

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, Building Control, Sport & Green Spaces**

Address 11 WARWICK ROAD WEST DRAYTON

Development: Extension to existing offices at ground floor and creation of two additional floors to create 4 x 1-bed self-contained flats with associated parking.

LBH Ref Nos: **9746/APP/2017/3485**

Drawing Nos: PL 09
 PL 07
 PL 08
 PL 03
 PL 01A
 PL 02
 PL 10A
 PL 04A
 PL 05
 PL 06A
 Design & Access Statement

Date Plans received : 12/10/2017

Date(s) of Amendment(s):

Date Application Valid: 12/10/2017

1. SUMMARY

The application seeks planning permission for the erection of an extension to existing offices at ground floor and creation of two additional floors to create 4 x 1-bed self-contained flats with associated parking. Whilst the principle of redevelopment of the site is acceptable, the proposal is considered to be unacceptable by virtue of the design, scale and bulk of the proposal as well as the impact on the amenity of the adjacent property.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed extended building, by virtue of its excessive, height, scale and bulk would result in a cramped overdevelopment of the site, which would be visually incongruous and overdominant, therefore failing to harmonise with the established character of the surrounding area. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE19, BE21 and BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5 and 7.4 of the London Plan (2016) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

2 NON2 Non Standard reason for refusal

The proposed extended building, by virtue of its excessive, height, scale and bulk would result in an unacceptably oppressive and overbearing form of development which would result in an unacceptable loss of light and outlook to the occupants of Number 9 Warwick Road. As such the proposal would result in an unneighbourly form of development in conflict with policies BE19, BE20 and BE22 of the Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012).

INFORMATIVES

1 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 saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

2 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).

3 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) 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.

AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.5	(2016) Quality and design of housing developments
NPPF	National Planning Policy Framework

4

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 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service. This is a resubmission of a previously refused scheme and an application for pre-application advice, where the Officers Reports identified issues to be addressed, which were reflected in the reasons for refusal, allowing the opportunity to address those issues within this submission.

3. CONSIDERATIONS

3.1 Site and Locality

The application site consists of a range of single storey commercial buildings constructed of brick and concrete panel under sheet concrete roof coverings. The buildings are of no special architectural merit. To the South of the site is a terrace of four Victorian terraced properties which front Warwick Road. To the North lies a site which is being redeveloped to a 4 storey flatted building under reference 65480/APP/2015/1862. Opposite the site is a site being redeveloped to a part single, two, three and 4 storey building to provide 23 residential units under reference 18218/APP/2013/2183.

The site lies within the Hayes/West Drayton Corridor as identified within the Hillingdon Local Plan Part 2.

3.2 Proposed Scheme

The application seeks planning permission for the erection of an extension to existing offices at ground floor and creation of two additional floors to create 4 x 1-bed self-contained flats with associated parking.

3.3 Relevant Planning History

9746/APP/2012/3000 11 Warwick Road West Drayton

Demolition of existing buildings and redevelopment of site for residential (Outline application for layout and scale with access, appearance and landscaping reserved).

Decision: 28-01-2013 Refused

9746/PRC/2017/49 11 Warwick Road West Drayton

Retain existing commercial and extend above to add 4 x 1 bed apartments.

Decision: 25-05-2017 OBJ

Comment on Planning History

An application for pre-application advice was submitted under application reference 9746/PRC/2017/49 for the retention of the ground floor commercial use and extend above to add 4 x 1 bed apartments. The conclusion of the pre-application advice was:

"Whilst the principle of redevelopment of the site is acceptable, the proposal is considered to be unacceptable by virtue of the design, scale and bulk of the proposal as well as the impact on the amenity of the adjacent property. Furthermore not all flats meet the London Plan Minimum Space standards indicating that the future residents of the flats would not achieve a satisfactory living environment."

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

Highways Officer -

Warwick Road is a local road and the site has a PTAL value of 3 (moderate) which suggests there will be a reliance on private cars for trip making. The site currently has a B1 use and there is angled car parking along the Warwick Road frontage for as many as 5 cars. There is also a side access road to the property. There are nearby parking restrictions in place as not all properties have off-street car parking available. The site has previously been the subject of a pre-app for a similar style of development where it was suggested that 7 car parking spaces should be provided on site to satisfy the demands of existing B1 use and the new flats. The proposals involve constructing another storey above the B1 use to create 4 x 1bed flats. This development would create additional traffic but it would not be significant in the area. There are 6 car parking spaces provided on-site with 2 allocated for the B1 use and 1 space for each flat. The car parking provision is 1 space less than that suggested at pre-app but this discrepancy would not sustain an appeal. Two of those spaces should be for EV charging (active) and another 2 be passively wired for EV charging (conditioned). There should be 4 secure covered cycle parking spaces for the residential use and 4 secure covered cycle parking spaces for the B1 use which are shown on the plans. There is a refuse bin store provided for the residential use in the ground floor plans. On the basis of the above comments I would have liked to see another car parking space on the site to satisfy the demands of the existing B1 use. I doubt if this would be sufficient to sustain an appeal on its own. On that basis I do not have significant highway concerns over this application.

Access Officer - No comments.

6. UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM14 New development and car parking standards.

AM7 Consideration of traffic generated by proposed developments.

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

BE19 New development must improve or complement the character of the area.

BE20 Daylight and sunlight considerations.

BE21 Siting, bulk and proximity of new buildings/extensions.

BE22 Residential extensions/buildings of two or more storeys.

BE23 Requires the provision of adequate amenity space.

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.5	(2016) Quality and design of housing developments
NPPF	National Planning Policy Framework

In addition:

7. MAIN PLANNING ISSUES

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

Policies BE20, BE21 and BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) give advice that buildings should be laid out so that adequate daylight and sunlight can penetrate into and between them, and the amenities of existing houses are safeguarded.

Policies BE23 and BE24 of the Hillingdon Local Plan (Part Two) stress the importance of new buildings and extensions providing adequate amount of external amenity space, that not only protects the amenity of the occupants of the proposed development, but also of those of the surrounding buildings, as well as protecting both parties privacy.

The Council's adopted HDAS SPD: Residential Layouts (July 2006) specifies in paragraph 4.9 that where a two or more storey building abuts a property or its garden, a minimum acceptable distance of 15 m should be maintained, so as to overcome possible over-domination, overbearing and overshadowing. Paragraph 4.11 of the HDAS SPD specifies that the Council's 45 degree principle will be applied and is designed to ensure that adequate daylight and sunlight is enjoyed in new and existing dwellings. The principle involves drawing a line from the mid-point of an existing/new window that is potentially affected by a new dwelling at an angle of 45 degrees towards the new building. Paragraph 4.12 of the HDAS SPD specifies that new residential development should be designed so as to ensure adequate privacy for its occupants and that of the adjoining residential property. It gives advice that the distance should not be less than 21 m between facing habitable room windows.

The adjacent two storey terraced property at Number 9 Warwick Road has rear facing windows serving habitable rooms and bathroom windows in its side elevation. The building has been designed to ensure that the main mass of the building would not breach the 45 degree line from the centre point of the rear facing window serving the habitable room at Number 9 Warwick Road. It is noted that the projecting windows and 1.7 m high privacy screening to the rear facing terrace would however breach this 45 degree line, demonstrating that the additional height and bulk of the building would result in an unacceptably oppressive and overbearing form of development which would result in an unacceptable loss of light and outlook to the occupants of Number 9 Warwick Road. As such the proposal would result in an unneighbourly form of development in conflict with policies BE19, BE20 and BE22 of the Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012).

The submitted plans indicate that the side facing windows would be obscure glazed and fixed shut which, in the event of an approvable scheme, could be conditioned to ensure that there was no unacceptable loss of privacy in accordance with Policy BE24 of the Local Plan.

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 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'. In addition, Policy BE13 of the Hillingdon Local Plan (November 2012) acknowledges that 'development will not be permitted if the layout and appearance fail to harmonise with the existing street scene'. The emphasis placed on the impact of a development upon the character of the surrounding area is further emphasised under Policy BE19 of the Hillingdon Local Plan (November 2012), which recognises that 'The Local Planning Authority will seek to ensure that new development within residential areas complements or improves the amenity and character of the area'. Paragraph 4.14 of the Residential Layouts HDAS SPD specifies that developments should incorporate usable, attractively laid out and private garden space conveniently located in relation to the property or properties it serves. It should be of an appropriate size, having regard to the size of the dwelling and character of the area. Paragraph 4.27 of the HDAS SPD gives advice that building lines within a new development should relate to the street pattern of the surroundings whilst the height of the development is best determined by reference to the proportions, siting and lines of surrounding buildings.

On Warwick Road, there is a mixed height and form of building with the two storey terraced housing to the South, and 3 storey building opposite with a 4 storey building under construction to the North. The applicant considers that the building height (9.25 m) is designed to relate to the neighbouring Victorian property and not overpower it, whilst also fitting within the larger masses of the new build development on the remaining boundaries. Concerns were raised during consideration of the pre-application submission that the overall scale, height and bulk of the building (especially the eaves height) would dominate the adjacent Victorian terrace. This current submission is for a taller building in that the flat roof would project 0.8

m above the ridge of the adjacent terrace with the eaves being sited 3 m above the eaves of the adjacent terraced property at Number 9 Warwick Road. As such the proposal would result in a cramped overdevelopment of the site, which would be visually incongruous and overdominant, therefore failing to harmonise with the established character of the surrounding area. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE19, BE21 and BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5 and 7.4 of the London Plan (2016) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

7.3 Traffic Impact/Pedestrian Safety

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety. Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that all development is in accordance with the Council's adopted Car Parking Standards.

Warwick Road is a local road and the site has a PTAL value of 3 (moderate) which suggests there will be a reliance on private cars for trip making. The site currently has a

B1 use and there is angled car parking along the Warwick Road frontage for as many as 5 cars. There is also a side access road to the property. There are nearby parking restrictions in place as not all properties have off-street car parking available. The Highways Officer has advised that This development would create additional traffic but it would not be significant in the area. There are 6 car parking spaces provided on-site with 2 allocated for the B1 use and 1 space for each flat. The car parking provision is 1 space less than that suggested at pre-app but this discrepancy would not sustain an appeal. Two of those spaces should be for EV charging (active) and another 2 be passively wired for EV charging (conditioned). There should be 4 secure covered cycle parking spaces for the residential use and 4 secure covered cycle parking spaces for the B1 use (conditioned). The proposal is therefore, on balance, and subject to appropriate conditions in the event of an approvable scheme, considered acceptable in accordance with Policies AM7 and AM14 of the Hillingdon Local Plan - Saved UDP Policies (November 2012).

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 one bedroom, two person flat is required to provide 50 square metres of floorspace which all 4 x flats would comply with.

Policy BE23 of the Hillingdon Local Plan (November 2012) 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' The submitted plans indicate that each of the four flats would be provided with a balcony which would be of sufficient size to accommodate a small table and chairs. It is considered that the proposed outdoor amenity space provision would meet the requirement of Policy BE23 in this location.

7.6 Other Issues

Principle of Development

The site is located in a built up area of West Drayton and the proposal retains the ground floor use of the building. Therefore the principle of the erection of new dwellings is considered to be acceptable, providing it adheres to the relevant planning policies and guidance within the local and national planning policy framework.

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate. The proposal would not result in the loss of any landscaping features on the site. In the event of an approvable scheme, landscaping conditions would be imposed to mitigate against the impact of the development.

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 £35 per sq metre.

Presently calculated the amounts would be as follows;

LBH CIL £27,244.56

London Mayoral CIL £10,667.62 plus £587.62

Total CIL £38,499.80

8. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)
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)
Hillingdon Design and Accessibility Statement: Residential Layouts
Hillingdon Design and Accessibility Statement: Residential Extensions
Hillingdon Design and Accessibility Statement: Accessible Hillingdon
National Planning Policy Framework

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