane Area Residents Association and 7 neighbouring properties were consulted by letter dated 1.7.20. 1 letter of objection has been received raising concerns about destroying the building line.

Highways:

This is an application for a two storey one bedroom dwelling alongside an existing three bedroom property. Willow Tree Lane is a mainly residential road between Yeading Lane and A312. The carriageway is wide and footways are provided along both sides of the road. The site proposes maintaining two existing spaces for the three bed property and creation of an additional space for the one bed dwelling, which is inline with the newly adopted car parking standards in the Local Plan: Part 2. Secure cycle parking is to be provided for both properties. It is considered that there will be no material impact on the pedestrian and highway network as a result of the trips generated by this proposal. There are no highway objections to this proposal.

Landscape Officer:

This site is occupied by the side garden of a two-storey semi-detached house located on the south side of Willow Tree Lane. The site comprises a corner plot at the junction with Willow Tree Close. According to aerial photographs and Google Maps, there are two conifer trees along the Willow Tree Close boundary whose presence is denied in the response to Q.15 of the planning questionnaire. There are no TPO's or Conservation Area designations affecting the site.

COMMENT: An accurate survey plan should be provided to indicate the locations and spread of the two trees. Both are likely to be removed to facilitate the new building and the introduction of the parking space and dropped kerb, off Willow Tree Close. There will be no objection to their removal, subject to more suitable replacement tree planting as part of the development.

RECOMMENDATION: No objection subject to more accurate appraisal of the site and the impact of development on existing trees- and condition RES9 (parts 1, 2 and 5).

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. Conclusion: unacceptable. Revise plans should be requested as appropriate.

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:

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 16 Housing Standards

DMHB 18 Private Outdoor Amenity Space

DMHD 1 Alterations and Extensions to Residential Dwellings

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

Given that the proposed development/s would not extend significantly beyond the rear of the existing property, the proposal is unlikely to impact on adjoining occupiers.

7.2 Impact on Street Scene

The NPPF (2012) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

Policy 7.1 of the London Plan states that "design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability and accessibility of the neighbourhood".

Policy 7.4 of the London Plan states, "Development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area".

Policy BE1 of the Hillingdon Local Plan (November 2012) requires that all new development achieves a 'high quality of design in all new buildings, alterations and extensions'.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including: i) harmonising with the local context by taking into account the surrounding: · scale of development, considering the height, mass and bulk of adjacent structures; · building plot sizes and widths, plot coverage and established street patterns; · building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure; architectural composition and quality of detailing; local topography, views both from and to the site; and impact on neighbouring open spaces and their environment. ii) ensuring the use of high quality building materials and finishes; iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities; 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.

The application property has a large side garden area, which combined with the set back

of the properties fronting Willow Tree Close and the large side garden of No.84 gives several properties in the immediate locality, including the application dwelling, the appearance of significant spaciousness within their plots and makes a positive visual contribution to the appearance of the street scenes. The open space character and visual gaps also help to clearly define the semi-detached and end terraced contexts of several junction/corner properties in the immediate locality. The corner plot positioning of the application dwelling is such that it is visually prominent on both street scenes. The adjacent properties on Willow Tree Close to the rear have an established and uniform front building line and the front gardens and the side garden area of the application property results in a sense of spaciousness not only at the road junction but along the road. This is mirrored on the opposite side of Willow Tree Close at Number 84 Willow Tree Lane. The proposed dwelling, at a width of some 5 m would largely fill this spacious corner plot. It is acknowledged that the width of the dwelling has been reduced over that which was considered at the pre-app stage, but would still breach the return building line which was previously raised as a concern.

The proposed development, by reason of it siting in this open prominent position, size, scale and bulk, would result in the loss of a substantial proportion of an important gap, characteristic to the area, which would breach the return building line and would be detrimental to the character, appearance of the street scene and the surrounding area. As such the proposal would conflict with Policies DMHB 11 and DMHD 1 of the Hillingdon Local plan - Part Two (2020).

7.3 Traffic Impact/Pedestrian Safety

Policy DMT 2: Highways Impacts states:

Development proposals must ensure that:

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

Policy DMT 6: Vehicle Parking states:

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.

The Council may agree to vary these requirements when:

- i) the variance would not lead to a deleterious impact on street parking provision, congestion or local amenity; and/or
- ii) a transport appraisal and travel plan has been approved and parking provision is in accordance with its recommendations.

B) All car parks provided for new development will be required to contain conveniently located reserved spaces for wheelchair users and those with restricted mobility in accordance with the Council's Accessible Hillingdon SPD.

The site proposes maintaining two existing spaces for the three bed property and creation of an additional space for the one bed dwelling, which is inline with the newly adopted car parking standards in the Local Plan: Part 2. Secure cycle parking is to be provided for both properties. It is considered that there will be no material impact on the pedestrian and highway network as a result of the trips generated by this proposal. There are no highway objections to this proposal.

7.4 Carparking & Layout

See above.

7.5 Urban Design, Access and Security Considerations

Policy DMHB 16: Housing Standards states:

All housing development should have an adequate provision of internal space in order to provide an appropriate living environment. To achieve this all residential development or conversions should:

meet or exceed the most up to date internal space standards, as set out in Table 5.1. A one bedroom (2 person) two storey house is required to provide 58 square metres which the proposal would achieve.

Policy DMHB 18: Private Outdoor Amenity Space states:

All new residential development and conversions will be required to provide good quality and useable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.2. A one bedroom dwelling is required to provide 40 square metres.

Submitted plans demonstrate that the retained and proposed dwellings would achieve a private amenity space of an acceptable size for each unit.

7.6 Other Issues

Landscaping

Policy DMHB 14: Trees and Landscaping requires:

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.

There are two conifer trees along the Willow Tree Close boundary. There are no TPO's or Conservation Area designations affecting the site. Both trees are likely to be removed to facilitate the new building and the introduction of the parking space and dropped kerb, off Willow Tree Close. The Council's Landscape Officer has advised that there will be no

objection to their removal, subject to more suitable replacement tree planting as part of the development which could be conditioned in the event of an approvable scheme.

Accessibility

It is noted that the proposed attached dwelling incorporates design features which are incompatible with the standards required for an M4 (2) category home, as required by London Plan policy 3.8 (c) which requires all new housing to provide appropriate facilities for people with disabilities. As such the proposal is considered unacceptable in accessibility terms.

8. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)
The London Plan (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
Hillingdon Design and Accessibility Statement: Accessible Hillingdon
National Planning Policy Framework

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