

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. Interim Director of Planning, Regeneration & Public Realm 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 Interim Director of Planning, Regeneration & Public Realm**

Address 11 BIRCHWAY HAYES

Development: Conversion of dwelling into 2 self-contained flats with the erection of a ground floor front extension and part single, part double storey rear extension

LBH Ref Nos: **75827/APP/2022/1355**

Drawing Nos: Location Plan
ASB844 - 01HPA
ASB844- 03HPA
ASB844- 02HPA
ASB844- 04HPA

Date Plans received : 25/04/2022

Date(s) of Amendment(s):

Date Application Valid: 25/04/2022

1. **SUMMARY**

The application seeks planning permission for a single storey front extension, part single part two storey rear extension and the conversion of the resulting property into 1x 2 bedroom flat and 1 x1 bedroom flat.

The proposed conversion of the application property into flats is not considered to be acceptable as it would undermine the family housing stock within the Borough. The proposed rear extension is considered to be oversized and harmful to the appearance of the original dwelling. In order to create the sites vehicular access and parking facilities a silver birch tree would need to be removed, harming the character of the street scene. The proposed parking arrangement fails to meet policy and material consideration requirements. It would also create more hazardous environment for pedestrians and the sites car users.

It is therefore recommended that this application be refused for the reasons set out in detail below.

2. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed conversion of the existing three-bedroom single dwelling at number 11 Birchway into 1 x one-bedroom flat and 1 x two-bedroom flat would result in the loss of a residential unit that is suitable and appropriately sized (under 120sqm) for a family. The proposal would therefore unacceptably undermine the supply of family housing within the Borough, contrary to Policies DMH 1, DMH 2 and DMH 4 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy H10 of the London Plan (2021) and the National Planning Policy Framework (2021).

2 NON2 Non Standard reason for refusal

The proposed part two storey, part single storey rear extension, by virtue of its design, size, scale, bulk, depth and height, would form a oversized and dominant addition to the original dwelling which would harm its architectural integrity and the character and appearance of the locality. The proposal is therefore considered to be contrary to Policies

DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), as well as paragraph 130 of the NPPF (2021).

3 NON2 Non Standard reason for refusal

The proposed parking area and overly large crossover would result in the loss of a large silver birch tree street tree, an overprovision of working and would also endanger pedestrians crossing the site and the site vehicle users. This part of the development would therefore be harmful to the character and appearance of the streetscene and locality, undermine sustainable modes of travel and would have a detrimental impact on highway and pedestrian safety. The development is therefore considered to be contrary to Policies DMT 2, DMT 6 and DMHB 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), as well as policy T4 and T6 of the London Plan (2021) and The London Borough of Hillingdon Domestic Vehicle Footway Crossover Policy (2019).

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan (2021) and national guidance.

DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMH 4	Residential Conversions and Redevelopment
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 17	Residential Density
LLP D1	(2021) London's form character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D6	(2021) Housing quality and standards
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T6	(2021) Car parking
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking

NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF4	NPPF 2021 - Decision-Making
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes
NPPF9	NPPF 2021 - Promoting sustainable transport

3 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.

a) 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.

4 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 proposed development site is located on the north side of Birchway. The site comprises a two storey dwelling finished in brick and tiles. The property is set back from the road and has a front and rear garden. The surrounding area is characterised by semi detached properties finished in brick and render. Properties are set back from the road and are two storey in height. Front gardens within the area comprise off street parking and modest landscaping. Porches of varying size and design exist within the area. The site has a PTAL rating of 2.

3.2 Proposed Scheme

The application seeks planning permission for a single storey front extension, part single part two storey rear extension and the conversion of the resulting property into 1x 2 bedroom flat and 1 x1 bedroom flat.

3.3 Relevant Planning History

75827/APP/2020/2672 11 Birchway Hayes
Single storey rear extension

Decision: 08-10-2020 Refused

75827/APP/2020/3299 11 Birchway Hayes
Single storey rear extension

Decision: 04-12-2020 Approved

Comment on Planning History

There is no relevant planning history attached to this site.

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

53 neighbouring properties were consulted on 13/05/22. The consultation period expired on 05/06/22. Hayes Garden Village Residents Association were also consulted on the scheme during this period. No representations were received by the end of the consultation date.

Council's Access Officer: No objection, see section 7.5 of this report for full comments.

Council's Highways Officer: Objection, see section 7.4 of this report for full comments.

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:

DMH 1 Safeguarding Existing Housing

DMH 2 Housing Mix

DMH 4 Residential Conversions and Redevelopment

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 16 Housing Standards

DMHB 17 Residential Density

LLP D1 (2021) London's form character and capacity for growth

LPP D3 (2021) Optimising site capacity through the design-led approach

LPP D6 (2021) Housing quality and standards

LPP T4 (2021) Assessing and mitigating transport impacts

LPP T6 (2021) Car parking

DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF4	NPPF 2021 - Decision-Making
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes
NPPF9	NPPF 2021 - Promoting sustainable transport

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) seeks to ensure that development proposals do not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that two storey rear extensions should not extend into an area provided by a 45-degree line of sight drawn from the centre of the nearest ground or first floor habitable room window of an adjacent property.

At present the first floor rear windows of properties within the area provide views into each others gardens. The ground and first floor windows of the proposed development would provide similar views to those that already exist at the property, as such the proposal would not result in any harmful increase in overlooking or privacy loss.

The proposal includes no first floor side elevation windows which would provide more direct views into neighbouring properties and their gardens. The proposed extension would not dissect a line drawn at 45 degrees from the habitable rear windows of either neighbouring property, as such it is unlikely to cause any harmful loss of light to either neighbouring property.

The single storey element of the extension is 3.6m deep and 2.75m high on the boundary shared with No.9 Birchway, due to its modest height and depth it is unlikely to cause any significantly harmful loss of light or views from the rear windows of that property, nor would it be overbearing.

The two storey element of the extension would be sited closest to No.13 Birchway, due to its design, position and 3.6m separation distance from the property, it would not be overbearing, nor would it lead to a loss of outlook from the habitable rear windows of the property. The front porch is moderate in size, and is set away from the front windows of both neighbours, due to its size and location it would cause no harm to the amenities of either neighbouring property.

The development would result in a 2bed 3 person flat and 1bed 1person flat. The number of occupants at the site would be similar to that of the existing family dwelling. It is therefore considered that the addition of 1 additional residential unit at the site would not result in any over intensification of the sites use, or harmful increase in noise, disturbance or activity.

Taking into consideration the above, it is considered that the proposal would cause no harm to the amenities of neighbouring dwellings in line with Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and the NPPF (2021).

7.2 Impact on Street Scene

Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (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) requires that new development should harmonise with the character and appearance of the existing street scene and surrounding area, and the scale, form, architectural composition and proportions of the original building. Policy DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development should be well integrated with the surrounding area.

Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that alterations and extensions to dwellings should not have an adverse cumulative impact on the character and appearance of the street scene, and should appear subordinate to the main dwelling.

With regards to extensions, Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that:

Planning applications relating to alterations and extensions of dwellings will be required to ensure that: i) there is no adverse cumulative impact of the proposal on the character, appearance or quality of the existing street or wider area; ii) a satisfactory relationship with adjacent dwellings is achieved; iii) new extensions appear subordinate to the main dwelling in their floor area, width, depth and height; iv) new extensions respect the design of the original house and be of matching materials; v) there is no unacceptable loss of outlook to neighbouring occupiers; vi) adequate garden space is retained; vii) adequate off-street parking is retained, as set out in Table 1: Parking Standards in Appendix C; viii) trees, hedges and other landscaping features are retained..

Single storey rear extensions on terraced or semi-detached houses with a plot width of 5 metres or less should not exceed 3.3 metres in depth or 3.6 metres where the plot width is 5 metres or more...

Two storey extensions should not extend into an area provided by a 45-degree line of sight drawn from the centre of the nearest ground or first floor habitable room window of an adjacent property and should not contain windows or other openings that overlook other houses at a distance of less than 21 metres; vii) flat roofed two storey extensions will not be acceptable unless the design is in keeping with the particular character of the existing house; viii) pitched roofs on extensions should be of a similar pitch and materials to that of the original roof and subordinate to it in design. Large crown roofs on detached houses will not be supported; and...

Alterations and extensions to the front of a house must be minor and not alter the overall appearance of the house or dominate the character of the street. Front extensions extending across the entire frontage will be refused, porches should be subordinate in scale and individually designed to respect the character and features of the original building; pastiche features will not be supported'

The division of the properties garden is considered to cause no significant harm to the areas character and appearance. Frontages within the area are fully paved, fully landscaped, mixed, fenced off or completely open. The proposed frontage is therefore considered to be acceptable and in keeping with the areas character.

Front extensions and porches of various size and design exist within the streetscene, those extensions are both bigger and smaller than that proposed, the new front extension is therefore considered to be in keeping with the areas character. Furthermore the front extension is of moderate size and depth and would therefore form a subordinate addition to the dwelling.

The proposed part single, part two storey rear extension would be sited to the rear of the building where it would have no impact on the character or appearance of the area. Nevertheless the single storey rear extension would be a maximum of 6m deep at ground floor and 4m deep at first floor. The extension would engulf almost the entire rear elevation of the property, obscuring its original rear wall almost entirely, with a notable footprint. Due to its height, width, depth, bulky roof and footprint the extension is considered to form an oversized and disrespectful addition to the dwelling which would harm its character and appearance.

The Birchway streetscene is lined by silver birch trees. In order to access one of the parking spaces a large silver birch tree would need to be removed from the street. The removal of the tree would cause harm to the character and appearance of the area.

In light of the above, it is considered that the proposal would cause harm to the character and appearance of the host dwelling and streetscene. The proposal is therefore contrary to Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

7.3 Traffic Impact/Pedestrian Safety

See below.

7.4 Carparking & Layout

PARKING

Paragraph 111 of the NPPF (2021) states that development should only be prevented or

refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Policy DMT 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals will be required to meet the transport needs of the development and address its transport impacts in a sustainable manner.

Policy DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that proposals must ensure that safe and efficient vehicular access to the highway network is provided, schemes do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents. Also, that impacts on local amenity and congestion are minimised and there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing roads.

Policy DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires that proposals comply with the Council's parking standards in order to facilitate sustainable development and address issues relating to congestion and amenity.

The Borough's Highways Officer was consulted on the application and provided the following comments:

'The site is located within a residential catchment in Hayes. The property is currently a 3-bedroom semi-detached dwelling with an absence on-plot parking provision on the frontage.

The proposal is for the extension and conversion of the property to 2 flats (1x2 & 1x1 bedroom units) with a total of 3 on-plot parking spaces placed on the frontage.

The surrounding roadways are devoid of parking controls and the public transport accessibility level (PTAL) is rated at a level of 2 which is considered as 'poor' and therefore encourages ownership and use of private motor transport.

Parking Provision

Hillingdon Local Plan: Part 2 Policy - DMT 6 requires that new development will only be permitted where it accords with the council's adopted parking standards unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network.

London Plan (2021): Policy T6.1 (Residential Parking) requires that new residential development should not exceed the maximum parking standards as set out in table 10.3.

The maximum parking requirement for the residential units as proposed equates to a total of up to 2-3 on-plot spaces in compliance with the adopted Hillingdon parking standard. By contrast for a PTAL rating of 2, the London Plan (2021) parking standard demands up to 0.75 of a space for each unit equating to a maximum of 1.5 spaces and 3 spaces are shown on the frontage.

As this represents an excess of provision as compared to the LP standard, it is recommended that the proposed quantum is reduced to 2 spaces (retaining the double bank in front of the bay window) which is more akin to the regional standard. In any event, this reduction is also considered necessary as an existing street tree would physically prevent access to the remaining third space rendering it ineffective.

Electric Vehicle Charging Points (EVCP's)

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 space should be dedicated as an

'active' provision in order to future proof for anticipated demand. This aspect is not indicated on-plan but can be secured via planning condition.

Cycle Parking

In terms of cycle parking there would be a requirement to provide 1 secure and accessible space for each unit in order to accord with the council's adopted cycle parking standard. Two separate cycle stores are located at the rear and to the side of the premises which is considered as an acceptable arrangement.

Vehicular Trip Generation

Local Plan: Part 2 Policies DMT 1 and DMT 2 require the council to consider 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. As a consequence of the relatively small scale of development and limited on-plot parking, any vehicular trip generation uplift is predicted to be negligible and therefore does not raise any specific highway concerns.

Vehicular Access

A single new carriageway crossing (cc) would be required on Birchway to access the two new on-plot spaces (if the single parking spaces and access were removed). The crossing should conform to council's 'Domestic Vehicle Footway Crossover' (DVFC) 2019 Policy i.e. with a maximum width of 3.6m at the back of footway and 4.8m at the edge of kerb. It should also be noted that the new crossing would need to be constructed to the appropriate council standard executed under S184 of the Highways Act 1980 (or suitable alternative arrangement) at the applicant's/developer's expense. As no relevant detail has been submitted, this aspect should be secured via planning condition.

Assuming that once the new opening is created, any remaining section of frontage wall treatment at the back of footway would not exceed 0.6m in height, there would be no other specific requirements in terms of sight-line provisions.

Operational Refuse Requirements

Refuse collection would continue to be undertaken from Birchway.

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 bin storage area is positioned in proximity to the property frontage hence the above parameter is met. There are no further observations.

Conclusion

Subject to the reduction from 3 to 2 on-plot parking spaces, the following applies:

"The application has been reviewed by the Highway Authority who are satisfied that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns, in accordance with Local Plan: Part 2 Development Plan Policies DMT 1, DMT 2 & DMT 6 and Policies T4, T5 and T6 of the London Plan (2021)."

Officer Assessment:

Appendix C of Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that 1 and 2 bedroom flats should be provided with 1 to 1.5 spaces. Based on this, the proposal for 1 x one-bedroom flat and 1 x two-bedroom flat would require a maximum of 2 to 3 car parking spaces.

The application site has a PTAL rating of 2. Policy T6.1 of the London Plan (2021) states that development comprising 1-2 bed units in outer London with a PTAL rating of 2 should have up to 0.75 space per dwelling. For the proposed development this would equate up to 1.5 car parking spaces. The provision of 1.5 spaces is not possible and therefore the provision of 2 spaces is considered to be acceptable in this instance.

The proposed development includes an over provision of vehicle parking contrary to Policy T6.

Access to one of the proposed parking spaces would involve the removal of a tree which is outside of the development site. This is unacceptable.

Paragraph 8.14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states 'Development proposals for new or altered vehicular access on the Borough's higher order roads will be required to demonstrate no suitable alternative access point and no deleterious impact on highway or pedestrian safety and movement. Proposals that affect highways administered by Transport for London Route Network or the Highways Agency will be required to seek the approval of the relevant authority. For car parks, vehicles must be able to enter and exit the site in forward gear. For dwelling houses which have access onto a classified highway, vehicles must be able to enter and exit in a forward gear. The layout and visibility for the vehicular access and associated crossover must be in accordance with the Council's standards.' Appendix C of Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states 'Crossovers which cover the full frontage may not be permitted.'

The applicant has failed to demonstrate that the proposal would meet the dropped kerb, crossover width and visibility splay guidance set out in section 4.1 to 4.7 of The London Borough of Hillingdon Domestic Vehicle Footway Crossover Policy (2019) (which is a material planning consideration).

Furthermore, the submitted plans show the creation of 3 parking spaces, this is likely to result in the creation of a full width crossover and dropped kerb at the front of the site. The crossover and parking arrangement would lead to the loss of an important tree (which as mentioned above is unacceptable). The full width cross over would also endanger pedestrians as there would be no middle point of refuge to stop while vehicles enter and exit the site. This would create a more hazardous environment for pedestrians and the sites car users.

The development is therefore considered to be contrary to Policies DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), as well as policy T4 and T6 of the London Plan (2021).

WASTE COLLECTION:

Policy DMHB 11 part (d) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals should make sufficient provision for well-designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

The submitted site plan indicates that general waste and recycling bins would be located to the side of the site away from views of the main road.

BICYCLE PARKING:

Policy DMT5 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals will be required to ensure that safe, direct and inclusive access for pedestrians and cyclists is provided on the site connecting it to the wider network, including the provision of cycle parking in accordance with Appendix C, Table 1 or, in agreement with the Council.

Appendix C, Table 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires 1 cycle space per 1 or 2 bed unit. For the proposed development, this would equate to 2 spaces. The submitted plan indicates that 2 cycles spaces would be provided. Had the application been recommended for approval a condition would have been added to ensure that they are enclosed and secure.

Taking into consideration that safely accessible and adequate parking can be provided at the site, alongside secure cycle parking (subject to conditions). There are considered to be no highways related reasons for refusing this application.

7.5 Urban Design, Access and Security Considerations

INTERNAL AMENITY SPACE PROVISION:

Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that 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: i) meet or exceed the most up to date internal space standards, as set out in Table 5.1.

The space standards set out in Table 5.1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) are the same as those found in Table 3.1 of the London Plan (2021).

Policy D6 of the London Plan (2021) sets out the minimum internal floor space standards required for residential developments in order to ensure that there is an adequate level of amenity for future occupants. Table 3.1 of Policy D6 of the London Plan (2021) states that:

- A one storey dwelling with 1 bedroom, 1 person occupancy should provide a GIA of at least 39 square metres;
- A one storey dwelling with 2 bedrooms, 3 person occupancy should provide a GIA of at least 61 square metres;

The proposed development would provide 2 flats which exceed the floorspace requirements. All the proposed bedrooms would exceed the minimum floor area and width standards set out in the Technical housing standards - nationally described space standard (2015). Habitable spaces within the flats would have access to natural light and outlook. Both flats would be dual aspect.

It is therefore considered that the proposed development would provide future occupants with a satisfactory provision of internal amenity space. The proposal would accord with Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and paragraph 130 f) of the NPPF (2021), in this respect.

EXTERNAL AMENITY SPACE PROVISION:

Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all new residential development and conversions will be required to provide good quality and usable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.3 which requires one-

bedroom flats to have at least 20 square metres of private amenity space, and two-bedroom flats to have at least 25 square metres of private amenity space.

The ground floor flat would be provided with 57sqm of amenity space and the first floor flat would be provided with 62sqm of amenity space.

It is therefore considered that the future occupants of the flats would be provided with a satisfactory private external amenity space. The proposal therefore conflicts with Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and paragraph 130 f) of the NPPF (2021), in this respect.

7.6 Other Issues

PRINCIPLE OF DEVELOPMENT:

Policy DMH 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that the net loss of existing self-contained housing, including affordable housing, will be resisted unless the housing is replaced with at least equivalent residential floorspace.

Policy H10 of the London Plan (2021) states that schemes should generally consist of a range of unit sizes and sets out a number of factors which should be considered when determining the appropriate housing mix on a particular scheme. This includes local evidence of need. Policy DMH 2 of Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires the provision of a mix of housing units of different sizes in schemes of residential development to reflect the Council's latest information on housing need. Paragraph 4.6 outlines that there is a substantial borough-wide requirement for larger affordable and private market units, particularly three-bedroom properties.

Family housing is defined within the glossary of the London Plan (2021) and outlines it must generally be of a size that has three or more bedrooms. It is also worth noting that the Secretary of State directed changes to Policy H10, in order address the need for new family housing, to prevent families from being forced to move outside of London. These changes were incorporated into the final version of the London Plan (2021). It should be noted that the adoption of the Local Plan: Part 2 (2020) and London Plan (2021) policies on housing size mix are a significant shift from previous iterations of the development plan.

Policy DMH 4 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that: Residential conversions and the redevelopment of dwellings into new blocks of flats will only be permitted where:

- i) It is on a residential street where the proposal will not result in more than 10% of properties being redeveloped into flats;
- ii) On residential streets longer than 1km the proposed redevelopment site should be taken as the midpoint of a 1km length of road for assessment purposes;
- iii) The internal floor area of the original building to be converted is at least 120 sqm; and
- iv) Units are limited to one unit per floor for residential conversions.

The term 'original' is not defined either within the Policy DMH 4 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) or within the supporting text. In this particular case, it has been interpreted as the property in its current state and prior to conversion, such that it is not being extended to facilitate a subdivision. This interpretation is based on the GPDO's definition of 'original'.

In its current form, the two-storey property at 11 Birchway has a floor area of 65 square metres. The original property therefore falls well below the 120 square metres, thus failing to comply with criteria iii) of Policy DMH 4 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020). In addition to this, no three bedrooms units are being proposed to replace the existing family sized dwelling containing three-bedrooms. The proposal would therefore undermine the Council's housing strategy which seeks to protect family sized dwellings.

The principle of converting the application into two separate flats is not supported as it would result in the loss of a three-bedroom single dwelling that is suitable for a family, without any re-provision of family sized housing, with a house that is undersized. The proposal therefore conflicts with Policies DMH 1, DMH 2 and DMH 4 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy H10 of the London Plan (2021) and the NPPF (2021). No other material considerations exist to warrant a different conclusion.

The Council is able to demonstrate an up-to-date five year housing supply. As such, the "titled balance" as set out in paragraph 11 of the NPPF (2021) is not engaged and full weight should be given to the policies mentioned above.

ACCESS

The Borough's Access Officer was consulted on the proposed development and provided the following comments:

This proposal has been reviewed against the requirements of the 2021 London Plan policy D7 which should not be applied to the conversion of this existing dwelling constructed prior to the application of accessible housing standards. There would be no loss of accessible housing stock as a result of this conversion if approved. Conclusion: no objections raised from an accessibility perspective.

Taking into consideration the above, the proposal is considered to be acceptable in terms of accessibility.

COMMUNITY INFRASTRUCTURE LEVY:

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 square metre. CIL rates are index linked.

Paragraph 6 (1)(d) of the Community Infrastructure Levy Regulations 2010 (as amended) states that a conversion from one into two or more dwellings is not 'development' for the purposes of CIL. Nevertheless, the proposal includes extensions to create an additional dwelling and therefore the development is considered to be CIL liable.

8. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)
The London Plan (2021)
Technical Housing Standards - Nationally Described Space Standard (2015)
Hillingdon Design and Accessibility Statement: Accessible Hillingdon (2017)
National Planning Policy Framework (2021)

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