

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 193 COLDHARBOUR LANE HAYES

Development: Outline planning application for the erection of two storey 2-bedroom dwelling house plus front porch and 2 parking spaces and bin store (landscaping reserved for subsequent approval)

LBH Ref Nos: **42629/APP/2021/3946**

Drawing Nos: 001 Location Plan
 002 Ground floor
 003 First floor and Roof plan
 004 Elevations
 005 3D views
 Design and Planning Supporting Statement

Date Plans received : 22/10/2021

Date(s) of Amendment(s):

Date Application Valid: 22/10/2021

1. **SUMMARY**

The application seeks outline planning permission for the erection of two storey 2-bedroom dwelling house plus front porch and 2 parking spaces and bin store (landscaping reserved for subsequent approval). The proposed redevelopment of the site is considered unacceptable by virtue of the scheme having an unacceptably adverse impact on the character of the area and appearance and visual amenity of the streetscene. Concerns are also raised in terms of the loss of amenity to the occupants of the host dwelling and 195 Coldharbour Lane in terms of loss of light, outlook and overbearing impact. The proposal also raises highway concerns because the proposal fails to comply with the Council's parking standards.

2. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development, by reason of its siting, size, scale, bulk, design, layout, site coverage would result in a cramped development of the site, which is visually incongruous and would fail to harmonise with the existing context of the surrounding area. The principle of intensifying the residential use of the site in the form proposed would have a detrimental impact on the character and appearance of the residential area as a whole. The proposal would be detrimental to the visual amenity, character and appearance of the site and surrounding area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11, DMHB 12 and DMHB 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies D3, D4 and D6 of the London Plan (2021), and the National Planning Policy Framework (2021).

2 NON2 Non Standard reason for refusal

The proposed development, by reason of its siting, scale, bulk, design and proximity, would be detrimental to the amenities of the occupiers of the original dwelling at 193 Coldharbour Lane and those at No. 195 Coldharbour Lane by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore, the proposal

would be contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

3 NON2 Non Standard reason for refusal

The applicant has failed to demonstrate a satisfactory policy-led approach to the car and cycle parking provision and layout which could be prejudicial to all road users safety, contrary to policy DMT2 and DMT6 and the London Plan.

4 NON2 Non Standard reason for refusal

The proposal would provide a dwelling of insufficient 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), and the Technical Housing Standards - Nationally Described Space Standard (March 2015).

5 NON2 Non Standard reason for refusal

The proposal fails to provide amenity space of sufficient size and quality commensurate to the size and layout of the proposed dwelling. As such the proposal would provide a substandard living conditions for future residents contrary to Policy DMHB11 and DMHB18 of the Hillingdon Local Plan - Part Two (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

The application property comprises of an end terraced property finished in render under a part tiled, part gabled, part half-hipped roof, located on the north western side of Coldharbour Lane in Hayes. The property is located in a triangular shaped plot which is

flat. The front door is located in the side elevation with both the front and side elevations appearing prominent in the street scene due to the orientation of the property.

3.2 Proposed Scheme

The application seeks outline planning permission for the erection of two storey 2-bedroom dwelling house plus front porch and 2 parking spaces and bin store (landscaping reserved for subsequent approval)

3.3 Relevant Planning History

42629/APP/2014/4156 193 Coldharbour Lane Hayes

Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4 metres, for which the maximum height would be 3 metres, and for which the height of the eaves would be 3 metres

Decision: 07-01-2015 PRN

42629/APP/2015/2683 193 Coldharbour Lane Hayes

Part two storey, part single storey side/rear extension, conversion of roof space to habitable use to include a rear dormer

Decision: 10-11-2015 Refused

42629/APP/2015/423 193 Coldharbour Lane Hayes

Two storey side extension, part two storey, part single storey rear extension and conversion of roof space to habitable use to include a rear dormer

Decision: 21-04-2015 Refused

42629/APP/2015/4587 193 Coldharbour Lane Hayes

Two storey side extension, single storey rear extension and conversion of roof space to habitable use to include a rear dormer

Decision: 14-03-2016 Approved

42629/APP/2016/4128 193 Coldharbour Lane Hayes

Part two storey, part single storey side/rear extension including demolition of existing conservatory

Decision: 07-02-2017 Refused

42629/APP/2018/4360 193 Coldharbour Lane Hayes

Part two storey, part single storey side extension, single storey rear extension and conversion of roof space to habitable use to include a rear dormer

Decision: 27-02-2019 Approved

42629/PRC/2021/82 193 Coldharbour Lane Hayes

Erection of a 2 bed dwelling.

Decision: 14-05-2021 OBJ

Comment on Planning History

There has been a lengthy planning history at the site as listed above. It is noted that an application for pre-application advice was submitted under reference 42629/PRC/2021/82 for the Erection of a 2 bed dwelling. The conclusion was:

The principle of the redevelopment of the site is considered unacceptable by virtue of the scheme having an unacceptably adverse impact on the character and appearance of the streetscene. Concerns are also raised in terms of the loss of amenity to the occupants of the host dwelling and 195 Coldharbour Lane in terms of loss of light, outlook and overbearing impact. The proposal also raises highway concerns because the proposal fails to comply with the Council's parking standards. The proposed development could not be supported by the Council.

The current scheme differs in terms of its design and siting.

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date:- 1st December 2021

4.2 Site Notice Expiry Date:- Not applicable

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

Part 2 Policies:

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 16 Housing Standards

DMHB 18 Private Outdoor Amenity Space

DMT 2 Highways Impacts

DMT 6 Vehicle Parking

LPP D4 (2021) Delivering good design

LPP D6 (2021) Housing quality and standards

LPP D8 (2021) Public realm

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 - Development Management Policies (2020) states that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

Concerns are raised in terms of the level of light and outlook that would be achieved from rear facing windows serving habitable rooms at the original dwelling on site (No. 193) which would be unduly compromised by the proposed dwelling which would be sited very close to and project 3.2m beyond the rear wall of the original two storey dwelling. The existing dwelling also has a dining room window facing the proposed flank wall of the existing dwelling at a close distance. The scale and siting of the proposed dwelling would appear visually intrusive and to occupants in No. 193, both within the dwelling itself and the garden space. There are also concerns that it would be loss of light and overshadowing.

Given the proximity to the site boundary with No. 195, the scale and siting of the proposal raises concerns with being overbearing and visually intrusive, to occupants of this property, particularly within their garden space.

There are no other properties considered adversely affected given the separation distances from the site.

The proposed development, by reason of its siting, scale, bulk, design and proximity, would be detrimental to the amenities of the adjoining occupiers at Nos. 193 and 195 Coldharbour Lane by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore, the proposal would be contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

7.2 Impact on Street Scene

The NPPF (2019) 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 D3 of the London Plan (2021) requires that development proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

Policy D4 of the London Plan (2021) 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 establish an enhanced character for the future function of the area.'

Policy GG4 of the London Plan (March 2021) seeks to ensure that London's housing needs are met. This objective is reiterated in the Mayor of London's Supplementary Planning Guidance (SPG) on Housing, although it is noted that in achieving housing

targets, full account must be given to other policy objectives. Policy H1 of The London Plan (2021) promotes the optimisation of housing output within different types of location. Policy H10 of The London Plan encourages the Council to provide a range of housing choices in order to take account of the various different groups who require different types of housing. Consideration will also be given to the accessibility of the site to services and amenities.

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.

This end terraced property occupies a prominent position within Coldharbour Lane, with the side elevation being highly visible. A notable visual gap is maintained between the existing dwelling and No. 195 Coldharbour Lane, which contributes to a general spaciousness, and accommodates the transition between the differently sited front building line.

The proposed development to erect a new two-storey dwelling house on land associated to 193 Coldharbour Lane would be considered suburban infill. It would have a significant impact on the street scene. The proposal would subdivide the existing site creating two narrow and awkwardly shaped plots. The proposed development would have a thin and narrow built and plan form, creating an oddly elongated but also squat vertical appearance. This would be particularly evident to the front. The proposed design, proportions, height, and siting would be entirely incongruous with the other houses and pattern of development in the surrounding area. It would fail to relate to the existing street scene and proportions of dwellings within their respective plots. The overall design, scale, siting and appearance of the proposed dwelling would be completely at odds with the established character of the area, also in terms of its detached form and siting alongside the side boundary. It would enclose an important gap that contributes positively to the spaciousness and appreciation of the built form in the area, and appear as a cramped, ad hoc, overdevelopment of the site.

The proposed development, by reason of its siting, size, scale, bulk, design, layout, site coverage would result in a cramped development of the site, which is visually incongruous (given the setting) and would fail to harmonise with the surrounding area. The principle of intensifying the residential use of the site would have a detrimental impact on the character and appearance of the residential area as a whole. The proposal would be

detrimental to the visual amenity, character and appearance of the site and surrounding area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11, DMHB 12 and DMHB 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies D3, D4 and D6 of the London Plan (2021), and the NPPF (2021).

7.3 Traffic Impact/Pedestrian Safe

Policy DMT 2: Highways Impacts states:

Development proposals must ensure that:

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

Policy DMT 6: Vehicle Parking states:

A) Development proposals must comply with the parking standards outlined in Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity.

The Council may agree to vary these requirements when:

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

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

The proposal involves the erection of a 2 bed dwelling with 2 on-site car parking spaces and cycle store at the rear of the site. The house is proposed on severed side land of the donor property that is the sites driveway for at least 2 cars.

However, in the application form the applicant has stated that the existing dwelling/site has no on-site car parking, this is misleading because the site has a formal dropped kerb off Precinct Road and old site plan shows a garage at the rear of the site.

The Mayor of London adopted a new and revised London Plan in March 2021, consequently the car parking standards set out in the London Plan 2021 which are restricted in line with levels of existing and future public transport accessibility and connectivity, take precedence over those of the Local Development Plans of Local Authorities except where local Development Plans specify lower local maximum standards.

The maximum residential car parking standards set out in the London Plan Policy T6: Table 10.3 are predominately lower than the maximum parking standards set out in the Hillingdon Local Plan: Part 2 Development Management Policies (2020) and so the London Plan parking standards take precedent.

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. Whilst achieving 0.75 car parking space is not possible and under DMT6 there would have been a requirement for 2 spaces for the new dwelling, the provision of 1 on-site car parking space is considered judicious under the site-specific conditions.

The applicant is proposing 2 car parking spaces for the new dwelling which is in excess of a maximum of 1 space allowed under the London Plan. As a result of the proposed development the donor dwelling will lose its on-site car parking provision, as in the case of the new dwelling there is a requirement that given the sites poor PTAL rating of 2.

The applicant has failed to demonstrate a satisfactory policy-led approach to the car and cycle parking provision and layout which could be prejudicial to all road users safety, contrary to policy DMT2 and DMT6 and the London Plan.

7.4 Carparking & Layout

See above

7.5 Urban Design, Access and Security Considerations

Policy DMHB 16: Housing Standards states:

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

meet or exceed the most up to date internal space standards, as set out in Table 5.1. A two bedroom (3 person) two storey house is required to provide 70 square metres which the proposal fails to achieve. The proposed internal GIA would fall short of this. Therefore the proposal would provide an indoor living area of an unsatisfactory quality for the future occupiers of the proposed dwelling 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 policies DMHB11 and DMHB16 of the Hillingdon Local Plan - Part Two (2020) and Policy D6 of the London Plan (2021).

Policy DMHB 18: Private Outdoor Amenity Space states:

All new residential development and conversions will be required to provide good quality and useable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.2. A two bedroom dwelling is required to provide 60 square metres. At an area of 47 square metres, the proposal fails to comply with this minimum standard. The proposal fails to provide amenity space of sufficient size and quality commensurate to the size and layout of the said units. As such the proposal would provide a substandard form of accommodation for future residents contrary to Policy DMHB11 and DMHB18 of the Hillingdon Local Plan - Part Two (2020).

7.6 Other Issues

CIL

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and

the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £60 per sq metre.

The Cil Liability would be: £9,877.59 and the MCIL - £4,480.36

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)

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