

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 49 APPLE TREE AVENUE YIEWSLEY

Development: Part single; part two storey side and rear extension (following demolition of existing ground floor side extension) to form an attached dwellinghouse; demolition of side and rear outbuildings; sub-division of the rear to form private amenity space; hard and soft landscaping; car parking; boundary treatment and cycle and refuse storages.

LBH Ref Nos: **38364/APP/2021/3545**

Drawing Nos: 4536/01
4536/03
Site Location Plan
Design and Access Statement
4536/02

Date Plans received : 20/09/2021

Date(s) of Amendment(s):

Date Application Valid: 20/09/2021

1. SUMMARY

This application site comprises a prominent end of terrace two-storey dwelling sited within a wide (towards the front) triangular plot on the western side of Apple Tree Avenue.

The area to the side of the host dwelling is largely hard surfaced to which the proposal would construct an attached part single; part two storey side/rear extension to form a two bedroom dwelling.

A recent application was refused for a very similar proposal - 38364/APP/2021/2253. The noticeable and very minor changes compared to the previous scheme relate to the altered parking arrangements including provision of 3 spaces instead of 4.

Concerns as per the previous refusal would still stand, largely on character and appearance grounds and neighbouring amenity impact to the occupiers of no.16A Birch Avenue.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed dwelling, by reason of its size, scale, bulk, height, width and design in this open prominent position, would fail to appear as a subordinate addition and would fail to harmonise with the architectural composition of the original dwelling, would be detrimental to the character, appearance and symmetry of the the small terrace of dwellings of which it forms a part and to the visual amenities of the street scene and the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policies D4 and D8 of the London Plan (2021).

2 NON2 Non Standard reason for refusal

The proposed development, by virtue of its size, scale, bulk, design and proximity, would be detrimental to the amenities of the adjoining occupier at 16A Birch Avenue by reason of overdominance, visual intrusion and loss of outlook. Therefore the proposal would be contrary to policies Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

INFORMATIVES

1 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.

2 I74 Community Infrastructure Levy (CIL) (Refusing Consent)

This is a reminder that Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), should an application for appeal be allowed, the proposed development would be deemed as 'chargeable development' and therefore liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This would be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. For more information on CIL matters please visit the planning portal page at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

3. CONSIDERATIONS

3.1 Site and Locality

This application site comprises a prominent end of terrace two-storey dwelling sited within a wide (towards the front) triangular plot on the western side of Apple Tree Avenue.

The existing dwelling has a single storey side and rear extension including a front porch. The area to the side (north) is largely hardsurfaced and accommodates parking (although storage) Infront of a side outbuilding structure. There is also a rear outbuilding.

There are some attractive trees within side/rear boundaries, although none of which are protected by a Tree Protection Order (TPO). The host dwelling has a low front boundary wall (in front of the dwelling) with the side (cornered element) having a high boundary fence. There is a pavement crossover (with grass verges adjacent) that provides a form of vehicular access but there is the high closed boundary fence along the front boundary. Historically, the site frontage accommodated accessible parking.

The properties within the immediate stretch (on both sides of the road) are very similar in their form, proportion and appearance. The built form comprises terrace rows with semi-detached pairs in between. The immediate corner plots of which the host site forms integral to - no.15, 16a, 17 and 18 Birch Avenue are similar triangular plots of which tend to have a sufficient gap between the side boundaries which helps define the area and

provides a characteristic break up in built form and massing. Some properties have ground floor side additions. No.7 Apple Tree Avenue, whilst closer to the boundary has a form of separation - but this close nature is historic but still contributes to the open character of these prominent corner plots.

The land levels appear relatively flat. The site is within a critical drainage area. There are no other policy or heritage constraints on site.

3.2 Proposed Scheme

The application seeks planning permission for:

- Part single; part two storey side and rear extension (following demolition of existing ground floor side extension) to form an attached two bedroom (2b 3p) dwellinghouse;
- Demolition of side and rear outbuildings;
- Sub-division of the rear to form private amenity space for both host and proposed dwellings;
- Hard and soft landscaping;
- Car parking for host (2 spaces) and new dwelling (1 space);
- Boundary treatment which includes removal of front fence panel ; and
- Cycle and refuse storages.

A recent application (see history section) was refused. The following changes, which are very minor, are noted:

- Reduction in side hardstanding with more soft landscaping in the form of private amenity space for the occupiers of new dwelling;
- Altered parking layout including reduction from 4 to 3 spaces;
- Re-located bin storage for occupiers of new dwelling from side boundary to front of new dwelling; and
- Internal alterations to enlarge double bedroom.

The proposed site plan (4536/01) has indicate part of the rear building outline of no.16a Birch Avenue.

3.3 Relevant Planning History **Comment on Planning History**

38364/APP/2021/2253 - Erection of part two storey, part single storey, two bedroom attached dwelling house with associated parking - Refused 05/08/2021 for the following reasons:

1. The proposed dwelling, by reason of its size, scale, bulk, height, width and design in this open prominent position, would fail to appear as a subordinate addition and would fail to harmonise with the architectural composition of the original dwelling, would be detrimental to the character, appearance and symmetry of the small terrace of dwellings of which it forms a part and to the visual amenities of the street scene and the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policies D4 and D8 of the London Plan (2021).

2. The proposal fails to provide a double bedroom of sufficient size 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 D6 and Table 3.1 of

the London Plan (2021), the Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016) and the Technical Housing Standards - Nationally Described Space Standard (March 2015).

3. The proposed development, by virtue of its size, scale, bulk, design and proximity, would be detrimental to the amenities of the adjoining occupier at 16A Birch Avenue by reason of overdominance, visual intrusion and loss of outlook. Therefore the proposal would be contrary to policies Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

4. The proposal results in additional parking in excess of this Council's maximum adopted parking standards. As such the proposal represents an unsustainable form of development, which conflicts with Policy T6 of the London Plan (2021) by encouraging the use of the private car.

38364/APP/2019/995 - First floor side/rear extension - Refused 04/06/2019 for the following reasons:

1. The proposed extension by reason of its size, scale, bulk, height, width, design and roof form in this open prominent position, would fail to appear as a subordinate addition and would fail to harmonise with the architectural composition of the original dwelling, would be detrimental to the character, appearance and symmetry of the small terrace of dwellings of which it forms a part and to the visual amenities of the street scene and the surrounding area. Therefore the proposal would be 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 - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

2. The proposed first floor side/rear extension, by virtue of its size, scale, bulk, design and proximity, would be detrimental to the amenities of the adjoining occupier at 16A Birch Avenue by reason of overdominance, visual intrusion and loss of outlook. Therefore the proposal would be contrary to policies BE19 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

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

22 neighbouring properties were consulted by letter dated 04/10/2021.

No comments were received.

Planning Specialist Team - Access Officer -

No accessibility concerns are raised in respect of this proposed new dwelling house, however, the following conditions should be attached to any approval:

Prior to works commencing, details of step free access via the principal private entrance, and all other points of entry and exit, shall be submitted to, and approved in writing, by the Local Planning Authority. Such provision shall remain in place for the life of the building.

REASON: To ensure that an appropriate standard of housing stock, in accordance with the 2021 London Plan policy D7 is achieved and maintained.

The dwelling hereby approved shall accord with the requirements of Policy D7 of the London Plan, and shall not be occupied until certification of compliance with the technical specifications for an M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, has been submitted to, and approved in writing, by the Local Planning Authority. All such provisions must remain in place for the life of the building.

REASON: To not only allow the Building Control body to require the development to comply with the optional Building Regulations standards, but to also ensure the appropriate quantity and standard of accessible and adaptable housing is constructed and maintained in accordance with Policy D7 of the London Plan.

This submission follows the refusal of application ref. 38364/APP/2021/2253 and has an amended site layout.

No trees of merit will be affected by the proposal.

The current site layout plan has been amended to provide three designated parking spaces, instead of the previous proposal for four. While the manoeuvring space has been significantly reduced it remains large enough to accommodate several additional off-street parked cars. -

The single space adjacent to the extension will prove difficult to reverse out of, if the other two spaces are occupied.

Ideally the two spaces should be marginally re-located off the boundary to permit hedge planting along the site frontage. Otherwise the external layout is an improvement, presenting more space and opportunity for soft landscape enhancement.

No objection subject to the above comments and pre-commencement hard and soft landscaping conditions.

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 2 Housing Mix

DMH 4 Residential Conversions and Redevelopment

DMH 6 Garden and Backland Development

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 16	Housing Standards
NPPF2	NPPF 2021 - Achieving sustainable development
DMEI 9	Management of Flood Risk
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
NPPF14	NPPF 2021 - Meeting the challenge of climate change flooding
DMHB 18	Private Outdoor Amenity Space
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes
DMHD 1	Alterations and Extensions to Residential Dwellings
NPPF6	NPPF 2021 - Building a strong, competitive economy
NPPF9	NPPF 2021 - Promoting sustainable transport
LPP GG2	(2021) Making the best use of land
LPP GG4	(2021) Delivering the homes Londoners needs
LPP H1	(2021) Increasing housing supply
LPP H2	(2021) Small sites
LPP H10	(2021) Housing size mix
DMT 2	Highways Impacts
LPP D3	(2021) Optimising site capacity through the design-led approach
DMT 6	Vehicle Parking
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP T5	(2021) Cycling
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP D8	(2021) Public realm
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking

In addition: Development Plan:

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)
The Local Plan: Part 2 - Development Management Policies (2020)
The Local Plan: Part 2 - Site Allocations and Designations (2020)
The West London Waste Plan (2015)
The London Plan (2021)

Material Considerations:

The National Planning Policy Framework (NPPF) (2021) is also a material

consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

7. MAIN PLANNING ISSUES

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

Policy DMHB 11 of the Hillingdon Local Plan: Part Two states 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. Furthermore the policy stresses 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 host plot shares the common boundary to no.14, 16 and 16a Birch Avenue (north) of which comprise a two-storey terraced row of properties. The subject plot where the new dwelling would sit would attach onto the host dwelling (no.47) which attaches onto no.49 Apple Tree Avenue (south). To the rear (west) are the semi-detached two-storey pairs of no.42 and 44 Pear Tree Avenue although the rear garden no.14 Birch Avenue separates the boundaries.

As previously assessed (38364/APP/2021/2253), concerns were raised during consideration of the application for householder extensions to the dwelling (38364/APP/2019/995), that the proposal would result in an overbearing outlook to the occupants of adjacent number 16A Birch Avenue, which was located less than 15m away. In this case, the two storey element would still be sited 11m away from the side boundary (taken from the centre of the proposed dwelling) which would still be less than 15m and is not considered to be a sufficient separation between the flank wall and the rear elevation of Number 16A Birch Avenue to ensure that there would not be an undue loss of outlook. Thus the proposed development would result in the extended flank wall spanning the whole width of rear of no. 16a Birch Avenue at a distance of less than 15m. This would be overly dominant and detrimental to the amenity of the occupiers of the neighbouring property.

Despite its considerable scale, the proposed side/rear extension would not result in an unacceptable loss of amenity to occupants of the adjoining property at Number 47 Apple Tree Avenue and no.49 Apple Tree Avenue (host dwelling) . The submitted plans confirm that the 45 degree line would not be breached from first floor windows.

As such, the proposed siting of the new dwelling in particular the first floor side/rear extension element, by reason of its size, design and proximity, would result in an overly dominant feature to No. 16A Birch Avenue, and as such would result in a visually intrusive and an un-neighbourly form of development, resulting in a material loss of residential amenity.

7.2 Impact on Street Scene

The NPPF (2021) notes the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this.

Policy D1 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 D4 of the London Plan states developments 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.

The Hillingdon Local Plan: Part One Strategic Policy BE1 seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) advises that all development will be required to be designed to the highest standards and incorporate principles of good design. It should take into account aspects including the scale of the development considering the height, mass and bulk of adjacent structures; building plot sizes and established street patterns; building lines and streetscape rhythm and landscaping. It should also not have an adversary impact on the amenity, daylight and sunlight of adjacent properties and open space.

Policy DMHD 1 requires that alterations and extension of dwellings would not have an adverse cumulative impact on the character and appearance of the street scene, and should appear subordinate to the main dwelling. It also required that there is no unacceptable loss of outlook to neighbouring occupiers.

This application site comprises a prominent end of terrace two-storey dwelling sited within a wide (towards the front) triangular plot on the western side of Apple Tree Avenue. The existing dwelling has a single storey side and rear extension including a front porch. The area to the side (north) is largely hardsurfaced and accommodates parking (although storage) in front of a side outbuilding structure. There is also a rear outbuilding. There are some attractive trees within side/rear boundaries, although none of which are protected by a Tree Protection Order (TPO). The host dwelling has a low front boundary wall (in front of the dwelling) with the side (cornered element) having a high boundary fence. There is a pavement crossover (with grass verges adjacent) that provides a form of vehicular access but there is the high closed boundary fence along the front boundary.

The properties within the immediate stretch (on both sides of the road) are very similar in their form, proportion and appearance. The built form comprises terrace rows with semi-detached pairs in between. The immediate corner plots of which the host site forms integral to - no.15, 16a, 17 and 18 Birch Avenue are similar triangular plots of which tend to have a sufficient gap between the side boundaries which helps define the area and provides a characteristic break up in built form and massing. Some properties have ground floor side additions. No.7 Apple Tree Avenue, whilst closer to the boundary has a form of separation - but this close nature is historic but still contributes to the open character of these prominent corner plots.

The proposal seeks to enclose the side gap, as previously proposed under ref. 38364/APP/2021/2253. The proposed massing of the new dwelling would be identical its form, proportion and appearance including design as previously refused. The only amendments relate to the parking alterations to the front and associated landscaping (as listed in the proposal section).

The starting point is realising and understanding the site constraints and then appropriately arranging the site layout. It is important when arranging the site layout that the building and associated arrangements are proportionately integrated and well

considered. In this case and as already established in the previously refused scheme, the proposed building would be squeezed into a prominent and open parcel of land which as a result, due to the characteristic corner gaps would fail to appear as a subordinate and proportionate addition - as per the first refusal reason. Officers considered that due to the siting, size, scale, bulk, height, width and overall design that the proposal would fail to harmonise with the architectural composition of the original dwelling, would be detrimental to the character, appearance and symmetry of the small terrace of dwellings of which it forms a part and to the visual amenities of the street scene and the surrounding area.

Gaps between dwellings perform an important function in both adding to the character of a street and its dwellings and allowing glimpsed views through. It is appreciated that the host plot has a wider frontage (and over plot) in comparison to the immediate corner plots - no.15, 16a, 17 and 18 Birch Avenue. Furthermore, noting the existing side/rear extension, it is appreciated that the total width of expansion compared to the existing side extension would be approx. 2m (at two-storey level). A side addition would be formed (serving a kitchen) to the new proposed dwelling which would be approx. 3.5m wider. Whilst noting these characteristic corner plots of reference have side ground floor extensions, the proposal to construct a wider first floor side extension alongside projecting to the rear and further at ground level (to the side) would result in the unacceptable enclosing of this prominent, open and characteristic gap that defines the character and appearance of these corner plots. Due to the wider site frontage, officers appreciate a form of gap would be retained (notably at first floor level) by the proposal but officers consider the general siting coupled up with the enclosing and height, width and depth of the addition would wholly damage the character and appearance of the host plot, surrounding corner plots and visual amenities of the streetscene. The proposal would harmfully reduce this gap when viewed from a number of public angles.

Policy DM HD 1 of the Local Plan would apply for this proposal as the new dwelling, through extensions, would attach onto the host dwelling. By reason of the combined height, width and especially depth of the projection, the proposed extensions (dwelling) would appear overly disproportionate and bulky. This would have a negative impact on the uniform terrace block of which it forms part of. The combined height, width and depth alongside the bulk would be identical to the previously refused scheme whereby officers considered the development to be wholly unacceptable.

In terms of appearance of the new dwelling, whilst architecturally the proposal would not be overly intrusive in its design form, the general infill nature as proposed would constitute inappropriate development that would appear bulky, dominant and disproportionate. This enclosing would result in the visual damage of the building being seen from the context.

The materials would be similar to the host dwelling and whilst positive, this would not outweigh the harm identified.

With regards to the hard and soft landscaping, it is considered all boundary treatment and associated surfacing could be acceptable in principle. The submitted site plan is very basic and had the scheme been considered acceptable, a pre-commencement condition requesting full details of landscaping and maintenance would have been attached. The provision/retention of soft landscaping to the northern corner of the plot compared to the previously refused scheme would be an improvement (purely in terms of greenery) but would not outweigh the harm the presence of the attached dwelling would cause.

The associated cycle and refuse storage would be of an appropriate size within the site. As above, full details would have been requested through an attached pre-commencement hard/soft landscaping condition.

As such, despite the backdrop need of family housing, the proposed dwelling, by reason of its size, scale, bulk, height, width and design in this open prominent position, would fail to appear as a subordinate addition and would fail to harmonise with the architectural composition of the original dwelling, would be detrimental to the character, appearance and symmetry of the small terrace of dwellings of which it forms a part and to the visual amenities of the street scene and the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policies D4 and D8 of the London Plan (2021).

7.3 Traffic Impact/Pedestrian Safety

Policy DMT 2 (Highways Impacts) states development proposals must ensure that:

- 1) safe and efficient vehicular access to the highway network is provided to the Council's standards;
- 2) they do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents;
- 3) safe, secure and convenient access and facilities for cyclists and pedestrian are satisfactorily accommodated in the design of highway and traffic management schemes;
- 4) 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
- 5) 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:

- 1) the variance would not lead to a deleterious impact on street parking provision, congestion or local amenity; and/or
- 2) 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 surrounding roadways are devoid of parking controls and neighbouring properties exhibit some degree of on-plot parking provisions. The site exhibits a Public Transport Accessibility Level (PTAL) of 2 which is considered as poor and as such heightens dependency on the ownership and use of private motor transport.

Car Parking -

The maximum parking standards outlined in the London Plan Table 10.3: Outer London PTAL 2-3, 1-2 beds it is up to 0.75 space per dwelling and up to 1 space per 3 or more bed dwelling, as well as 1 cycle space/bed.

The previous scheme was refused on the basis of overprovision of parking (4 spaces in total). The resubmission has proposed 1 parking space for the new dwelling and allocated parking of two spaces for the occupiers of the host dwelling.

In terms of provision, the proposed parking on site for the new dwelling would be acceptable and the provision of two spaces for the host dwelling (whilst an overprovision for this host dwelling), on balance, would be acceptable in terms of quantum and provision.

Vehicular Crossover -

The pavement directly adjacent to the host dwelling is very wide and has an existing crossover with grass verges either side. It is noted historically that the site frontage accommodated accessible parking through the crossover. However, there is a large boundary fence covering the front of the site although it is noted some cars are stored to the side of the host dwelling. The usage of the existing crossover and removal of the boundary fence is considered to be acceptable in principle.

The parking bays would be appropriately sized (4.8m x 2.4m) and would be well separated from each other to avoid manoeuvring problems.

Had the scheme been considered acceptable, the pre-commencement hard and soft landscaping condition would have required full details of visibility splays ensuring any boundary treatment within the splays is less than 0.6m in height.

Electric Vehicle Charging Point (EVCP) Provision -

In line with the London Plan (2021), within any final parking quantum there is a requirement for a minimum 20% 'active' EVCP provision with all remaining spaces being designated as 'passive' provisions. In this case, each flat should incorporate 1 'active' space in order to future proof for anticipated demand. Details of EVCP would have been sought through the pre-commencement hard/soft landscaping condition.

Vehicular Trip Generation -

As a consequence of the relatively small 'single tenure' scale of development, any vehicular trip generation uplift is predicted to be negligible and therefore does not raise any specific highway concerns.

Operational Refuse Requirements -

Refuse collection would be undertaken from Apple Tree Avenue.

In order to conform to the Council's 'waste collection' maximum distance collection parameter of 10m i.e. distance from a refuse vehicle to the point of collection, arrangements should ensure that waste is positioned at a collection point within this set distance.

The proposed timber refuse storages would be positioned to the front of the site which therefore conforms to the above standard. Full details would have been requested through the pre-commencement hard/soft landscaping condition.

Cycle Parking Provision -

A timber cycle storage accommodating 2 spaces for the occupiers of the new dwelling would be sited within the side garden. The siting and size would be acceptable. No details have been provided for the occupiers of the host dwelling. Had the scheme been considered acceptable, details would have been sought through the pre-commencement hard/soft landscaping condition.

As such, the proposal, subject to conditions and on balance, has addressed the previous concerns of overprovision parking (refusal reason 4) and would now be acceptable from a highway and pedestrian safety point of view.

7.4 Carparking & Layout

See above.

7.5 Urban Design, Access and Security Considerations

Policy DMHB 1 (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.

The two-storey dwelling which would be 2b 3p would require a minimum GIA over two floors of 70sqm to which the proposed 71.5sqm would be sufficient. A storage area at ground level would be provided. The existing dwelling, on balance, would retain sufficient internal floor area despite losing its single storey side extension to the proposed new dwelling.

The previous scheme was refused (refusal reason 2) on the basis of the rear double bedroom being less than the required 11.5sqm floor area. As part of this scheme, the internal layout at first floor has been amended so that the front bedroom is approx. 8sqm (1 person) and the rear bedroom is approx. 11.6sqm (2 persons). This internal layout would be acceptable and would address refusal reason 2.

The new unit would be dual aspect which is positive.

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 5.3: Private Outdoor Amenity Space Standards.

The host dwelling is 2 bedrooms (as existing) and would retain approx. 63sqm of useable rear private amenity space which would be acceptable. Furthermore, the rear amenity for the new dwelling of 2 bedrooms would be approx. 62sqm which would be acceptable. Furthermore, an area of soft landscaping to the side would be use as private amenity space for the occupiers of the new dwelling. This would be a benefit. The basic landscaping plan gives an indication that the side parcel of amenity would be open area and therefore all occupiers of the site could access this. However, this has the potential to infringe on privacy. Clarification would have been sought had the scheme been acceptable alongside full details at condition stage - hard and soft landscaping.

In terms of accessibility, following consultation with the Councils Planning Specialist Officer, no concerns would be raised, especially given the land levels are relatively flat. However, annotation has been made on the entrance being step free for the new dwelling. Had the scheme been considered acceptable, details of step free access would have been sought through a pre-commencement condition.

Also, a pre-commencement condition ensuring certification of compliance prior to occupation with the technical specifications for an M4(2) dwelling, as set out in Approved

Document M to the Building Regulations (2010) 2015 would have been attached.

It is considered that all the proposed habitable rooms, and those altered by the development, would maintain an adequate outlook and source of natural light, therefore complying with the Mayor of London's Housing Standards Minor Alterations to The London Plan.

Refuse storage have been shown indicatively to the front of the existing and proposed dwellings to which the siting and dragging distance would be acceptable. A cycle storage is shown within the side garden of the new dwelling which on balance would be acceptable in terms of location. No details of cycle storage have been provided for the host dwelling. The arrangements are considered acceptable in principle but full details would have been sought at condition stage.

As such, it is considered, on balance, that the scheme would provide an acceptable level of living accommodation and has overcome the previous refusal reason (2).

7.6 Other Issues

Principle of Development:

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

- 1) neighbouring residential amenity and privacy of existing homes and gardens must be maintained and unacceptable light spillage avoided;
- 2) vehicular access or car parking should not have an adverse impact on neighbours in terms of noise or light. Access roads between dwellings and unnecessarily long access roads will not normally be acceptable;
- 3) development on backland sites must be more intimate in mass and scale and lower than frontage properties; and
- 4) features such as trees, shrubs and wildlife habitat must be retained or re-provided.

The principle of a dwelling, purely in land use terms, given the residential context would be acceptable. However, this has to be reviewed in isolation with the appropriateness of the development in the context of the plot and area, relationship with neighbouring occupiers, quality of accommodation and associated highways and pedestrian/occupier considerations (as per the following sections).

Flood Risk Impact:

The site is within a critical drainage zone. Whilst a new dwelling would be formed, this would be attached and added through extensions to no.47 (host dwelling). On this occasion, a compliance condition would have been attached to ensure a water butt is installed to a down pipe to manage any potential flood risk for both the host and proposed dwelling.

Trees and Landscaping:

This site is occupied by the side garden of an end of terrace two-storey house, with a single-storey extension, at the junction with Birch Avenue.

This corner plot benefits from an exceptionally wide frontage, forming a triangle as it narrows towards the rear boundary.

The front boundary is currently defined by a close-board timber fence backed by a hedge.

There are no TPO's or Conservation Area designations affecting the site.

As per the character and appearance section, a pre-commencement hard and soft landscaping condition would have been attached. Whilst not protected, the existing side/rear trees would be retained and unaffected from 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 £60 per sq metre.

Conclusion:

The application is recommended for refusal on the following grounds:

- Character and appearance
- Neighbouring amenity impact to the occupiers of no.16A Birch Avenue

The current scheme has addressed the previous refusal reasons on overprovision parking and sub-standard accommodation (bedroom 2 undersized).

8. Reference Documents

The Local Plan: Part 1 - Strategic Policies (2012)

The Local Plan: Part 2 - Development Management Policies (2020)

The Local Plan: Part 2 - Site Allocations and Designations (2020)

The West London Waste Plan (2015)

The London Plan (2021)

Contact Officer: Jimill Patel

Telephone No: 01895 250230