

DELEGATED DECISION

Prior Approval Application under Part 20, Class A of The Town and Country (General Permitted Development) (England) Order 2015 (as amended)

Class A

Development consisting of works for the construction of up to two additional storeys of new dwelling houses immediately above the existing topmost residential storey on a building which is a purpose built, detached block of flats

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 informative are satisfactory

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

Report of the Head of Planning, Transportation and Regeneration

Address: 68-76 ALBERT ROAD YIEWSLEY

Development: Creation of two additional floors above existing building to incorporate 4 x 1-bed flats (Prior Approval)

LBH Ref Nos: 33654/APP/2020/2582

Drawing Nos:	Date of Plans
Sheet 7 of 9 1.0A	09-09-2020
Sheet 8 of 9 1.0A	09-09-2020
Sheet 1 of 9 1.0A	09-09-2020
Sheet 4 of 9 1.0A	09-09-2020
Sheet 9 of 9 1.0A	09-09-2020
Sheet 5 of 9 1.0A	09-09-2020
Sheet 3 of 9 1.0A	09-09-2020
Sheet 6 of 9 1.0A	09-09-2020

Drawing Nos:	Date of Amended Plans:
Sheet 2 of 9 1.0B	16-09-2020

Date Application Valid: 7th September 2020

1.0 RECOMMENDATION

PRIOR APPROVAL REFUSED

1. PAR Prior Approval - Refusal

The proposed development does not constitute permitted development by virtue of the provisions of Part 20, Class A of the Town and Country Planning (General Permitted Development) Order 2015 as the proposal, by reason of its siting, height, scale, bulk and design, would fail to harmonise with the character and architectural composition of surrounding properties, appearing as an awkward, incongruous and cramped form of development which would be detrimental to the visual amenity of the street scene and harmful to the character and appearance of the surrounding area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11 and DMHB 12 of the Local Plan: Part Two - Development Management Policies (2020) and prior approval is refused under Condition A.2 -(1)(e).

2. PAR Prior Approval - Refusal

Insufficient information has been submitted in order to enable the Local Planning Authority to establish whether the development complies with Condition A.2.-(1)(g) in respect of loss of light, such that detrimental impacts to the amenity of neighbouring properties could arise from the proposed development. The proposed development by virtue of the increase in height of the application building would result in an overly dominant form of development which would detract from both the levels of natural light and outlook available to the occupants of Nos. 59 and 61 Albert Road, resulting in an unacceptable loss of amenity for neighbouring premises contrary to the requirements of Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and prior approval is refused under Condition A.2.-(1)(g).

3. PAR Prior Approval - Refusal

The proposed development does not constitute permitted development by virtue of the provisions of Part 20, Class A of the Town and Country Planning (General Permitted Development) Order 2015 as the proposal would fail to provide acceptable light to two (2) habitable rooms (kitchens) within the proposed residential units annotated as 76A and 76C on the submitted plans contrary to the requirements of Policy DMHB 16 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and prior approval is refused under Condition A.2-(1)(f).

4. PAR Prior Approval - Refusal

The proposed development does not constitute permitted development by virtue of the provisions of Part 20, Class A of the Town and Country Planning (General Permitted Development) Order 2015 as the proposal, by virtue of the restricted manoeuvring space, would fail to provide sufficient off street parking provision which would meet the councils approved parking standards. The development would therefore lead to additional on-street parking to the detriment of public and highway safety on Albert Road and is therefore contrary to Policies DMT2 and DMT6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and prior approval is refused under Condition A.2-(1)(a).

5. PAR Prior Approval - Refusal

The proposed development does not constitute permitted development by virtue of the provisions of Part 20, Class A of the Town and Country Planning (General Permitted Development) Order 2015 as the proposal would fail to provide acceptable secure cycle storage provision to service the proposed residential units contrary to the requirements of Policy DMT6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and prior approval is refused under Condition A.2-(1)(a).

6. PAR Prior Approval - Refusal

The proposed development does not constitute permitted development by virtue of the provisions of Part 20, Class A of the Town and Country Planning (General Permitted Development) Order 2015 as the proposal fails to demonstrate that 5% of all parking spaces would be provided with an active electric vehicle charging point with a further 5% having passive provision contrary to the requirements of Policy DMT6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and prior approval is refused under Condition A.2-(1)(a).

INFORMATIVES

2.0 PLANNING CONSIDERATIONS

2.1 Transport and Highways

Policy DMT 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states:

A) Development proposals will be required to meet the transport needs of the development and address its transport impacts in a sustainable manner. In order for developments to be acceptable they are required to:

- i) be accessible by public transport, walking and cycling either from the catchment area that it is likely to draw its employees, customers or visitors from and/or the services and facilities necessary to support the development;
- ii) maximise safe, convenient and inclusive accessibility to, and from within developments for pedestrians, cyclists and public transport users;
- iii) provide equal access for all people, including inclusive access for disabled people;
- iv) adequately address delivery, servicing and drop-off requirements; and
- v) have no significant adverse transport or associated air quality and noise impacts on the local and wider environment, particularly on the strategic road network.

Policy DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) 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 5 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that 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 and that cycle parking and changing facilities are provided.

Policy DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) 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.

Transport for London use as system called PTAL (Public Transport Accessibility Level) to measure access to the public transport network. PTAL assesses walk times to the nearest public transport location taking into account service frequency. The location is then scored between 0 and 6b where 0 is the worst and 6b the best. According to the Transport for London WebCAT service the application site has a PTAL ranking of 3 indicating access to public transport is moderate compared to London as a whole suggesting that there will be some reliance on the private car for trip making.

For a development of this type the maximum number of parking spaces permitted ranges between 1no.space per dwelling and 1.5no. spaces per dwelling, allowing a maximum of between 9no. and 14no. car parking spaces. Taking into account that the site has a reasonable PTAL ranking, and is within convenient access of Yiewsley town centre, the 7no. car parking spaces proposed is considered appropriate. There would be a requirement for each of these parking spaces be allocated to a dwelling, in which case 2no. units would be car free.

However, the Highway Authority are concerned that there is insufficient space for drivers to manoeuvre within the parking area at the rear of the proposed development. Manual for Streets (2007) advises that for perpendicular spaces, the area in front of parking bays should be 6 metres. The proposed development would only provide 5 metres. The Highways Authority are concerned regarding the restricted manoeuvring spaces in the proposed bays which would likely dissuade some residents from using the parking spaces, particularly if they are visiting their home for just a few minutes. This would displace parking on-street injudiciously presenting a risk to road safety, hindering the free flow of traffic and exacerbating parking stress in the locality.

To allay these concerns the Highway Authority asked the applicant to provide swept path drawings showing a car parking in each of the seven spaces. These drawings failed to demonstrate that a driver could safely and conveniently park in each space.

Policy T6.1 of the of the draft London Plan - Intend to Publish (December 2019) states that all residential car parking spaces must provide infrastructure for electric or Ultra-Low Emission vehicles. At least 20 per cent of spaces should have active charging facilities, with passive provision for all remaining spaces. The application as currently submitted does not appear to have any electric vehicles charging points. This is contrary to the Hillingdon Local Plan: Part 2 Development

Management Policies (2020) which requires that 5% of all parking spaces should be provided with an active electric vehicle charging point with a further 5% having passive provision. For this proposal, the Highway Authority would require that 2no. car parking spaces have active electric vehicle charging points with all the remaining spaces having passive provision.

The Hillingdon Local Plan: Part 2 Development Management Policies (2020) Policy DMT 6: Vehicle Parking also requires that one cycle parking space is provided for each dwelling, 10 are proposed which is therefore policy compliant.

Whilst the number of cycle parking spaces proposed is policy compliant the Highway Authority considers that because they would be located at the front of the proposed development they will not be used. The cycle parking spaces in effect are located in the 'front garden' of the proposal immediately abutting the back of footway. In this location bicycles are vulnerable to being tampered with or stolen. The occupiers of the development are likely to consider that the risk of theft is so great that they would be deterred from owning one as they would have nowhere covered and secure to store it.

There are highway objections to this development as it is not in accordance with the Hillingdon Local Plan: Part 2 Development Management Policies (2020) Policy DMT 6: Vehicle Parking. There is insufficient space at the rear of the proposed development for vehicles to manoeuvre into every parking bay particularly when most spaces are occupied. In addition none of the car parking spaces are provided with electric vehicle charging points and the cycle parking provision is neither covered nor secure.

2.2 Air Traffic and Defence

Policy DMAV 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that:

A) The Council will support the continued safe operation of Heathrow Airport and RAF Northolt and will consult with the airport operator on proposals in the safeguarded areas. Proposals that may be a hazard to aircraft safety will not be permitted.

B) In consultation with the Airport Operator, the Council will ensure that:

- i) areas included in Airport Public Safety zones are protected from development which may lead to an increase in people residing, working or congregating in these zones; and
- ii) sensitive uses such as housing, education and hospitals are not located in areas significantly affected by aircraft noise without acceptable mitigation measures.

The application site lies outside of any Airfield safeguarding Zones and no objections have been raised on air traffic and defence grounds through the consultation process.

2.3 Contamination

Policy 5.21 of the London Plan (March 2016) states that appropriate measures should be taken to ensure that development on previously contaminated land does not activate or spread contamination.

Policy DMEI 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that:

A) Proposals for development on potentially contaminated sites will be expected to be accompanied by at least an initial study of the likely contaminants. The Council will support planning permission for any development of land which is affected by contamination where it can be demonstrated that contamination issues have been adequately assessed and the site can be safely remediated so that the development can be made suitable for the proposed use.

B) Conditions will be imposed where planning permission is given for development on land affected by contamination to ensure all the necessary remedial works are implemented, prior to commencement of development.

C) Where initial studies reveal potentially harmful levels of contamination, either to human health or controlled waters and other environmental features, full intrusive ground investigations and remediation proposals will be expected prior to any approvals.

D) In some instances, where remedial works relate to an agreed set of measures such as the management of ongoing remedial systems, or remediation of adjoining or other affected land, a S106 planning obligation will be sought.

The proposal does not give rise to any contamination concerns.

2.4 Flooding

Policy 5.12 of the London Plan (March 2016) requires that development proposals must comply with the flood risk assessment and management requirements set out in the NPPF and the associated technical Guidance on flood risk over the lifetime of the development.

Policy 5.13 of the London Plan (March 2016) states that development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.

Policy EM6 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states that applicants must demonstrate that Flood Risk can be suitably mitigated.

Policy DMEI 9 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that proposals that fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.

Policy DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January

2020) states that development within areas identified at risk from surface water flooding which fail to make adequate provision for the control and reduction of surface water run-off rates will be refused.

The application is not located in Flood Zones 2 or 3 or within a Critical Drainage Area. The proposal would not therefore have any undue flooding implications and the proposal would not be contrary to policy in this regard.

2.5 External Appearance

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.

Paragraph 5.32 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that "high buildings and structures are those that are substantially taller than their surroundings, causing a significant change to the skyline."

The design of the building is such that it would mimic the style and palette of materials of the existing host building, albeit at an increased height. Consideration is therefore required to be given

as to the visual impact of raising the height of the building on the character and appearance of the streetscene.

The application side of Albert Road is characterised by 3 storey buildings with a relatively uniform roof height. Two storey residential properties line the opposite side of Albert Road. The raising of the roof by adding two additional storeys with the associated additional height and bulk would result in a development that would be substantially taller than the surrounding properties, significantly changing the skyline on Albert Road. The proposed development would appear out of keeping with this row of properties and would represent a discordant addition to the streetscene in conflict with the requirements of Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB11; DMHB12 and DMHD1 of the Hillingdon Local plan - Part Two (2020).

2.6 Provision of Natural Light

Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that all housing development should provide an appropriate living environment.

Class A requires that the provision of adequate natural light in all habitable rooms of the new dwellinghouses is demonstrated. The submitted plans confirm that the layout would mirror the layout of the development on lower floors with all bedrooms and living rooms receiving adequate outlook and natural light with either front or rear facing windows.

The exception to this is the provision of light and outlook to the kitchens in flats 76A and 76C which do not have any windows to allow light or outlook. As such the proposal fails to provide acceptable levels of light to the occupants of the two flats contrary to the requirements of Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

2.7 Impact on Amenity

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.

Paragraph 5.38 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states: "The Council will aim to ensure that there is sufficient privacy for residents and it will resist proposals where there is an unreasonable level of overlooking between habitable rooms of adjacent residential properties, schools or onto private open spaces. A minimum of 21 metres separation distance between windows of habitable rooms will be required to maintain levels of privacy and to prevent the possibility of overlooking. In some locations where there is a significant difference in ground levels between dwellings, a greater separation distance may be necessary."

Paragraph 5.40 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states: "For the purposes of this policy, outlook is defined as the visual amenity enjoyed by

occupants when looking out of their windows or from their garden. The Council will expect new development proposals to carefully consider layout and massing in order to ensure development does not result in an increased sense of enclosure and loss of outlook."

Paragraph 5.41 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states: "The Council will aim to minimise the impact of the loss of daylight and sunlight and unacceptable overshadowing caused by new development on habitable rooms, amenity space and public open space. The Council will also seek to ensure that the design of new development optimises the levels of daylight and sunlight. The Council will expect the impact of the development to be assessed following the methodology set out in the most recent version of the Building Research Establishments (BRE) "Site layout planning for daylight and sunlight: A guide to good practice".

The properties opposite the application site at Numbers 59 and 61 Albert Road are two storey Victorian semi-detached houses with front facing bay windows serving habitable rooms. There is a separation distance of approximately 13m between the front wall of the neighbouring properties and the application property. The addition of two storeys to the application building would result in an overly dominant form of development which would detract from both the natural light levels and the level of outlook available to the occupants of Numbers 59 and 61 Albert Road, resulting in an unacceptable loss of amenity, in conflict with Policy DMHB11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

2.8 Impact on Protected View

The application site is not located within close proximity to any protected view identified in the Directions Relating to Protected Vistas dated 15th March 2012(a) issued by the Secretary of State.

2.9 Consultee Comments

Highways Officer - Objection.

Contaminated Land Officer - No objection.

Flood and Water management - No objection.

MOD - No Objections.

Civil Aviation Authority - No comments received.

3.0 RELEVANT PLANNING HISTORY

33654

Pre Corres Tp

33654/APP/2009/321 68 ALBERT ROAD YIEWSLEY

Change of use from Class B1 (Office) to Class C3 (Use as a studio flat) to include a single storey front extension and alterations to windows and doors at side.

Decision: 21-04-09 Approval

33654/APP/2008/2891 68 ALBERT ROAD YIEWSLEY

Change of use from Class B1 (Office) to Class C3 (Use as a studio flat).

Decision: 19-12-08 Refusal (P)

33654/K

Enforcement Car Park Being Used For Car Repairs.

33654/J

T/P Precorres (Conversion Of Two Parking Areas Into An Office)

33654/H

T/P Precorres (Parking)

33654/G/87/1523 68-76 ALBERT ROAD

Approval of materials in comp with cond 2 of p/p dated 4/7/86

Decision: 06-01-88 Approval

33654/C/85/1581 68-76 ALBERT ROAD

Erection of 3-storey building containing offices & 4 flats

Decision: 04-07-86 Approval

33654/B/85/1376 68-76 ALBERT ROAD

Retail development - 215sq.m. (Full)(P)

Decision: 15-11-85 Approval

33654/A/84/0013 68-76 ALBERT ROAD

Mixed dev. on 0.7000 hectares (full)(P)

Decision: 31-07-84 Refusal (P)

74734/APP/2019/1166 68 ALBERT ROAD YIEWSLEY

Conversion of undercroft into storage (retrospective)

Decision: 24-06-19 Approval

- 3.1 It is noted that planning permission was recently granted under planning application reference 74734/APP/2019/1166 for the Conversion of undercroft into storage (retrospective).

4. ADVERTISEMENT AND SITE NOTICE

4.1 Advertisement Expiry Date: Not applicable

4.2 Site Notice Expiry Date: Not Applicable

5.0 PLANNING POLICES AND STANDARDS

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

1. PT1.BE1 (2012) Built Environment

(2012) Built Environment

Part 2 Policies:

1. DMEI 12 Development of Land Affected by Contamination

Development of Land Affected by Contamination

2. DMEI 9 Management of Flood Risk

Management of Flood Risk

3. DMHB 11 Design of New Development

Design of New Development

4. **DMHB 12 Streets and Public Realm**

Streets and Public Realm

5. **DMHB 16 Housing Standards**

Housing Standards

6. **DMHD 1 Alterations and Extensions to Residential Dwellings**

Alterations and Extensions to Residential Dwellings

7. **DMT 2 Highways Impacts**

Highways Impacts

8. **DMT 6 Vehicle Parking**

Vehicle Parking

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