

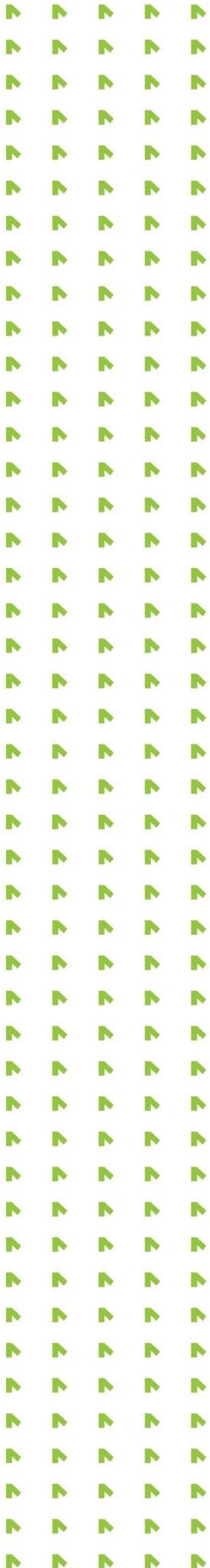
# Planning & Design Statement

**Gurmeet Singh**  
**No 14 Frays Avenue**  
**UB7 7AF**

**Regulated by RTPI**

**July  
2025**

**MIALEX**



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1. Delegated Report - Ref 38871/APP/2024/3180
2. Delegated Report - Ref 53156/APP/2020/2990

## **1 INTRODUCTION**

1.1 This Planning and Design Statement has been prepared on behalf of Mr Gurmeet Singh in support of a full planning application for the demolition of the existing detached residential dwelling, attached garage and rear outbuildings (No 14 Frays Avenue, West Drayton UB7 7AF) followed by construction of a replacement dwelling (C3).

1.2 The development proposal has been carefully designed to respond to the Council's assessment of the previous application at the site as examined at Section 3.

1.3 The Statement addresses the following matters:

- A description of the site and surroundings;
- A review of the background and history of the site;
- A summary of the development proposal;
- An assessment of relevant planning policy;
- An appraisal of the relevant planning and design issues; and
- Conclusions.

1.4 The Statement should be read in conjunction with the following:

- Drawings package (prepared by Urban View)

1.5 The submissions conclude that the development proposal is fully acceptable and supportable in planning and design terms.

## 2 SITE AND SURROUNDINGS

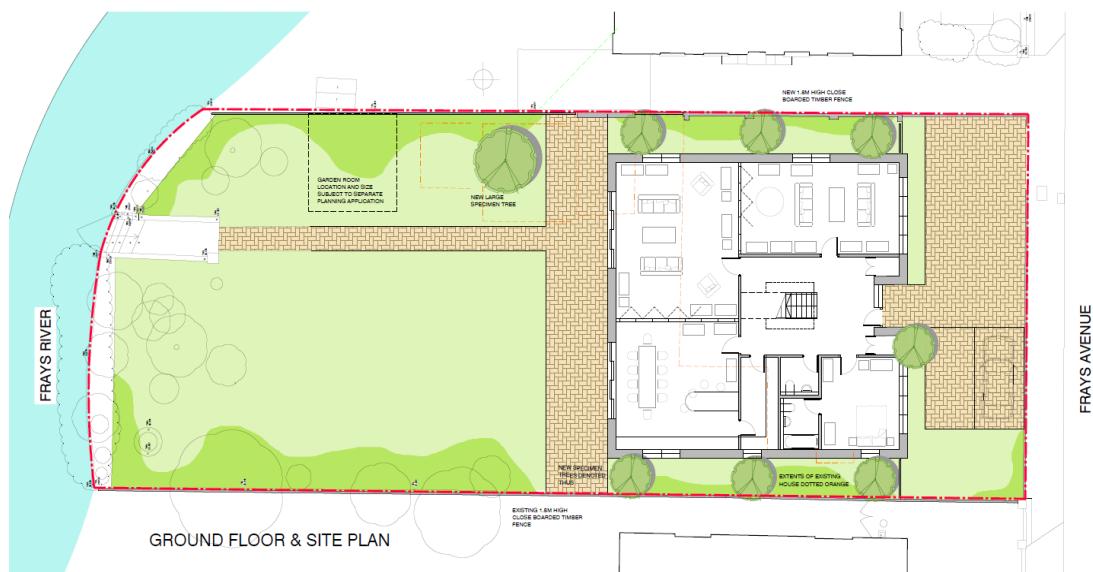
2.1 The site comprises a detached two and a half dwellinghouse situated on a plot fronting onto the western side of Frays Avenue. There is an established building line visible within the immediate street scene fronting the roadside, although all neighbouring properties to the north and south extend further to the rear than No 14 Frays Avenue.

2.2 The southern side elevation of the property retains a separation distance of approximately 2 metres from the neighbouring boundary shared with No 16 Frays Avenue. The existing single storey garage extends up to the boundary shared with No 12 Frays Avenue to the north. The property is finished in render with a variable pitched and hipped roof form which reduces in scale/massing towards the northern boundary.

2.3 There is a spacious rear garden which extends to Frays River to the west. To the front of the property there is a gated driveway that provides off street parking for one car. Part of the rear garden has been block paved with a patio area closest to the rear elevation. Several single storey outbuildings incidental to the main dwelling are positioned along the shared northern boundary, whilst the remained of the rear garden is lawned with tree planting to the western rear boundary.

2.4 The existing dwelling is of a noticeably larger scale than neighbouring properties to the immediate north and south on the same side of Frays Avenue. However, there are multiple houses within the wider streetscene which are of similar large, detached two and a half storey design. In general terms, the scale, design and visual appearance of properties within the streetscene is diverse in nature.

2.5 The site falls within the boundary of the Garden City West Drayton Area of Special Local Character (ASLC), which comprises generally large detached houses and bungalows of a variety of styles and designs. The ASLC was originally designated for its green and open suburban setting. Please refer to the site images below.



**Image 1 – Extract of site layout plan showing how the position/layout of the replacement dwelling will harmonise with neighbouring properties to the north and south.**



**Image 2 – Streetview image of site from Frays Avenue facing south (with No 12 Frays Avenue visible in the foreground). This view demonstrates the scale of the existing dwelling compared to neighbouring properties.**



**Image 3 – Streetview image of site from Frays Avenue facing north (with No 16 Frays Avenue visible in the foreground). This view demonstrates how the roof height/massing reduces towards the northern boundary.**



**Image 4 – Streetview image facing northwards from Frays Avenue. This view provides a typical representation of the Frays Avenue streetscene, with large detached properties of varying design/scale retaining space between.**



**Image 5 – Streetview image of two detached dwellings which were approved in August 2020 at the site of the former detached bungalow at No 20 Frays Avenue, approximately 50 metres to the south of the site on the same side of Frays Avenue.**

### 3 PLANNING HISTORY

#### The Site

3.1 A planning application (Ref 38871/APP/2024/3180) which proposed the demolition of the existing detached residential dwelling, attached garage and rear outbuildings (No 14 Frays Avenue, West Drayton UB7 7AF) and construction of a replacement dwelling (C3) with associated external alterations including a new vehicular access and boundary wall to the front elevation was submitted to the Council on 7<sup>th</sup> January 2025.

3.2 The application was subsequently refused by the Council under delegated powers for the following reasons:

1. The development, by virtue of its design, height, massing and siting, would result in a visual prominent, incongruous and cramped form of development, to the detriment of the visual amenities of the streetscene and the character and appearance of the West Drayton Garden City Area of Special Local Character. The proposal therefore conflicts with Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 5, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D3 of the London Plan (2021) and Paragraphs 129d) and 135c) of the National Planning Policy Framework (2024).
2. The development would result in an overprovision of car parking, prejudices highway safety and fails to encourage sustainable modes of transport including cycling, walking and the use of public transport. The proposal therefore conflicts with Policies DMT 1, DMT 2, DMT 5 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies T2, T4, T6 and T6.1 of the London Plan (2021) and Paragraphs 116 and 117 of the National Planning Policy Framework (2024).
3. In the absence of sufficient ecology information, it has not been demonstrated that the proposal would not have an adverse impact upon protected species and nature conservation and that the development would deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. The development fails to deliver a biodiversity net gain within the borough and fails to secure the protection and effective management of the remaining habitat on site. As such, the proposal is contrary to Policy EM7 of the Hillingdon Local Plan (Part 1) 2012, Policies DMEI 7 and DMHB 14 of the Hillingdon Local Plan (Part 2) 2020, Policy G6 of the London Plan 2021 and Schedule 7A of the Town and Country Planning Act 1990 and the Environment Act 2021.

3.3 In terms of design, the Council's overriding concerns related to the general scale/massing of the replacement dwelling. The key aspects of the Council's assessment (presented on pages 12-14 of the delegated report attached at **Appendix 1**) are summarised below:

- *"Given the significant cumulative increase in height, width, bulk, massing and site coverage, which materially impact on the visual amenity of the street, a 1.5 metre side gap on both sides would not be considered acceptable in this instance."*

- *"The proposed dwelling would breach the rear building line (defined as the row of dwellings on this section comprising Nos. 6-16) by a significant two storey projection and notably there are no other neighbours that comprise such a wide and deep footprint and massing."*
- *"The design of the development proposed reads as a three storey dwelling at the front with a chalet bungalow attached to the rear. The proposal would be notably out of proportion with the scale and massing of neighbouring dwellings. The cumulative effect of the development is one of significant harm to the street scene. The overly complex and competing roof forms would be highly visible from within the street scene, even those to the rear, due to the more modestly scaled properties either side which are set away from the shared side boundaries and are lower in bulk scale and mass. The use of various roof forms including hipped, pitched and crown combined by the front and rear dormers in combination with the massing of the building would appear over dominant and out of character."*
- *"The overall effect of the siting, design, materials and massing of the proposal would be a replacement dwelling that is visual prominent and incongruous with the established pattern of development and fails to harmonise with the character and appearance of the area of special local character."*

3.4 The Council's Heritage Officer also provided comments (summarised at pages 7-8 of the delegated report). The key concerns of the Heritage Officer related to the rear element of the proposed dwelling:

- *"The proposed rear extension is excessive in scale and should be refused. Its footprint mirrors the existing but reduces height by one floor and introduces a separate roofscape. This approach:*
  - *Fails to provide a subservient relationship to the existing building;*
  - *Risks adversely affecting neighbouring properties;*
  - *Risks setting a negative precedent for the entire street of houses".*
- *"A smaller, more subservient rear extension may be acceptable if designed appropriately. We would be open to reviewing alternative solutions."*

3.5 The Council's concerns in relation to car parking and highways safety are summarised below:

- *"The proposed plans indicate the formation of a new centrally located vehicle crossover and the provision of 4no car parking spaces in the front garden. Adopted car parking standards would require a maximum of 2 car parking spaces".*
- *"The proposal also omits the provision of 2 secure and accessible cycle spaces and the provision of electric vehicle charging points. Had the application been recommended for approval, a condition would have been imposed to secure the appropriate level of provision".*
- *"The new vehicle crossover would directly impact on designated resident permit parking bays. In addition, the proposed access arrangements are not supported by relevant technical highways drawings demonstrating safe entry and exit onto the highway. As the application is being recommended for refusal, officers have not sought revised plans".*

3.6 In light of this detailed feedback, the applicant's team have prepared a revised scheme which seeks to comprehensively address the Council's design, highways (and ecological) concerns.

#### Surrounding Area

3.7 In terms of the immediate surrounding area, there have been several applications and appeals approved for extensions to or redevelopment of existing detached dwellings within the ASLC. The most relevant recent examples are noted below.

3.8 Most recently, application **Ref 53156/APP/2020/2990** which proposed the demolition of No 16 Frays Avenue and replacement with a new larger dwellinghouse and associated external works including demolition of existing single garage to rear was approved by the Council on 4<sup>th</sup> December 2020.

3.9 This application was promoted by the same architect and consultant team. The replacement dwelling has since been constructed and makes a positive addition to the streetscene (as shown on the images at Section 2).

3.10 An application (**Ref 17012/APP/2020/368**) to demolish an existing bungalow at No 20 Frays Avenue and erect two 3-bed two storey dwellings with associated parking and amenity space in its place was approved on 17<sup>th</sup> August 2020.

3.11 These properties have now been completed as shown in Image 5.

3.12 Previously to this, an application to demolish an existing bungalow at No 45 Frays Avenue and replace it with a new two storey 4 bed detached dwelling (including rear dormer) was approved on 10<sup>th</sup> February 2017 (**Ref 24351/APP/2016/1304**). A subsequent appeal was also granted on 29<sup>th</sup> September 2017 to remove an unnecessary height restriction that had been added by way of condition by Members of Planning Committee. This planning permission was renewed on 8<sup>th</sup> December 2023.

3.13 The above planning history demonstrates that the principle of redeveloping an existing detached residential dwelling within the ASLC for a larger property is acceptable, subject to the standard development management considerations of design, scale and impact upon the amenity of occupiers of neighbouring properties.

## 4 THE PROPOSAL

4.1 The development proposal comprises the demolition of the existing detached residential dwelling, attached garage and rear outbuildings, followed by construction of a replacement dwelling of contemporary design.

4.2 The new dwelling will accommodate living/dining space and a double bedroom on the ground floor with four double bedrooms and a prayer room at upper floor level.

4.3 The accompanying drawings package and 3D model images help to clearly demonstrate how the proposed footprint and massing of the new dwelling compares with the existing property. In summary:

- The front projection of the new dwelling matches that of the host property and ensures that it harmonises with the established building line of other houses fronting Frays Avenue to the immediate north and south;
- The proposed dwelling will maintain the two metre separation distance between the southern side elevation and boundary shared with No 16 Frays Ave. Furthermore, the proposed scheme will create a new separation distance of two metres to the shared northern boundary following the demolition of the existing garage. This helps to contribute to the sense of openness at the site;
- The new property will focus additional massing to the rear of the site where views are largely screened within the streetscene. The replacement dwelling will project approximately 3.5 metres further from the main rear elevation of the existing property at ground floor, and 6 metres at first floor. This represents a significant reduction in massing when compared to the previous scheme which projected 6 metres further from the main rear elevation of the existing property at ground floor at ground floor and 9 metres at first floor level). This approach will ensure that the replacement dwelling is consistent with the rear building line of neighbour properties;
- Furthermore, as shown on the accompanying drawings package, the roof form of the rear element has been simplified. The overall height of the front (and rear) parts of the replacement dwelling has been reduced from the previously refused scheme, and
- All existing rear outbuildings along the northern boundary will be removed and the proposed property will retain clear 45 degree views from all habitable room windows on immediate neighbouring properties to the north and south.

4.4 Accordingly, the reduced scale and height of the new dwelling responds positively to the visual character of the existing property and neighbouring houses as they appear within the streetscene and the wider ASLC. As demonstrated on the enclosed elevation plans and model images, it will incorporate high quality external materials including new external brick and roof tiling together with coloured framed window detailing.

4.5 Aside from being revised to reflect the Council's assessment of the previous application (as summarised above and examined in detail within Section 6) the approach to the design of the scheme

has been informed by the Council's assessment of the other applications within the immediate surrounding area (most notably the replacement dwelling at No 16 Frays Avenue which was designed and promoted by the same architect and consultant team).

- 4.6 Fundamentally, it seeks to achieve additional residential floorspace at the site in a manner that respects the scale and visual appearance of the existing dwelling and streetscene, whilst presenting a carefully considered contemporary external design that makes a positive contribution to the immediate surrounding area and wider ASLC.
- 4.7 As demonstrated on the streetscene elevation and front elevation drawings (which overlay the outline of the existing dwelling for comparison) included as part of the application and assessed in detail within Section 6, the proposed dwelling respects the character of the existing property by reducing the scale and massing towards the shared northern boundary via the incorporation of a hipped roof design and the introduction of a new visual gap as referenced above.
- 4.8 The proposed roof adds visual interest to the new property by incorporating a pitched roof on the front part of the dwelling with subservient hipped element. This reduces in height/scale to the rear in the form of a hipped roof with reduced centralised crown element (although this will not be readily visible within the streetscene). The roof design slopes away from the northern and southern neighbouring boundaries, helping to massing of the new property within the plot.
- 4.9 Against this background, the development proposal represents a high quality, modern interpretation of the varied visual character and built form of the surrounding area.
- 4.10 The scheme has also been designed in a manner that ensures there will be no adverse overlooking or overbearing impacts upon any neighbouring properties. The only windows positioned within the first floor side elevations facing Nos 12 and 16 Frays Ave will be obscurely glazed.
- 4.11 New habitable room windows will be situated within the rear elevation at first floor level. This reflects the existing relationship with No 12 and 16 Frays Avenue which also have rear habitable room windows at upper floor level.
- 4.12 The eaves height of the new property will reflect those of the existing dwelling. Furthermore, given the 2 metre separation distances to each side of the new dwelling (and the rear massing ensuring that clear 45 degree views will be retained) there will be no unacceptable adverse overbearing impacts resulting from the new property.
- 4.13 As demonstrated on the enclosed layout plans, the scheme ensures that generous private rear amenity space will be retained which significantly exceeds the Council's target private amenity space standards. At ground floor level, provision can be made within the site for safe and secure cycle and refuse storage, as well as off road vehicle parking provision.
- 4.14 Please refer to the extract of elevation plans overleaf which demonstrate the reduction in massing of the revised scheme compared to the refused application.



**Image 6 – Comparison between refused scheme (top image) and revised property demonstrating the reduction in scale, height and massing to the rear with simplified roof form.**

## 5 PLANNING POLICY

5.1 This section provides a review of relevant national and local planning policy and guidance.

### NATIONAL POLICY

5.2 The National Planning Policy Framework (NPPF) was revised in December 2024 and sets out the Government's objectives for achieving sustainable development. At the heart of the NPPF is a presumption in favour of sustainable development.

5.3 Development proposals that accord with an up-to-date Development Plan should be approved without delay. Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, permission should be granted unless:

- The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development; or
- Any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

5.4 Paragraph 8 confirms that there are three dimensions to sustainable development; economic, social and environmental. To achieve sustainable development, economic, social and environmental gains should be pursued in mutually supportive ways through the planning system.

5.5 The NPPF explains that the purpose of the planning system is to contribute to the achievement of sustainable development. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. These sustainable objectives should be delivered through the preparation and implementation of plans and the application of the policies in the framework.

### Delivering a Sufficient Supply of Homes

5.6 Paragraph 61 explains that in order to support the Government's commitment to significantly boosting the supply of homes, it is important that a sufficient amount and variety of land comes forward for development where it is needed, that needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

5.7 Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirement set out in adopted strategic policies or against their local housing need where strategic policies are more than five years old. The five year supply should include an appropriate buffer. Where the local authority chooses to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan the buffer should be 5% to ensure choice and competition in the market for land. In the event that there has been significant under delivery over the previous three years when measured against the Housing Delivery Test, then a 20% buffer should be applied. Furthermore, from 1st July 2026, where a local planning authority has an annual average housing requirement 80% or less of the most recent housing need figure calculated (using the standard method set out in the national planning practice guidance), then a 20% buffer should be applied.

5.8 The NPPF is clear at paragraph 11 that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites or the Housing Delivery Test indicates that the delivery of housing was substantially below the housing requirement over the previous three years.

### **Promoting Sustainable Transport**

5.9 To protect and exploit opportunities for the use of sustainable transport modes, development should be located and designed to give priority to pedestrian and cycle movements and have access to high quality public transport facilities; address the needs of people with disabilities by all modes of transport; create safe and secure places minimising conflicts between traffic and pedestrians; allow for the efficient delivery of goods and access by service and emergency vehicles; and be designed to enable the charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

### **Achieving Well Designed Places**

5.10 This chapter sets out at paragraph 135 that planning policies and decisions should aim to ensure that developments:

- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
- Are visually attractive as a result of good architecture and layout and appropriate and effective landscaping;
- Are sympathetic to local character and history including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- Establish a strong sense of place, using the arrangements of streets, spaces, buildings types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks, and
- Create places that are safe, inclusive and accessible and which promote health and well-being.

### **Conserving and Enhancing the Historic Environment**

5.11 The NPPF builds upon the provision of the Planning (listed Buildings and Conservation Areas) Act 1990 and advises at Paragraph 209 that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining an application.

5.12 In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

### **LONDON PLAN (2021)**

5.13 The London Plan sets the Mayor's strategic development strategy for the capital up until 2046 and forms part of the development plan for Greater London.

5.14 Of particular relevance to the development proposal are the following policies.

5.15 **Policy D3 (Optimising Site Capacity Through the Design-led Approach)** states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of

design options to determine the most appropriate form of development that responds to a site's context and capacity for growth, and existing and planned supporting infrastructure capacity.

5.16 Higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. Where these locations have existing areas of high density buildings, expansion of the areas should be positively considered by Borough's where appropriate.

5.17 **Policy D6 (Housing Quality and Standards)** requires development proposals to make the most efficient use of land and to be developed at the optimum density. The optimum density of a development should result from a design-led approach to determine the capacity of the site.

5.18 In these terms, particular consideration should be given to: the site context, its connectivity and accessibility by walking, cycling and public transport (including PTAL) and the capacity of surrounding infrastructure. Development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space. Private internal and external space should be in line with standards outlined within the plan.

5.19 **Policy H2 (Small Sites)** states that boroughs should proactively support well designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan making to:

- Significantly increase the contribution of small site to meeting London's housing needs;
- Diversify the sources, locations, type and mix of housing supply;
- Support small and medium housebuilders.

#### **LOCAL POLICY**

5.20 The When determining any planning application, the relevant authorities (in this case Hillingdon London Borough Council) are under a statutory obligation, as imposed by section 54a of the Town and Country Planning Act 1990, repeated in section 38(8) of the Planning and Compulsory Purchase Act 2004 to make their determination in accordance with the Development Plan unless material considerations indicate otherwise.

5.21 In this instance, the Development Plan consists of the Hillingdon Local Plan Part 1 Strategic Policies (adopted November 2012) and the Local Plan Part 2 Site Allocation and Development Management Policies (adopted January 2020).

5.22 The Site Allocation and Development Management Policies represents the key document containing the policies which are relevant to the determination of the application proposal. Accordingly, the following policies are considered relevant to the proposed development.

#### **Local Plan Part 2 Site Allocation and Development Management Policies (2020)**

5.23 **Policy DMHB5 (Areas of Special Local Character)** states that new development should reflect the character of the area and its original layout. Alterations should respect the established scale, building lines, height, design and materials of the area. Extensions to dwellings should be subservient to, and respect the architectural style of the original buildings and allow sufficient space for appropriate landscaping, particularly between, and in front of, buildings. The replacement of buildings which

positively contribute to the character and local importance of Areas of Special Local Character will normally be resisted.

5.24 **Policy DMHB11 (Design of New Development)** outlines 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:

- Harmonising with the local context by taking into account the surrounding:
  - i. scale of development, considering the height, mass and bulk of adjacent structures;
  - ii. building plot sizes and widths, plot coverage and established street patterns;
  - iii. building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements such as degree of enclosure;
  - iv. architectural composition and quality of detailing;
  - v. local topography, views both from and to the site; and
  - vi. impact on neighbouring open spaces and their environment.
- Ensuring the use of high quality building materials and finishes;
- Ensuring that the internal design and layout of development maximises sustainability and is acceptable to different activities;
- Protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and undesignated, and their settings; and
- Landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

5.25 Furthermore, development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space. Development will also be required to ensure that the design safeguards the satisfactory re-development of any adjoining sites which have development potential. 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.

5.26 **Policy DMHB15 (Planning for Safer Places)** states that the Council require all new development to ensure safe and attractive public and private spaces by referring to the Council's latest guidance on Secured by Design principles. Where relevant, these should be included in the Design and Access Statement. Development will be required to comprise good design and create inclusive environments whilst improving safety and security by incorporating the following specific measures:

- Providing entrances in visible, safe and accessible locations;
- Maximising natural surveillance;
- Ensuring adequate defensible space is provided;
- Providing clear delineations between public and private spaces; and
- Providing appropriate lighting and CCTV.

5.27 **Policy DMHB16 (Housing Standards)** requires all housing development to have an adequate provision of internal space in order to provide an appropriate living environment. To achieve this, all residential development should meet or exceed the most up to date internal space standards.

5.28 **Policy DMHB18 (Private Outdoor Amenity Space)** outlines that all new residential development will be required to provide good quality, usable private outdoor amenity space in accordance with the matrix identified in the Local Plan Part 2. Furthermore, any ground floor unit that is non-street facing should have a defensible space not less than 3 metres in depth in front of any window to a bedroom or habitable room.

5.29 For new developments within Areas of Special Local Character, the provision of private open space will be required to enhance the street scene and the character of the buildings on the site. The design, materials and height of any front boundary must be in keeping with the character of the area to ensure harmonisation with the existing street scene.

5.30 **Policy DMT 6 (Vehicle Parking)** states that all development must comply with the parking standards outlined in the Local Plan Part 2 to facilitate sustainable development and address issues relating to congestion and amenity. The Council may agree to vary these requirements when the variance would not lead to a deleterious impact on street parking provision, congestion or local amenity.

#### **SUMMARY**

5.31 Assessment of the above policies confirms that the principle of development is considered acceptable provided that the replacement property has an acceptable visual impact upon the streetscene and wider ALSC and does not result in any unacceptable adverse impact upon the amenity of neighbours.

## 6 PLANNING CONSIDERATIONS

6.1 The planning issues relevant to the determination of the development proposal are assessed in detail below.

### Principle of Development

6.2 As examined within the previous section, the National Planning Policy Framework (NPPF) requires the Council to make the most efficient use of land by maximising the use of previously developed sites.

6.3 The site is an existing house located within an established residential area. As such, the principle of extending or redeveloping the property to create a larger detached dwelling is acceptable if there will be no adverse impact upon the amenity of the occupiers of any neighbouring properties or upon the visual character of the local area or streetscene (or wider ASLC).

6.4 This is demonstrated by the Council's approval of several similar developments at nearby sites within the ASLC under the same policy framework, most notably at the adjacent site No 16 Frays Avenue in December 2020 as referred to within Section 3.

### Design

6.5 The carefully considered approach to design is outlined in Section 4 and the plans/visuals that are included within the application submission.

6.6 The site falls within the boundary of the Garden City West Drayton Area of Special Local Character (ASLC), which comprises generally large detached houses and bungalows of a variety of styles and designs. The ASLC was designated for its green and open suburban setting.

6.7 Policy DMHB5 relates to development within Areas of Special Local Character and requires all new proposals to reflect the character of the area and its original layout. Any alterations should respect the established scale, building lines, height, design and materials of the area.

6.8 Policy DMHB11 requires new development to incorporate principles of good design to the highest standards including harmonising with the street scene with specific reference to the scale of proposed development, and relative height, mass and bulk of adjacent structures. Furthermore, high quality materials and finishes should be included to aid the architectural composition and quality of detailing.

6.9 The approval granted for the demolition and rebuild of No 16 Frays Avenue (cross referred to above and within Section 3) was designed by the same architect and consultant team. The replacement dwelling has since been constructed and makes a positive addition to the streetscene (as shown on the images at Section 2).

6.10 Accordingly, the design rationale has been informed by the successful approach applied at the adjoining site.

6.11 The accompanying drawings package and 3D model images help to clearly demonstrate how the proposed footprint and massing of the new dwelling compares with the existing property. In summary:

- The front projection of the new dwelling matches that of the host property and ensures that it harmonises with the established building line of other houses fronting Frays Avenue to the immediate north and south;
- The proposed dwelling will maintain the two metre separation distance between the southern side elevation and boundary shared with No 16 Frays Ave. Furthermore, the proposed scheme will create a new separation distance of two metres to the shared northern boundary following the demolition of the existing garage. This helps to contribute to the sense of openness at the site;
- The new property will focus additional massing to the rear of the site where views are largely screened within the streetscene. The replacement dwelling will project approximately 3.5 metres further from the main rear elevation of the existing property at ground floor, and 6 metres at first floor. This represents a significant reduction in massing when compared to the previous scheme which projected 6 metres further from the main rear elevation of the existing property at ground floor at ground floor and 9 metres at first floor level). This approach will ensure that the replacement dwelling is consistent with the rear building line of neighbour properties;
- Furthermore, as shown on the accompanying drawings package, the roof form of the rear element has been simplified. The overall height of the front (and rear) parts of the replacement dwelling has been reduced from the previously refused scheme, and
- All existing rear outbuildings along the northern boundary will be removed and the proposed property will retain clear 45 degree views from all habitable room windows on immediate neighbouring properties to the north and south.

6.12 The scale and height of the new dwelling responds positively to the visual character of the existing property and neighbouring houses as they appear within the streetscene and the wider ALSC. As demonstrated on the enclosed elevation plans and model images, it will incorporate high quality external materials including new external brick and roof tiling together with coloured framed window detailing.

6.13 In determining the application at No 16 Frays Avenue for approval, the Conservation Officer conformed within the delegated report (attached at **Appendix 2**) that:

*“the simple design aesthetic would sympathetically relate to the character of the area”.*

6.14 Essentially, the proposal for No 14 Frays Avenue adopts a similar design rationale and seeks to achieve additional residential floorspace at the site in a manner that respects the scale and visual appearance of the existing dwelling and streetscene (as shown on the comparison elevation plans that form part of the submission package), whilst presenting a carefully considered contemporary external design that makes a positive contribution to the immediate surrounding area and wider ASLC.

6.15 As demonstrated on the streetscene elevation and front elevation drawings (which overlay the outline of the existing dwelling for comparison) included as part of the application and assessed in detail within Section 6, the proposed dwelling respects the character of the existing property by reducing

the scale and massing towards the shared northern boundary via the incorporation of a hipped roof design and the introduction of a new visual gap as referenced above.

6.16 The proposed fenestration will harmonise with the neighbouring properties either side (as shown on the streetscene plan and model images) and the applicant is happy to accept a condition requiring the submission of all external materials (including guttering and downpipes) for the agreement of the Council prior to any works commencing in the same manner as for No 16 Frays Avenue.

6.17 The proposed roof adds visual interest to the new property by incorporating a pitched roof on the front part of the dwelling with subservient hipped element. This reduces in height/scale to the rear in the form of a hipped roof with reduced centralised crown element (although this will not be readily visible within the streetscene). The roof design slopes away from the northern and southern neighbouring boundaries, helping to massing of the new property within the plot.

6.18 Again, this approach has been informed by the successful application at No 16. In determining for approval, the Council confirmed within the delegated report that:

*"It is noted that the proposal includes a large crown roof which is normally resisted as it is not an established feature within the area. However, the Conservation Officer considers that on balance the ridge detail and sunken nature of the crown element would reduce its appearance when viewed at street level, providing the perception of a traditional, fully pitched roof form."*

6.19 As outlined in Section 3, the previous application at the site (Ref 38871/APP/2024/3180) was refused by the Council due to concerns regarding the scale and design of the proposed dwelling. An explanation of how the revised scheme has been prepared to address all design based concerns raised by the Council within the Delegated Report is set out below.

- *"Given the significant cumulative increase in height, width, bulk, massing and site coverage, which materially impact on the visual amenity of the street, a 1.5 metre side gap on both sides would not be considered acceptable in this instance."*

**As shown on the drawings package, the distance maintained between each side elevation and the boundaries of the site extends to 2 metres as opposed to the 1.5 metres referenced by the Council.**

**As sumamrised above, the new dwelling will maintain the existing two metre separation distance between the southern side elevation and boundary shared with No 16 Frays Ave. Furthermore, the proposed scheme will create a new separation distance of two metres to the shared northern boundary following the demolition of the existing garage. This helps to contribute to the sense of openness at the site.**

**The elevation plan (which includes the overlay of the existing property) shows that the proposed replacement dwelling will extend just over 1 metre closer to the northern boundary at first floor level. However, the removal of the existing garage (which extends up to the boundary) will increase the sense of separation. Furthermore, the plans demonstrate that the reduced height, width, bulk and massing of the new property is similar to the existing house and will not therefore adversely impact the visual character of the streetscene.**

- *"The proposed dwelling would breach the rear building line (defined as the row of dwellings on this section comprising Nos. 6-16) by a significant two storey projection and notably there are no other neighbours that comprise such a wide and deep footprint and massing."*

**The rear projection of the proposed replacement dwelling has been significantly reduced and is now consistent with the block of neighbouring dwellings (Nos 6-16 Frays Ave).**

- *"The design of the development proposed reads as a three storey dwelling at the front with a chalet bungalow attached to the rear. The proposal would be notably out of proportion with the scale and massing of neighbouring dwellings. The cumulative effect of the development is one of significant harm to the street scene. The overly complex and competing roof forms would be highly visible from within the street scene, even those to the rear, due to the more modestly scaled properties either side which are set away from the shared side boundaries and are lower in bulk scale and mass. The use of various roof forms including hipped, pitched and crown combined by the front and rear dormers in combination with the massing of the building would appear over dominant and out of character."*

**A detailed assessment of the design of the proposed dwelling is presented above.**

However, it is important to re-assert that the revised scheme has been significantly reduced in massing when compared to the previous scheme. The replacement dwelling will project approximately 3.5 metres further from the main rear elevation of the existing property at ground floor, and 6 metres at first floor. This is essentially 3 metres less than previously proposed at both ground and first floor.

Furthermore, as shown on the accompanying drawings package, the roof form of the rear element has been reduced in scale and simplified. Furthermore, the overall height of the front (and rear) parts of the replacement dwelling has been reduced from the previously refused scheme. Accordingly, the roof forms are no longer overly complex and will not result in any harm to the streetscene.

The revised scheme no longer presents the visual impression of a three storey dwelling at the front with a chalet bungalow attached to the rear. The reduced scale of the proposed property now harmonises with neighbouring dwellings in an acceptable manner.

- *"The proposed rear extension is excessive in scale and should be refused. Its footprint mirrors the existing but reduces height by one floor and introduces a separate roofscape. This approach:*

- *Fails to provide a subservient relationship to the existing building;*
  - *Risks adversely affecting neighbouring properties;*
  - *Risks setting a negative precedent for the entire street of houses".*

*"A smaller, more subservient rear extension may be acceptable if designed appropriately. We would be open to reviewing alternative solutions."*

**As outlined above, the proposed scheme has been reduced in scale and height to respond to the concerns raised by Planning and Heritage Officers.**

**Accordingly, the rear element of the proposed dwelling now reads as subservient to the main part of the host dwelling.**

6.20 Against this background, the development proposal represents a high quality, modern interpretation of the varied visual character and built form of the surrounding area. It thereby accords with design guidance set out within the NPPF and adopted local policy, specifically Policies DMHB5 and DMHB11 of the Site Allocation and Development Management Policies Document.

#### **Impact Upon Neighbouring Properties**

6.21 The scheme has also been designed in a manner that ensures there will be no adverse overlooking or overbearing impacts upon any neighbouring properties. The only windows positioned within the first floor side elevations facing Nos 12 and 16 Frays Ave will be obscurely glazed.

6.22 New habitable room windows will be situated within the rear elevation at first floor level, which reflects the existing relationship with No 12 and 16 Frays Avenue which also has rear habitable room windows at upper floor level. Accordingly, there will be no harmful overlooking impact.

6.23 The eaves height of the new property will reflect those of the existing dwelling. Furthermore, given the 2 metre separation distances to each side of the new dwelling (and the rear massing ensuring that clear 45 degree views will be retained) there will be no unacceptable adverse overbearing or sunlight/daylight impacts resulting from the new property.

6.24 Although it is acknowledged that additional rear massing is proposed when compared to the existing property, neighbouring dwellings already extend further to the rear than the site. Furthermore, this reflects the approach confirmed as acceptable by the Council in approving the application at No 16 Frays Avenue. The delegated report for the application confirms that:

*"Although the proposal is deeper than that which is normally considered acceptable, the area displays a wide variety of dwellings of varied designs and depths and in the absence of other harm, such as an overbearing impact, loss of daylight and sunlight or material loss of privacy, a refusal on the depth of the building alone could not be sustained at appeal".*

6.25 As such, the scheme complies with Policy DMHB5 and DMHB11.

#### **Residential Living Standards**

6.26 The development proposal has been carefully designed to ensure that a generous private, rear garden will be retained for new residents which significantly exceed the Council's private amenity space targets.

6.27 All internal rooms will exceed targets set out within the National Space Standards and provision will be made within the site for vehicle parking, secure cycle accommodation and refuse storage.

6.28 The development therefore complies with Policy DMHB18 and DMHB16.

### **Highways**

6.29 In refusing the previous application, the Council raised the following parking/access concerns within the Delegated Report:

- The development provides 4 car parking spaces in the front garden. Adopted car parking standards would require a maximum of 2 car parking spaces. The proposal also omits the provision of 2 secure and accessible cycle spaces and the provision of electric vehicle charging points. Had the application been recommended for approval, a condition would have been imposed to secure the appropriate level of provision.
- The new vehicle crossover would directly impact on designated resident permit parking bays, which has not been addressed in the submission. In addition, the proposed access arrangements are not supported by relevant technical highways drawings demonstrating safe entry and exit onto the highway. As the application is being recommended for refusal, officers have not sought revised plans.
- Taking the above points into consideration, the proposed development as presented, would result in an overprovision of car parking, fail to promote sustainable transport and would give rise to highway safety concerns.

6.30 In response to these comments, the scheme has been revised to retain the existing parking and access arrangements at the site.

6.31 Paragraph 116 of the NPPF states 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.

6.32 On the basis of this assessment, the proposal is considered acceptable on highways and parking grounds, having regard to the NPPF and Policies DMT1, DMT2, DMT5 and DMT6.

### **Biodiversity Net Gain**

6.33 As explained on the planning application forms, the proposed development accords with the definition of self build (set out within the Self-build and Custom Housebuilding Act 2015) which states:

In this Act “self-build and custom housebuilding” means the building or completion by —

- a. individuals,
- b. associations of individuals, or
- c. persons working with or for individuals or associations of individuals,

of houses to be occupied as homes by those individuals.

6.34 Given that No 14 Frays Avenue will be designed and constructed as a self-build project, and subsequently occupied by the applicant and his family, the self-build exemption applies to the

proposed development and there is no requirement to submit a Biodiversity Net Gain Assessment in this instance in accordance with the regulations.

- 6.35 This is irrespective of the fact that the proposed development will impact upon less than 25 square metres of on-site habitat and/or 5 metres of on-site linear habitats such as hedgerows.
- 6.36 The proposed development will provide an opportunity for biodiversity net gain due to the increase in areas of soft landscaping at the site following the removal of the existing garage and rear outbuildings.
- 6.37 The Council's third reason for refusal related to biodiversity, confirming that:

*"In the absence of sufficient ecology information, it has not been demonstrated that the proposal would not have an adverse impact upon protected species and nature conservation and that the development would deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. The development fails to deliver a biodiversity net gain within the borough and fails to secure the protection and effective management of the remaining habitat on site."*
- 6.38 Within the delegated report, the Council confirmed had the application been recommended for approval, evidence of the applicant signing up to the Council's self-build register would have been sought.
- 6.39 As outlined above, the development proposal is exempt from biodiversity net gain requirements due to self build and the 25 sqm habitat regulations. Should the Council be willing to support the revised application, the applicant is happy to provide details of the landscape/biodiversity enhancements via condition, if necessary.
- 6.40 On the basis of this assessment, the development proposal complies with Policies DMHB5, DMHB11 and DMHB12 Development Management Policies.

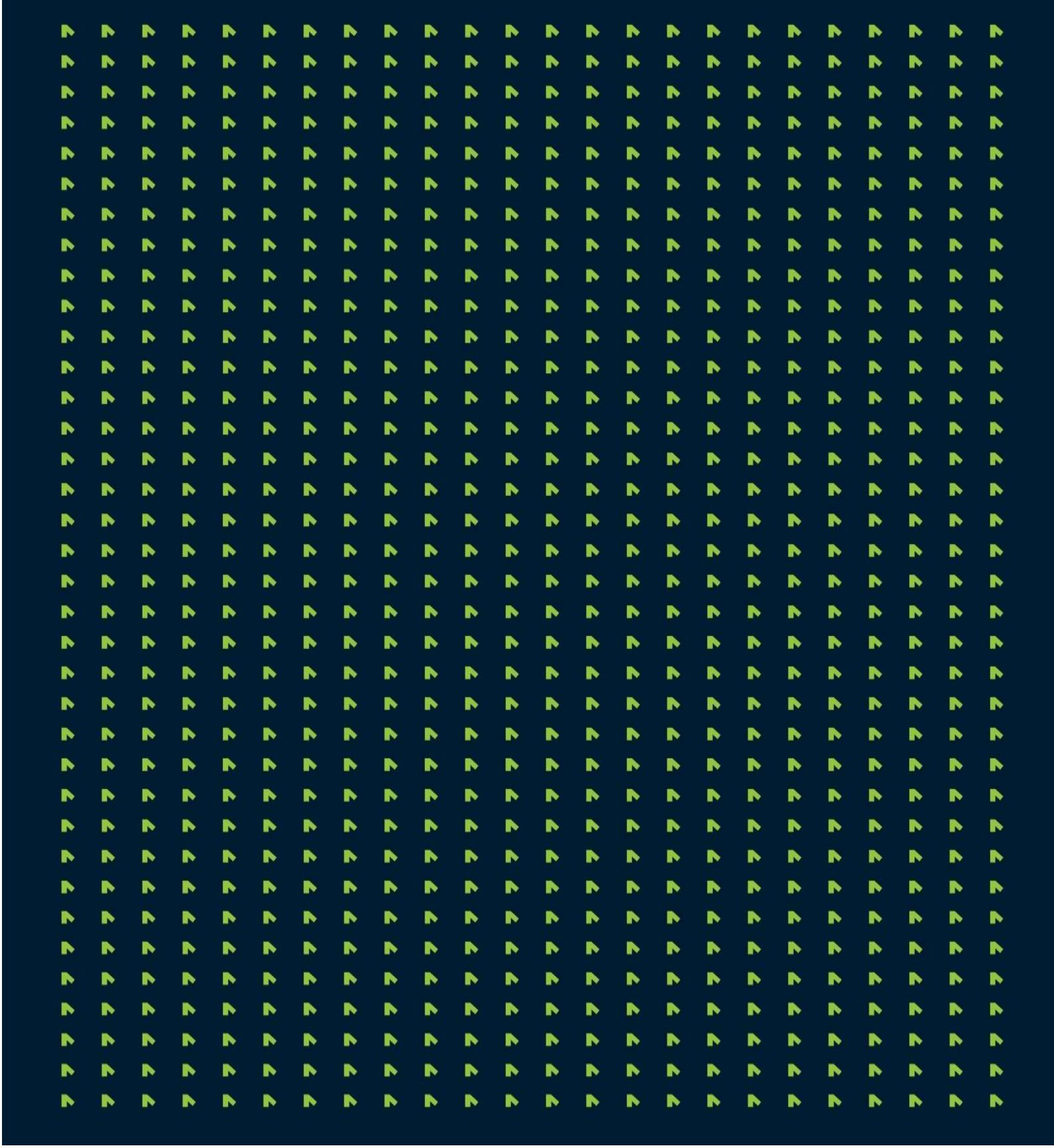
## 7 CONCLUSIONS

7.1 It is concluded that the revised scheme is in accordance with the NPPF and the Council's adopted Local Plan. It therefore constitutes appropriate development and should be supported for the following reasons:

- The principle of redeveloping an existing detached residential property has been demonstrated by the Council's approval of several similar developments at nearby sites within the ASLC under the same policy framework, most notably at the adjacent site No 16 Frays Avenue in December 2020;
- The approach to the design of the scheme has been informed by the assessment of the previous approved application at No 16 Frays Avenue. It has been significantly reduced in scale to the rear and adopts a simplified roof design to comprehensively respond to the concerns raised by Officers in assessing the previous application at the site;
- The proposed dwelling will incorporate a simple contemporary design with high quality external materials and detailing that will enable the development to respond positively to the visual character of the streetscene and wider ASLC;
- The height of the proposed dwelling has been reduced compared to the previous application and will successfully assimilate within the streetscene;
- The application also enables the creation of a new distinct separation distance between the site and No 12 Frays Avenue via the removal of the existing garage which will enhance the appearance of the site and positively contribute to one of the key positive characteristics of the ASLC (namely the sense of openness between houses);
- There will have no adverse impact upon the amenity of the occupiers of any neighbouring properties by way of overlooking, overbearing or overshadowing, and
- The scheme has been designed to provide a suitably high quality living environment for new and existing residents by ensuring appropriate levels of privacy, dual outlook and a design which exceeds all internal space standards.

7.2 In light of the above, the proposed scheme has been demonstrated to comply with all relevant planning policies (most notably the NPPF, emerging London Plan and Policy DMH6, DMHB5, DMHB11, DMHB15, DMHB16, DMHB17, DMHB18, DMEI8 and DMT6 of the adopted Local Plan) and should therefore be considered acceptable.

7.3 The proposed works should therefore be considered acceptable.



 **MIALEX**

# Appendix 1

## 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 an Option
1.	No valid planning application objection in the form of a petition of 20 or more signatures, has been received	<input type="checkbox"/>
2.	Application complies with all relevant planning policies and is acceptable on planning grounds	<input type="checkbox"/>
3.	There is no Committee resolution for the enforcement action	<input type="checkbox"/>
4.	There is no effect on listed buildings or their settings	<input type="checkbox"/>
5.	The site is not in the Green Belt (but see 11 below)	<input type="checkbox"/>
REFUSAL RECOMMENDED: GENERAL		
6.	Application is contrary to relevant planning policies/standards	<input type="checkbox"/>
7.	No petition of 20 or more signatures has been received	<input type="checkbox"/>
8.	Application has not been supported independently by a person/s	<input type="checkbox"/>
9.	The site is not in Green Belt (but see 11 below)	<input type="checkbox"/>
RESIDENTIAL DEVELOPMENT		
10.	Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha	<input type="checkbox"/>
11.	Householder application in the Green Belt	<input type="checkbox"/>
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	<input type="checkbox"/>
13.	Refusal of change of use from retail class A1 to any other use	<input type="checkbox"/>
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.	<input type="checkbox"/>
CERTIFICATE OF LAWFULNESS		
15.	Certificate of Lawfulness (for proposed use or Development)	<input type="checkbox"/>
16.	Certificate of Lawfulness (for existing use or Development)	<input type="checkbox"/>
17.	Certificate of Appropriate Alternative Development	<input type="checkbox"/>
CERTIFICATE OF LAWFULNESS		
18.	ADVERTISMENT CONSENT (excluding Hoardings)	<input type="checkbox"/>
19.	PRIOR APPROVAL APPLICATION	<input type="checkbox"/>
20.	OUT-OF-BOROUGH OBSERVATIONS	<input type="checkbox"/>
21.	CIRCULAR 18/84 APPLICATION	<input type="checkbox"/>
22.	CORPSEWOOD COVENANT APPLICATION	<input type="checkbox"/>
23.	APPROVAL OF DETAILS	<input type="checkbox"/>
24.	ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where the Heads of Terms have already received Committee approval	<input type="checkbox"/>
25.	WORKS TO TREES	<input type="checkbox"/>
26.	OTHER (please specify)	<input type="checkbox"/>

The delegation powers schedule has been changed. 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 informative's 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 DETAILS  
SHOULD BE USED IN THE PS2  
RETURNS ODPM

Item No.	Report of the Head of Development Management and Building Control	
Address:	14 FRAYS AVENUE WEST DRAYTON	
Development:	Demolition of existing detached residential dwelling (Class C3), attached garage and rear outbuildings and the erection of a replacement residential dwelling (Class C3) with associated external alterations including a new vehicular access and boundary wall to the front elevation.	
LBH Ref Nos:	38871/APP/2024/3180	
Drawing Nos:	Design Statement, December 2024, Mialex 2075-P-01 2075-P-02 2075-P-11 2075-P-12 Topographical Survey Ground Floor Plan First Floor Plan Loft Floor Plan Roof Plan Front Elevation Right Elevation Rear Elevation Left Elevation 3D views 3D views	
Date Plans received:	07-01-25	Date(s) of Amendments(s):
Date Application valid	07-01-25	

## 1. SUMMARY

The application seeks planning permission for the demolition of existing detached residential dwelling (Class C3), attached garage and rear outbuildings and the erection of a replacement residential dwelling (Class C3) with associated external alterations including a new vehicular access and boundary wall to the front elevation.

The development would be harmful to the character and appearance of the West Drayton Garden City Area of Special Local Character and would result in an overprovision of car parking, prejudices highway safety and fails to encourage sustainable modes of transport. In addition, a completed Unilateral Undertaking (UU) has not been secured to deliver the scheme as a self-build

development to discharge the Biodiversity Net Gain (BNG) requirement.

For the above reasons, the application is recommended for refusal.

## 2. RECOMMENDATION

**REFUSAL for the following reasons:**

### 1. NON2 Character and appearance

The development, by virtue of its design, height, massing and siting, would result in a visual prominent, incongruous and cramped form of development, to the detriment of the visual amenities of the street scene and the character and appearance of the West Drayton Garden City Area of Special Local Character. The proposal therefore conflicts with Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 5, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D3 of the London Plan (2021) and Paragraphs 129d) and 135c) of the National Planning Policy Framework (2024).

### 2. NON2 Parking, highway safety and sustainable modes of transport

The development would result in an overprovision of car parking, prejudices highway safety and fails to encourage sustainable modes of transport including cycling, walking and the use of public transport. The proposal therefore conflicts with Policies DMT 1, DMT 2, DMT 5 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies T2, T4, T6 and T6.1 of the London Plan (2021) and Paragraphs 116 and 117 of the National Planning Policy Framework (2024).

### 3. NON2 Biodiversity Net Gain

In the absence of sufficient ecology information, it has not been demonstrated that the proposal would not have an adverse impact upon protected species and nature conservation and that the development would deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. The development fails to deliver a biodiversity net gain within the borough and fails to secure the protection and effective management of the remaining habitat on site. As such, the proposal is contrary to Policy EM7 of the Hillingdon Local Plan (Part 1) 2012, Policies DMEI 7 and DMHB 14 of the Hillingdon Local Plan (Part 2) 2020, Policy G6 of the London Plan 2021 and Schedule 7A of the Town and Country Planning Act 1990 and the Environment Act 2021.

## 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. I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2021). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

## 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. 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](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

## 3. CONSIDERATIONS

### 3.1 Site and Locality

The application site is located on Frays Avenue within a residential setting and comprises a two storey detached dwelling. The area to the front is hard surfaced and accommodates parking. The rear garden is well landscaped. The dwelling benefits from a side extension and garage and outbuilding.

The application site is within West Drayton Garden City Area of Special Local Character. The site does not contain any Listed Buildings. There are no trees that are subject to a Tree Preservation Order within the site or on adjoining land. The foot of the rear garden is located within a Flood Zone 2 however the footprint of the replacement dwelling does not. The site also lies within an Archaeological Priority Area.

### 3.2 Proposed Scheme

Planning permission is sought for the demolition of existing detached residential dwelling (Class C3), attached garage and rear outbuildings and the erection of a replacement residential dwelling (Class C3) with associated external alterations including a new vehicular access and boundary wall

to the front elevation.

### 3.3 Relevant Planning History

17012/APP/2020/368      20 FRAYS AVENUE WEST DRAYTON

Demolition of existing bungalow and erection of 2 x 3 bed dwellings with associated parking and amenity space.

**Decision:** 17-08-2020      Approval

53156/APP/2020/2990      16 FRAYS AVENUE WEST DRAYTON

Demolition of existing bungalow and replacement with a new dwellinghouse and associated external works including demolition of existing single garage to rear

**Decision:** 04-12-2020      Approval

38871/APP/2007/1701      14 FRAYS AVENUE WEST DRAYTON

ERECTION OF A PART SINGLE STOREY, PART TWO STOREY SIDE EXTENSION WITH PITCHED ROOF INCORPORATING TWO ROOFLIGHTS AND NEW FRONT PORCH.

**Decision:** 31-07-2007      Refusal      **Appeal:** 30-04-08      Dismissed

38871/APP/2002/2694      14 FRAYS AVENUE WEST DRAYTON

ALTERATION TO REAR ROOF FORM TO CREATE ADDITIONAL HABITABLE ROOM INCORPORATING A REAR DORMER WINDOW

**Decision:** 06-01-2003      Refusal

38871/87/0670      14 FRAYS AVENUE WEST DRAYTON

2-storey side extn & garage

**Decision:** 05-06-1987      Approval

#### Comment on Planning History

The relevant planning history is listed above.

In recent years, there have been new housing developments along Frays Avenue including two applications approved under planning permission refs: 53156/APP/2020/2990 and 17012/APP/2020/368.

Planning permission ref: 53156/APP/2020/2990 approved a replacement dwelling at the neighbouring site No.16. Notably this development maintained the pre-existing building width and height as a bungalow.

Planning permission ref: 7012/APP/2020/368 approved a pair of dwellings at No.20 which are flanked by two storey dwellings and are materially different in design to the proposed development.

Whilst the above planning permissions support the principle of a replacement dwelling in this

location, the current application bears is materially different to the approvals. As such they are not considered to represent precedents that support the development.

#### 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

##### PUBLIC CONSULTATION:

17 neighbours were consulted on 14-01-25. 4 letters of objection were received. The matters raised by residents are summarised below:

- Crime and disruption due to HMO
- Overlooking and crowding, shadowing
- Loss of dwelling in ASLC, ASLC slowly being eroding
- Character, size, design, appearance impacts

West Drayton Conservation Area Advisory Panel also wrote in objection:

I am writing on behalf of West Drayton Conservation Area Advisory Panel. We expect this application to be refused as we consider the proposed house too large and of unsympathetic, even alien character in this Area of Special Local Character. The proposal is for a three-storey house (higher than the current house on the site, and higher than both of the adjacent houses) that fills almost the whole width of the site. The pleasing and characteristic gap between houses at first floor level is severely reduced, and this loss is reinforced by the excessive depth of the house at this level. It will have an overbearing and oppressive effect, especially on the house to the north. We worry that the numerous windows on the side elevations will lead to overlooking of the adjacent properties. The footprint of the proposed house is over double that of the existing house, and because of the third storey, the volume of the house must be increased by significantly more than this. We note that a further application is planned to effectively replace the demolished outbuildings with a large 'garden room' so the proportion of the site not covered with buildings will reduce further.

##### PETITION:

In addition a petition in objection with 40 signatures was received. The petition raises concerns regarding the impact on the character of the ASLC owing to the design, height, over-dominance and overbearing effect of the development.

##### OFFICER COMMENTS:

The concerns regarding a HMO are noted. The application site is not covered by an Article 4 direction that restricts the change of use from a dwelling to HMO. A change of use to a large HMO would require a further grant of planning permission. The application has been assessed on the basis that the proposal is a single dwellinghouse.

Neighbour amenity considerations are discussed in the 'Impact on Neighbours' section. Character and appearance considerations are discussed in the 'Impact on Street Scene' section. The principle

of development including the loss of the original dwelling is discussed in the 'Other issues' section.

## LBH CONSULTEES:

### - Access

This proposal for the erection of a five-bedroom dwelling has been reviewed with reference to London Plan Policy D7. A review of drawing no. 2075-P-01 confirms that no accessibility concerns are raised, subject to the following Conditions attached to any approval: Prior to any works on site above damp proof course level, details of step free access via all points of entry and exit shall be submitted to, and approved in writing, by the Local Planning Authority. The measures implemented as approved shall be retained thereafter. REASON To ensure housing of an inclusive design is achieved and maintained in accordance with Policies D5 and D7 of the London Plan (2021). 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.

### - Conservation and Design

#### Architectural Merit of Existing Dwelling

The existing dwelling, while not listed under a formal designation, has architectural merit and contributes positively to the character of the street.

#### Proposal for Demolition and Rebuild

The planning statement proposes the demolition of the entire dwelling and rebuilding anew. However, the rationale for replicating the design like-for-like is unclear. If the intention is to rebuild the same, the environmental impacts of demolition and reconstruction must be considered.

#### *Roof Design and Materials*

*The proposal for a metal roof raises some concerns:*

*Noise Impact: Metal roofs can generate significant noise during rain, which is less desirable for habitable spaces, particularly bedrooms.*

*Material Consistency: If a metal roof is pursued, consistency across the entire roof is preferable to avoid an incongruous appearance.*

*The retention of traditional materials on the southern roof raises questions about coherence.*

*Our preference is to retain traditional materials; however, if a metal roof is proposed, it should be applied consistently across the entire roof rather than adopting a piecemeal approach which may produce incongruous visual appearance effects.*

#### *Proposed Dormer*

*The front dormer may be acceptable, particularly given the proposed metal roof and the precedent of a similar dormer next door. However, to ensure high-quality appearance:*

*The dormer should be entirely clad in metal to create a cohesive design with the roof. Drawings*

currently indicate GRP or other material on the dormer's front, which should be clarified and revised if needed.

#### *Brick Cladding*

*The proposed change to brick cladding could be supported, subject to: Agreement on an indicative brick type (e.g., light grey as suggested), with detailed specifications to be discharged later. Ensuring the brick relates well to the streetscape and maintains a high-quality appearance.*

#### *Northern Extension*

*The proposed extension to the north may be acceptable as presented, as it integrates seamlessly with the overall form and does not appear as an add-on, as demonstrated in the submitted CGIs. The existing building and front elevation appear capable of accommodating an extension of this size / scale.*

#### *Rear Extension*

*The proposed rear extension is excessive in scale and should be refused. Its footprint mirrors the existing but reduces height by one floor and introduces a separate roofscape. This approach: Fails to provide a subservient relationship to the existing building.*

*Risks adversely affecting neighboring properties.*

*Risks setting a negative precedent for the entire street of houses.*

*A smaller, more subservient rear extension may be acceptable if designed appropriately.*

*We would be open to reviewing alternative solutions.*

#### *Missing Plans and Layout Concerns*

*The application omits essential floor plans and elevations, which are necessary to assess: Design intent and spatial parameters.*

*Internal layouts, which are likely to feature excessively deep plans with potential issues of sunlight/daylight penetration, poor-quality aspects, and/or overlooking of habitable rooms.*

*These plans must be submitted for proper evaluation ahead of determination.*

#### *Forecourt and Landscaping*

*Forecourt Changes: Highways input is required due to changes to the vehicular access point. The removal of greening within the forecourt is not supported and should be resisted. The forecourt should balance greening with ancillary requirements, incorporating trees as part of the proposal. Details of bin and bike storage arrangements are also needed.*

*Rear Garden: The rear garden is under-landscaped and requires additional greening, including trees.*

#### *Trees at Flanks*

*The trees proposed at the flanks are unlikely to thrive due to spatial constraints and potential future developments on neighboring properties. Instead, trees should be located in the forecourt and rear garden, where they can grow and mature without risk.*

#### *Conclusion*

*If the missing information is provided and the issues outlined above - along with any further issues identified through additional details - are satisfactorily addressed through design changes, we may be open to supporting a similar application.*

#### *- Highways*

*The proposal involves demolishing the existing dwelling with a replacement dwelling including a*

new vehicular access and boundary wall to front elevation.

*The HA has reviewed the information including the Design and Access statement and plans submitted.*

*Unfortunately, the applicant has not submitted any plans or details concerning the new proposed vehicle access including on-site car (EV charging point) and cycle (storage) parking provisions and layouts to demonstrate how the development complies with LBH and London Plan car and cycle policies and guidance's. The site has a PTAL rating of 3, which is considered a 'moderate' level of public transport accessibility.*

*The published London Plan 2021 Policy T6.1 Residential Parking requires that development proposals must comply with the relevant parking standards. The maximum parking standards outlined in the London Plan Table 10.3: Outer London PTAL 0-1, 1-2 beds it is up to 1.5 space per dwelling. In the Hillingdon Local Plan: Part 2 Policy DMT6 it is 2 spaces for dwellings with curtilage. Given the sites very poor PTAL rating of 1a and provision of 1.5 spaces is not possible, Policy DMT6 takes preference. Therefore, in accordance with Policy DMT6, 2 car parking spaces (including secure and sheltered storage for at least 2 cycles) are required to be provided for the proposed new 2 bed dwelling with curtilage.*

*The London Plan (2021) Policy T6.1 Residential Parking requires that all residential car parking spaces must provide infrastructure for electric or Ultra-Low Emission vehicles. At least 20 per cent of spaces should have active charging facilities, with passive provision for all remaining spaces. The application site would therefore be required to provide 1no. active 7Kw active EVCP for each dwelling which could be conditioned.*

*The onus is on the applicant to provide detailed information/plans that demonstrate how the proposal is in accordance with the DMT 5 and 6 of Local Plan Part 2 and London Plan policies for the HA to fully understand and assess the viability of the proposal to make an informed decision, it is not for the HA to make assumptions or undertake any of the assessment on behalf of the applicant.*

*Recommendation:*

*Until the above information is provided and satisfactorily addressed, I am not in a position to determine the suitability or otherwise of the development therefore the default position is a refusal on the basis of deficient information provided for the HA to make an informed decision on the proposal's suitability, impact and safety.*

*- Waste*

*No comments/ objections*

## 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.HE1	(2012) Heritage
PT1.H1	(2012) Housing Growth

Part 2 Policies:

DMHB 1	Heritage Assets
DMHB 5	Areas of Special Local Character
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
DMEI 9	Management of Flood Risk
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D6	(2021) Housing quality and standards
LPP SI12	(2021) Flood risk management
LPP T2	(2021) Healthy Streets
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
NPPF12 -24	NPPF12 2024 - Achieving well-designed places
NPPF15 -24	NPPF15 2024 - Conserving and enhancing the natural environment
NPPF2 -24	NPPF2 2024 - Achieving sustainable development

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) (2024) 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

#### NEIGHBOURING AMENITY

Policy D3 of the London Plan (2021) states Part D7) that development proposals should deliver appropriate outlook, privacy and amenity.

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. The supporting text for this policy states that the Council will expect new development proposals to carefully consider layout and massing in order to ensure development does not result in an increased sense of enclosure and loss of outlook.

The plans demonstrate that the development would not breach the 45 degree line of sight has from the nearest first floor windows of the neighbouring properties. As such both neighbours would not experience any loss of outlook.

The separation distances between the front elevation and the neighbour to the east at No.5 and between the rear elevation of the development and the properties to the west on Fairway Avenue would far exceed 21metres. A suitable separation would therefore be retained to prevent any undue overlooking

The first floor side elevation windows are secondary windows serving the front bedrooms. In the interests of preserving neighbour privacy, in the event of an approval, these windows could be subject to a condition to be obscure glazed and non-opening below a height of 1.8 metres.

Overall, there are no undue impacts on amenity identified.

### 7.2 Impact on Street Scene

#### CHARACTER AND APPEARANCE

Paragraph 129d) of the NPPF (2024) states - Planning policies and decisions should support development that makes efficient use of land, taking into account: the desirability of maintaining an area's prevailing character and setting.

Paragraph 135c) of the NPPF (2024) states - Planning policies and decisions should ensure that developments: are sympathetic to local character and history, including the surrounding built environment and landscape setting.

Policy D3 of the London Plan (2021) requires that development proposals should: Form and 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 BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) 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 HE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) seeks to conserve and enhance Hillingdon's distinct and varied environment, its settings and the wider historic landscape, which includes: Locally recognised historic features, such as Areas of Special Local Character and Locally Listed Buildings.

Policy DMHB 5 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) advises that:

- A) Within Areas of Special Local Character, new development should reflect the character of the area and its original layout. Alterations should respect the established scale, building lines, height, design and materials of the area.
- B) Extensions to dwellings should be subservient to, and respect the architectural style of the original buildings and allow sufficient space for appropriate landscaping, particularly between, and in front of, buildings.
- C) The replacement of buildings which positively contribute to the character and local importance of Areas of Special Local Character will normally be resisted.

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.

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.

The site lies within the Garden City, West Drayton Area of Special Local Character. As detailed in section 5 of the report, the Council's conservation and design officer has objected to the proposal and recommends refusal on the grounds of the impact on the area of special local character.

The existing dwelling is a two storey property with a rendered exterior and a pitched tiled roof. It has been extended to the side. The retention of original features allows the existing building to provide a positive contribution to the significance of the ASLC. However as discussed in the principle of development paragraphs (see 'Other Issues' section' of this report), there is no objection to the demolition of the existing building.

The height of the proposed replacement dwelling would be 60cm taller than the existing dwelling resulting in a building height of 9.2m. The replacement dwelling would be 3.4metres taller than the neighbouring bungalow at No.12 (which has a height of 5.8m) and 2.7 taller than the neighbouring chalet bungalow at No. 16 (which has a height of 6.5m). The eaves height is also noted to be 50cm

higher than the existing dwelling. The proposal would retain a forward gable in the principal elevation, however other architectural features would be lost. The overall increase in scale and massing would be significant.

The existing garage would be removed and the width of the replacement dwelling would be 1.2m wider than the existing dwelling. The overall width of the proposal is 13.2metres, The neighbouring dwellings are noted to be of varying widths.

The proposal would be provided with side gaps of 1.5metre to the shared boundaries with Nos. 12 and 16. It is noted that the side gaps prevalent on Frays Avenue vary in width. A 1.5m side gap is provided as a policy guideline and may be acceptable depending on other design and siting factors. Given the significant cumulative increase in height, width, bulk, massing and site coverage, which materially impact on the visual amenity of the street, a 1.5metre side gap on both sides would not be considered acceptable in this instance.

The materials listed on the application form are brick, standing seam roof covering on three sides and RAL coloured framed windows and doors. The elevations show the south facing roof slope covered with tiles. It is noted that the fenestration treatment and dormers take design cues from the approved scheme at No.16 and whilst in isolation the windows and doors may be acceptable in this regard, the similarity with the neighbouring precedent ends there. The mix of exterior materials is considered to be incongruous and as described below, the design of the scheme as presented is considered to be harmful to the character and appearance and the visual amenities of the area of special local character.

The building line would be retained at the front which is acceptable. The existing dwelling is noted to have a depth of 8.2m. The proposed dwelling would increase the depth by 8.8m resulting in a 17metres depth. The footprint of the replacement dwelling is more than double that of the existing dwelling. This is considered to be excessive and the increase in depth would not be permissible under the Council's householder Policy DMHD 1 of the Local plan Part 2 which provides a max. depth guidance for rear extensions on detached dwellings of 4m.

The north elevation drawing shows the dwelling at No.18 in the background. It is noted that Nos. 18 and 20 are set back relative to the rest of the street. However this is an anomaly as properties along this section of Frays Avenue generally follow a similar building line. The proposed dwelling would breach the rear building line (defined the row of dwellings on this section comprising Nos. 6-16) by a significant two storey projection and notably there are no other neighbours that comprise such a wide and deep footprint and massing.

The design of the development proposed reads as a three storey dwelling at the front with a chalet bungalow attached to the rear. The proposal would be notably out of proportion with the scale and massing of neighbouring dwellings. The cumulative effect of the development is one of significant harm to the street scene. The overly complex and competing roof forms would be highly visible from within the street scene, even those to the rear, due to the more modestly scaled properties either side which are set away from the shared side boundaries and are lower in bulk scale and mass. The use of various roof forms including hipped, pitched and crown combined by the front and rear dormers in combination with the massing of the building would appear over dominant and out of character.

Whilst the existing building steps up higher than the two neighbouring properties the existing property is more modestly scaled. Drawing ref 2075-P-12 illustrates the excessive increase in massing, the proposal seeks to break up the massing through the use of dormers, alternative materials, set in and set downs to various parts of the elevations which is an uncommon feature

within this designated area.

The overall effect of the siting, design, materials and massing of the proposal would be a replacement dwelling that is visual prominent and incongruous with the established pattern of development and fails to harmonise with the character and appearance of the area of special local character.

The proposal therefore conflicts with Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 5, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D3 of the London Plan (2021) and Paragraphs 129d) and 135c) of the National Planning Policy Framework (2024). This forms reason for refusal 1.

### 7.3 Traffic Impact/Pedestrian Safety

#### HIGHWAY SAFETY AND PARKING:

Paragraph 116 of the NPPF (2024) states - 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, following mitigation, would be severe, taking into account all reasonable future scenarios.

Paragraph 117 of the NPPF (2024) states - Within this context, applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible - to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Policy T2 Part A of the London Plan (2021) states - Development proposals and Development Plans should deliver patterns of land use that facilitate residents making shorter, regular trips by walking or cycling.

Policy T4 Parts E and F of the London Plan (2021) states - E) The cumulative impacts of development on public transport and the road network capacity including walking and cycling, as well as associated effects on public health, should be taken into account and mitigated; and, F) Development proposals should not increase road danger.

Policy T5 Part A of the London Plan (2021) states - Development Plans and development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle.

Policy T6 Part D of the London Plan (2021) states - The maximum car parking standards set out in Policy T6 .1 Residential parking to Policy T6 .5 Non-residential disabled persons parking should be applied to development proposals and used to set local standards within Development Plans.

Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) 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.

Policy DMT 5 Part A of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states - 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.

Policy DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to ensure that all development is in accordance with the car parking standards set out in Appendix C, Table 1 unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network.

The proposed plans indicate the formation of a new centrally located vehicle crossover and the provision of 4no car parking spaces in the front garden.

Adopted car parking standards would require a maximum of 2 car parking spaces. The proposal also omits the provision of 2 secure and accessible cycle spaces and the provision of electric vehicle charging points. The Highway Authority's comments regarding the lack of electric vehicle charging points and cycle parking are noted. Had the application been recommended for approval, a condition would have been imposed to secure the appropriate level of provision.

The new vehicle crossover would directly impact on designated resident permit parking bays, which has not been addressed in the submission. In addition, the proposed access arrangements are not supported by relevant technical highways drawings demonstrating safe entry and exit onto the highway. As detailed in Section 5, the highway authority have recommended refusal on the grounds of lack of information. As the application is being recommended for refusal, officers have not sought revised plans.

Taking the above points into consideration, the proposed development as presented, would result in an overprovision of car parking, fail to promote sustainable transport and would give rise to highway safety concerns. As such the development fails to comply with Policies DMT 1, DMT 2, DMT 5 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies T2, T4, T5, T6 and T6.1 of the London Plan (2021) and Paragraphs 116 and 117 of the NPPF (2024). This forms reason for refusal 2.

#### **7.4 Carparking & Layout**

See 'Traffic Impact/Pedestrian Safety' section.

#### **7.5 Urban Design, Access and Security Considerations**

##### **URBAN DESIGN**

See 'Impact on Street Scene' section.

##### **ACCESS**

Policy D5 of the London Plan (2021) states - B) Development proposal should achieve the highest standards of accessible and inclusive design.

Policy D7 of the London Plan (2021) states - To provide suitable housing and genuine choice for London's diverse population, including disabled people and families with young children, all

residential development should include at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(3) 'wheelchair user dwellings' and all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

As detailed in section 5 of this report, the Council's access officer has no objection subject to conditions to secure details of step free access and compliance with the technical specifications for an M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015.

## SECURITY

Policy DMHB 15 of the Hillingdon Local Plan: Part 2 (2020) states that the Council will require all new development to ensure safe and attractive public and private spaces by referring to the Council's latest guidance on Secured by Design principles. Where relevant, these should be included in the Design and Access Statement. Development will be required to comprise good design and create inclusive environments whilst improving safety and security by incorporating the following specific measures:

- i) providing entrances in visible, safe and accessible locations;
- ii) maximising natural surveillance;
- iii) ensuring adequate defensible space is provided;
- iv) providing clear delineations between public and private spaces; and
- v) providing appropriate lighting and CCTV.

Any grant of planning permission would be subject to a secure by design condition to achieve appropriate accreditation. To obtain further advice, you may wish to contact the Metropolitan Police's Secure by Design Officer, PC Robert Palin who can be contacted on 020 8733 5245 or by e-mail on [Robert.Palin@met.pnn.police.uk](mailto:Robert.Palin@met.pnn.police.uk)

## FLOOD RISK AND DRAINAGE

Policy SI 12 part C of the London Plan (2021) states - Development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed.

Policy SI 13 part B of the London Plan (2021) states - Development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. There should also be a preference for green over grey features, in line with the following drainage hierarchy:

- 1) rainwater use as a resource (for example rainwater harvesting, blue roofs for irrigation)
- 2) rainwater infiltration to ground at or close to source
- 3) rainwater attenuation in green infrastructure features for gradual release (for example green roofs, rain gardens)
- 4) rainwater discharge direct to a watercourse (unless not appropriate)
- 5) controlled rainwater discharge to a surface water sewer or drain
- 6) controlled rainwater discharge to a combined sewer.

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

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

increase the risk or consequences of flooding, will be refused.

Policy DMEI 10 part A) of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states Applications for all new build developments (not conversions, change of use, or refurbishment) are required to include a drainage assessment demonstrating that appropriate sustainable drainage systems (SuDS) have been incorporated in accordance with the London Plan Hierarchy.

Part of the rear garden lies within a Flood Zone 2 (moderate risk of flooding). However the replacement dwelling would be sited in a Flood Zone 1 and therefore in this instance a Flood Risk Assessment would not be required.

If the application were recommended for approval, a scheme of sustainable drainage would have been secured by condition.

## TREES AND LANDSCAPING

Policy DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that:

- A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.
- B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.
- C) Where space for ground level planting is limited, such as high rise buildings, the inclusion of living walls and roofs will be expected where feasible.
- D) Planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees. Where the tree survey identifies trees of merit, tree root protection areas and an arboricultural method statement will be required to show how the trees will be protected. Where trees are to be removed, proposals for replanting of new trees on-site must be provided or include contributions to offsite provision.

The site does not contain any TPO trees and there are no adjacent Tree Preservation Area Orders.

The plans show the provision of 3no trees on both sides of the new dwelling which are unrealistic long-term landscaping proposals given proximity to the development. The landscape scheme comprises 1no new tree within the rear garden. Overall, the proposed landscaping requires supplementing with further planting. In the event of an approval, a condition would have been recommended to secure a full landscape scheme to enhance the visual amenity of the site.

## LIVING CONDITIONS

Policy D6 of the London Plan (2021) states that housing development should be of high quality design and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures.

Table 3.1 of the London Plan (2021) requires a 6 bedroom house with 8 bedspaces to have a minimum gross internal floor area of 132square metres.

Policy DMHB 16 of the Hillingdon Local Plan: Part Two - 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.

The development would result in a 6bedroom 12person dwelling. There is no prescribed standard for a dwelling of this size. With an overall GIA of 508sq.m, the proposed replacement dwelling far exceeds the London Plan minimum space standard for a two storey 6 bedroom house.

All of the double bedrooms exceed the 11.5sq.m minimum requirement. The dwelling would be dual aspect. As shown on the proposed floor plans, the first floor side windows would be obscure glazed. As these are secondary windows serving the front bedrooms, adequate levels of outlook and daylight would be provided.

Accordingly, the proposal is considered to comply with Policy D6 of the London Plan (2021) and Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Paragraph 135f) of the National Planning Policy Framework (2024).

## PRIVATE AMENITY SPACE

Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) requires all new residential development to provide good quality and useable private amenity space in accordance with Table 5.3 which requires houses with four-bedrooms or more to have at least 100 square metres of private outdoor amenity space.

The private amenity space retained to serve the proposed replacement dwelling far exceeds the policy requirement.

The concerns raised by the West Drayton Conservation Area Advisory Panel regarding the potential future siting of an outbuilding in the rear garden are noted. The space available in the rear garden would allow for the siting of a suitably sized outbuilding without compromising the amenity space that would be required.

## 7.6 Other Issues

### BIODIVERSITY NET GAIN:

Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity.

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.

Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.

The application form has selected the 'Self-build and custom build development' exemption. Had the application been recommended for approval, evidence of the applicant signing up to the Council's self-build register would have been sought. In addition whilst the BNG self build exemption may apply in the event of an approval, this exemption would prevent the requirement for the delivery of a 10% net gain on site. However it does not mean that the applicant is not required to provide the statutory metric which will be needed in order to calculate whether there is a shortfall

which in the event that the self build regulations are breached (for instance the property is sold within the exemption period) how the BNG requirements would be fulfilled.

A legal agreement securing the applicants confirmation that the self build exemption and criteria applies has not been submitted to Officers, nor has any evidence to demonstrate that the applicant is registered on the self build and custom build register. The applicant has failed to provide the statutory metric in accordance with statutory framework set out above. This forms reason for refusal 3.

#### COMMUNITY INFRASTRUCTURE LEVY:

Policy DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states: A) To ensure development is sustainable, planning permission will only be granted for development that clearly demonstrates there will be sufficient infrastructure of all types to support it. Infrastructure requirements will be predominantly addressed through the Council's Community Infrastructure Levy (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 square metre. CIL rates are index linked.

The proposal involves the erection of a new dwelling and would therefore be liable to pay CIL. A relevant informative would be attached to the decision notice pointing to these obligations. In this regard, the development accords with the aims of Policy DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), the NPPF (2024) and the Community Infrastructure Levy Regulations (2010).

#### PRINCIPLE OF DEVELOPMENT

Paragraph 202 of the NPPF (2024) states that local planning authorities should recognise " assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance".

Paragraph 210 of the NPPF (2024) relates to designated and to non-designated heritage assets and states that "In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation".

Paragraph 216 of the NPPF (2024) states that "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."

This is reinforced at a local level, where Policy DMHB 5 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that "The replacement of buildings which positively contribute to the character and local importance of Areas of Special Local Character will normally be resisted."

Based on the interpretation of paragraph 039 of the Planning Practice Guidance, the Garden City Area of Special Local Character (ASLC) is a non-designated heritage asset.

It is noted that the Council's Conservation Officer has not objected in respect to the loss of the existing property and its current contribution to the ASLC. It is considered that refusing this application on this ground alone would be unsustainable in the event of the appeal. The existing property is not a statutory listed building, nor is it a locally listed building. Subject to compliance with relevant planning policies and other material considerations, the principle of replacing the existing dwelling with another dwelling is considered acceptable.

## 8. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (2012)

Hillingdon Local Plan: Part Two - Development Management Policies (2020)

London Plan (2021)

National Planning Policy Framework (2024)

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021)

**Contact Officer:** Christos Chrysanthou    **Telephone No:** 01895 250230

# Appendix 2

## 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 informatics 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**

<b>Item No.</b>	<b>Report of the Head of Planning, Transportation and Regeneration</b>
<b>Address</b>	16 FRAYS AVENUE WEST DRAYTON
<b>Development:</b>	Demolition of existing bungalow and replacement with a new dwellinghouse and associated external works including demolition of existing single garage to rear
<b>LBH Ref Nos:</b>	<b>53156/APP/2020/2990</b>
<b>Drawing Nos:</b>	2057-P-02 (Proposed Ground Floor Plan) 2057-P-02 (Proposed First Floor Plan) 2057-P-02 (Proposed Roof Plan) 2057-P-01 2057-P-02 (Proposed Site Plan, Floor Plans and Front Elevation) Planning and Design Statement 2057-P-05 2057-P-03 2057-P-07

**Date Plans received :** 18/09/2020

**Date(s) of Amendment(s):**

**Date Application Valid:** 18/09/2020

## 1. **SUMMARY**

The application seeks planning permission for the demolition of the existing property and the construction of a replacement 1.5 storey dwellinghouse.

The proposed development, by reason of its design, scale, siting, form, proportions and footprint, is not considered to have a detrimental impact on the character and appearance of the Frays Avenue street scene and surrounding West Drayton Garden City Area of Special Local Character. It is considered that the proposed development would not have an unacceptable adverse impact on the residential amenities of adjacent occupiers or on general highway/pedestrian safety. The proposal is therefore recommended for approval.

## 2. **RECOMMENDATION**

**APPROVAL subject to the following:**

### 1 RES3 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

#### REASON

To comply with Section 91 of the Town and Country Planning Act 1990

### 2 RES4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 2057-P-02 (Proposed Site Plan, Floor Plans and Front Elevation), 2057-P-02 (Proposed Ground Floor Plan), 2057-P-02 (Proposed First Floor Plan), 2057-P-02 (Proposed Roof Plan), 2057-P-03, 2057-P-05 and 2057-P-07 and shall thereafter be retained/maintained for as long as the development remains in existence.

## REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012), Part 2 (2020) and the London Plan (2016).

### 3 RES7 Materials (Submission)

Prior to commencement of development (other than demolition), samples and product information including manufacturer details, colour, finish and texture of all external materials and finishes shall be submitted to and approved in writing by the Local Planning Authority. Samples shall be made available on site for inspection including a sample panel of the brickwork. Works shall be carried out in accordance to the approved details.

## REASON

To ensure that the development presents a satisfactory appearance and to safeguard the character and appearance of the ASLC in accordance with Policy DMHB 1, DMHB 5 and DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

### 4 RES9 Landscaping (car parking & refuse/cycle storage)

Prior to above ground works, a landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

#### 1. Details of Soft Landscaping

- 1.a Planting plans (at not less than a scale of 1:100),
- 1.b Written specification of planting and cultivation works to be undertaken,
- 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

#### 2. Details of Hard Landscaping

- 2.a Refuse Storage
- 2.b Cycle Storage
- 2.c Means of enclosure/boundary treatments
- 2.d Hard Surfacing Materials
- 2.e External Lighting

#### 3. Schedule for Implementation

#### 4. Other

- 4.a Existing and proposed functional services above and below ground
- 4.b Proposed finishing levels or contours

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

## REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies DMHB 11, DMHB 12, DMHB 14, DMEI 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and 5.17 of the London Plan (2015).

### 5 RES12 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England)Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 14

Frays Avenue.

**REASON**

To prevent overlooking to adjoining properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

**6 RES13 Obscure Glazing**

The windows facing 14 Frays Avenue shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and be non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

**REASON**

To prevent overlooking to adjoining properties in accordance with policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan Part 2 (2020).

**7 RES14 Outbuildings, extensions and roof alterations**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification); no garages, sheds or other outbuildings, nor extension or roof alteration to the dwellinghouse shall be erected without the grant of further specific permission from the Local Planning Authority.

**REASON**

To protect the character and appearance of the area and amenity of residential occupiers in accordance with policies DMHB 11 and DMHD 2 of the Hillingdon Local Plan Part 2 (2020)

**8 NONSC External Windows and Doors**

Prior to installation, product information including manufacturer details, colour, finish and texture of all external windows and doors shall be submitted to and approved in writing by the Local Planning Authority. Details shall include a sample of the proposed glass. Works shall be carried out in accordance to the approved details.

**REASON**

To ensure that the development presents a satisfactory appearance and to safeguard the character and appearance of the ASLC in accordance with Policy DMHB 1, DMHB 5 and DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

**9 NONSC Rainwater Goods**

Prior to installation, product information including manufacturer details, colour, finish and texture of all rainwater goods, including guttering, downpipes and hopper heads shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance to the approved details.

**REASON**

To ensure that the development presents a satisfactory appearance and to safeguard the character and appearance of the ASLC in accordance with Policy DMHB 1, DMHB 5 and DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

**10 NONSC Non Standard Condition**

The rooflights hereby approved shall be conservation roof lights set completely flush with the roof line.

## REASON

To ensure that the development presents a satisfactory appearance and to safeguard the character and appearance of the ASLC in accordance with Policy DMHB 1, DMHB 5 and DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

## INFORMATIVES

### 1 I52 Compulsory Informative (1)

The decision to GRANT 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 GRANT 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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

- DMHB 1      Heritage Assets
- DMHB 5      Areas of Special Local Character
- 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
- DMHD 2     Outbuildings
- DMT 2      Highways Impacts
- DMT 6      Vehicle Parking
- LPP 3.3     (2016) Increasing housing supply
- LPP 3.4     (2015) Optimising housing potential
- LPP 3.5     (2016) Quality and design of housing developments
- LPP 7.1     (2016) Lifetime Neighbourhoods
- LPP 7.2     (2016) An inclusive environment
- LPP 7.4     (2016) Local character
- LPP 7.8     (2016) Heritage assets and archaeology
- NPPF- 2     NPPF-2 2018 - Achieving sustainable development
- NPPF- 5     NPPF-5 2018 - Delivering a sufficient supply of homes
- NPPF- 11    NPPF-11 2018 - Making effective use of land
- NPPF- 12    NPPF-12 2018 - Achieving well-designed places
- NPPF- 16    NPPF-16 2018 - Conserving & enhancing the historic environment

### 3 I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2016). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

**4 I2 Encroachment**

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then the validity of this planning permission may be challengeable by third parties.

**5 I5 Party Walls**

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

**6 I6 Property Rights/Rights of Light**

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

**7 I15 Control of Environmental Nuisance from Construction Work**

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit ([www.hillingdon.gov.uk/noise](http://www.hillingdon.gov.uk/noise) Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

**8 I23 Works affecting the Public Highway - Vehicle Crossover**

The development requires the formation of a vehicular crossover, which will be constructed by the Council. This work is also subject to the issuing of a separate licence to obstruct or open up the public highway. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

**9 I23A Re-instatement of a Vehicle Access.**

You are advised by London Borough of Hillingdon, Highways Management, that any works on the Highway, in relation to the reinstatement of any existing vehicle access, must be carried out with approval from the Highway Authority. Failure to reinstate an existing vehicle access will result in the Highway Authority completing the works, and the developer may be responsible for the costs incurred. Enquiries should be addressed to: Highways Maintenance, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

**10 I47 Damage to Verge - For Council Roads:**

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

**11 I70 LBH worked applicant in a positive & proactive (Granting)**

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 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, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

**12 I73 Community Infrastructure Levy (CIL) (Granting Consent)**

Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. Before commencement of works the development parties must notify the London Borough of Hillingdon of the commencement date for the construction works (by submitting a Commencement Notice) and assume liability to pay CIL (by submitting an Assumption of Liability Notice) to the Council at [planning@hillingdon.gov.uk](mailto:planning@hillingdon.gov.uk). The Council will then issue a Demand Notice setting out the date and the amount of CIL that is payable. Failure to submit a valid Assumption of

Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed.

The above forms can be found on the planning portal at: [www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

**Pre-Commencement Conditions:** These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of the pre-commencement conditions have been discharged/complied with.

### **3. CONSIDERATIONS**

#### **3.1 Site and Locality**

The application site comprises a detached bungalow situated on the North West side of Frays Avenue with its principle elevation facing to the East. The site backs onto Frays River and forms a highly prominent corner plot at the junction with Lawn Avenue. The property is brick built with a hipped roof and is located in the South East corner of the plot in close proximity to the boundaries and main roads of both Frays Avenue and in particular, Lawn Avenue. To the front of the property is an area of soft landscaping with a section of hardstanding providing one off-street parking space. To the rear is a patio section with a dropped kerb and access from Lawn Avenue and further to the rear is a single storey garage again with a dropped kerb and access from Lawn Avenue. The remaining area is soft landscaped and mainly laid to lawn which backs onto the river at the end of the garden.

Frays Avenue is a cul-de-sac that terminates at the River Colne to the South West. Frays River runs along the rear/west boundary of the property and connects with the River Colne to the South. The surrounding street scene is predominantly residential in character. There is a mix of properties within the locality however the neighbouring properties to the South on this application side of the road are bungalows, with a number of the single storey buildings having dormer windows and living accommodation in the roof space. The majority of properties have off-street parking however some on-street parking is present. There are well established building lines within the street scene, particularly on the opposite, North East side of the road. On the application side of the road the building line is set with the application site running to the North whilst most of the properties to the South are generally set further back. This is certainly evident with no.18 Frays Avenue.

The adjacent property to the immediate North no.14 Frays Avenue is a two storey dwelling which has been extended; and the adjacent property to the South, no.18 Frays Avenue, is also a bungalow which has been recently extended to provide additional living area in the roof space.

The site lies within the Garden City, West Drayton Area of Special Local Character (ASLC), as identified in the Hillingdon Local Plan - Part One Strategic Policies (November 2012). Frays River, outside but adjoining the site, is designated as a Nature Conservation Site of Metropolitan or Borough Grade I Importance.

#### **3.2 Proposed Scheme**

This application seeks planning permission for the demolition of existing bungalow and replacement with a new dwellinghouse and associated external works including demolition of existing single garage to rear.

### 3.3 Relevant Planning History

53156/APP/2018/207 16 Frays Avenue West Drayton

Two storey, 3-bed detached dwelling with habitable roofspace, associated parking and amenity space involving the demolition of the existing bungalow

**Decision:** 13-03-2018 Refused

53156/APP/2018/4298 16 Frays Avenue West Drayton

Single storey rear extension

**Decision:** 04-02-2019 Approved

53156/APP/2019/1392 16 Frays Avenue West Drayton

Erection of two storey, 3-bed, detached dwelling, involving demolition of existing bungalow and garage

**Decision:** 03-07-2019 Refused

**Appeal:** 20-03-2020 Dismissed

53156/APP/2019/3166 16 Frays Avenue West Drayton

Erection of a two storey 4-bed dwelling with associated parking and amenity space, involving demolition of existing dwelling and erection of double garage.

**Decision:** 03-12-2019 Refused

53156/APP/2020/1393 16 Frays Avenue West Drayton

Two storey, 4 bed detached dwelling, parking and amenity space involving demolition of existing dwelling

**Decision:** 01-07-2020 Refused

53156/APP/2020/702 16 Frays Avenue West Drayton

Two storey, 5 bed detached dwelling, single storey detached garage, cycle store, parking and amenity space involving demolition of existing dwelling

**Decision:** 23-04-2020 Refused

#### Comment on Planning History

There is extensive planning history relating to this site. The most relevant has been referenced above.

Under planning ref: 53156/APP/2020/1393 (07-07-20) planning permission was refused for a two storey, 4 bed detached dwelling, parking and amenity space involving demolition of existing dwelling for the following reason:

The proposed development, by reason of its overall size, scale, bulk and design, would result in a large, dominating and incongruous form of development which would fail to respect the pattern of development in the area. The proposal would thus be detrimental to the visual amenities of the street scene and the character and appearance of the wider West Drayton, Garden City Area of Special Local Character, contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), and Policies DMHB 1, DMHB 5, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies 3.5 and 7.8 of the London Plan and the NPPF.

Following the receipt of the decision, the applicant engaged in pre-application advice with Planning and Conservation Officers to overcome the reasons for refusal. The current proposal follows pre-application discussions. It provides a new dwellinghouse that is a

comprehensively designed. Its massing, scale, bulk and design varies significantly from the previously refused scheme. The proposal is discussed in more detail within the main body of the report.

#### **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**

The application was consulted on between 01-10-20 and 22-10-20. 1 objection was received against the application which is summarised below:

- The development plan indicates that the proposed building is to be extended at the back and the side of the current dwelling indicating that the development extension will go far beyond our property (Number 14) at the rear. It is dominating and fails to respect the pattern of development within the neighbouring roads.
- A second floor is suggested at the rear whereas our dwelling has only a single storey nearer to No 16 keeping it well away from the fence, respecting its privacy.
- The planning application drawing shows the building proposal going far beyond the permitted build.
- The existing property is a bungalow and were the property to consist of a single storey rear extension that matches the depth of our property then we would have no issue with any such application.
- The proposed two storey depth extends beyond the single storey depth of our property which would make it overbearing.
- The plans show that the lighting impact from one of the rooms at the back of the house.
- The drawings contained in the report are completely inaccurate and the proposal would result in the loss of light.
- The building will be a huge eyesore out of that window and block light.
- The building is set further back from the neighbouring building line.
- The proposal would result in the loss of privacy.
- Concerned about the proximity of the building to the neighbouring property.
- Concerned about construction impact.
- The proposal would be detrimental to the Garden City Estate look and feel, on wildlife or surrounding neighbours.

Officer Comment: The objections are addressed within the main body of the report.

1 Comment was received from the West Drayton Conservation Panel.

The current proposals are far less bad than any of the previous applications for this site. In comparison with the large and ugly rebuilding of the bungalow at 18 Frays Avenue that was recently approved, so setting an unfortunate precedent, it is relatively pleasant. Although we normally do not like houses with large crown roofs, this one has been designed to give the impression from all sides that the roof being viewed is topped by a standard ridge. It is not clear exactly which windows on the north side of the building (facing 14 Frays Avenue) have obscured glazing to avoid issues of overlooking, but the proposed high fences should provide an adequate screen on this boundary, though are less welcome on the frontage to Frays Avenue and the eastern part of the frontage onto Lawn Avenue. If this application is approved we expect a condition to be imposed that removes all permitted development rights so any future extensions or outbuildings will

require full planning permission.

Officer comment: The suggested conditions have been incorporated into the decision.

## INTERNAL CONSULTEE COMMENTS

### Conservation Officer

The existing site comprises of a mid-20th century bungalow, prominently positioned on a corner site within the Garden City, West Drayton ASLC.

The bungalow is L-shaped in plan form and is characterised by its red brick exterior and hipped tiled roof form. The building is typical of the area with many other bungalows built within the Garden City in a similar manner, such as No.20 Frays Avenue. This low-rise, modest form of development is an important characteristic of the area. It also allows for views down Lawn Avenue across the Fray's River from Frays Avenue and vice versa. The area generally comprises of a mix of single storey and two storey, detached and semi-detached dwellings.

The existing site backs onto the Fray's River and benefits from two exposed elevations due to its corner location. The boundary along Lawn Avenue is defined by a red brick wall with two vehicle access gates.

Previous schemes to redevelop this site have been refused. The Agent requested informal advice outside the formal planning or pre-application process. Brief advice had been given in relation to an amended scheme however it was made clear that the proposal must address previous comments stated.

As per previous comments in relation to the previously submitted planning applications, the loss of the existing bungalow would further erode the character of the ASLC. The existing bungalow relates to the original development of the Garden City and the typology of buildings built within the development. Robust justification and potential for enhancement to the area and street scene would be fundamental in considering the redevelopment of the site.

The plans submitted are rendered images, whilst useful to understand the material appearance of the proposed development, it does obscure the technical details of the plans. It would be useful to also include black and white technical drawings.

The proposed building would appear contemporary in appearance. However, the simple design aesthetic would sympathetically relate to the existing bungalow and character of the area. From the submitted information it appears to respect the low-rise character of the site. The main concerns would be the inclusion of the large crown element as it is not an established feature within the area. However, on balance the ridge detail and sunken nature of the crown element would reduce its appearance when viewed at ground level, providing the perception of a traditional, fully pitched roof form.

The flush appearance to the gable end would positively contribute to the simplicity of the building, with the verge roof tiles in line with the brick work, creating a thin roof line detail to the gable ends. This would be a commendable design element. However, it would need to be ascertained that no soffit detail is proposed to be added to the gable ends at a later date. The inclusion of a soffit would significantly alter the aesthetically clean appearance of the gables.

Whilst in this instance the contemporary approach could be considered an enhancement, it is important that the materiality of the building is of a significant high quality and this

would need to be demonstrated from the outset. Information would be required in relation to roofing materials, brickwork, roof lights and external windows and doors including proposed glass (colour). This can be covered by way of a pre-commencement condition if not provided upfront. Samples of the materials to be used, including a sample brick work panel made up on site would be required. Details submitted would need to include product details and manufacturer information. Roof lights would need to be conservation roof lights set completely flush with the roof line.

The proposed guttering and downpipes would appear to sensitively camouflage into the proposed brickwork. This would be a commendable approach however further details, by way of a condition, would be required to ensure the quality of the design is implemented in reality.

The existing garage to the rear of the site is an isolated, oddly placed structure in close proximity to the Fray's River. Its demolition is strongly supported as it would take the opportunity to enhance the appearance of the site within the ASLC and adjacent river environment.

Whilst some harm would result from the loss of the original property it is recognised from the proposed design there is an opportunity for enhancement. It is important to note section 12 of the NPPF notes the importance of achieving well-design developments which are sympathetic to the surrounding environment maintaining a sense of place. In accordance with paragraph 197 of the NPPF, as part of the assessment of a formal application, the decision maker would need to make a balanced decision in terms of harm caused to the non-designated heritage asset.

In order to safeguard the design quality of the development and its positive contribution to the ASLC, it is recommended that some permitted development rights area restricted on this site.

Conclusion: Acceptable subject to the inclusion of recommended conditions.

#### Highways Officer

The development is in accordance with the Hillingdon Local Plan: Part 2 Development Management Policies (2020) Policy DMT 1: Managing Transport Impacts, Policy DMT 2: Highway Impacts and Policy DMT 6: Vehicle Parking. The Highway Authority is satisfied that the proposed development would not present a risk to road safety, hinder the free flow of traffic or lead to parking stress. However the Highway Authority notes that the proposed vehicular access into the property would be widened encroaching into an existing marked out parking bay that forms part of the WD3 Parking Management Scheme.

Widening the access is only acceptable if the applicant funds in full the cost of moving this parking bay c2meters to the south to accommodate the widened access. The cost associated with this - traffic order making, lining, relocation of a road sign would be c £2,500. Furthermore the Highway Authority note that the vehicle access from Lawn Avenue to rear of the property would be closed.

The Highway Authority require the applicant to fund in full the reinstatement of the kerbs and footway to tie in with the existing following the closure of this access. Subject to the above there are no highway objections to this proposal.

#### Trees and Landscaping Officer

This site is occupied by a detached bungalow with outbuildings located in a spacious

corner plot at the junction with Lawn Avenue. The rear garden backs on to the River Frays. There are no trees of merit within the site and no TPO's or Conservation Area designations affecting it.

COMMENT: No trees or other landscape features of merit will be affected by the proposal to replace the bungalow with a two-storey house. If you are minded to approve the application, landscape enhancements will be required to comply with policies DMHB 11, DMHB 14, DMEI 8.

RECOMMENDATION: No objection subject to conditions RES9 (parts 1, 2, 5 and 6).

## 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.HE1 (2012) Heritage
- PT1.H1 (2012) Housing Growth

Part 2 Policies:

- DMHB 1 Heritage Assets
- DMHB 5 Areas of Special Local Character
- 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
- DMHD 2 Outbuildings
- DMT 2 Highways Impacts
- DMT 6 Vehicle Parking
- LPP 3.3 (2016) Increasing housing supply
- LPP 3.4 (2015) Optimising housing potential
- LPP 3.5 (2016) Quality and design of housing developments
- LPP 7.1 (2016) Lifetime Neighbourhoods
- LPP 7.2 (2016) An inclusive environment
- LPP 7.4 (2016) Local character
- LPP 7.8 (2016) Heritage assets and archaeology
- NPPF- 2 NPPF-2 2018 - Achieving sustainable development
- NPPF- 5 NPPF-5 2018 - Delivering a sufficient supply of homes
- NPPF- 11 NPPF-11 2018 - Making effective use of land
- NPPF- 12 NPPF-12 2018 - Achieving well-designed places
- NPPF- 16 NPPF-16 2018 - Conserving & enhancing the historic environment

In addition: 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)  
West London Waste Plan (2015)  
The London Plan - Consolidated With Alterations (2016)

The National Planning Policy Framework (NPPF) (2019) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

### Emerging Planning Policies

Paragraph 48 of the National Planning Policy Framework (NPPF) 2019 states that 'Local Planning Authorities may give weight to relevant policies in emerging plans according to:

- (a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- (b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- (c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

### Draft London Plan (Intend to Publish Version, December 2019)

The GLA consulted upon a draft new London Plan between December 2017 and March 2018 with the intention of replacing the previous versions of the existing London Plan. The Plan was subject to examination hearings from February to May 2019, and a Consolidated Draft Plan with amendments was published in July 2019. The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor on 8th October.

The Mayor has considered the Inspectors' recommendations and, on 9th December 2019, issued to the Secretary of State his intention to publish the London Plan along with a statement of reasons for the Inspectors' recommendations that the Mayor did not wish to accept. The Secretary of State responded on the 13th March 2020 and stated that he was exercising his powers under section 337 of the Greater London Authority Act 1999 to direct that modifications are required. These are set out at Annex 1 of the response, however the letter does also state that if the Mayor can suggest alternative changes to policies that would address the concerns raised, these would also be considered.

More limited weight should be attached to draft London Plan policies where the Secretary of State has directed modifications or where they relate to concerns raised within the letter. Greater weight may be attached to policies that are not subject to modifications from the Secretary of State or that do not relate to issues raised in the letter.

## 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 2 - Development Management Policies (January 2020) states that:

B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

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

Paragraph 5.40 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states: "For the purposes of this policy, outlook is defined as the visual amenity enjoyed by occupants when looking out of their windows or from their garden. The Council will expect new development proposals to carefully consider layout and massing in order to ensure development does not result in an increased sense of enclosure and loss of outlook."

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

The applicant has provided a plan with a 45 degree lines from the nearest windows on the neighbouring property (No 14). It demonstrates that there is a marginal encroachment. However, this is limited to the smaller recessed rear elevation adjacent to the shared boundary which contains two windows. It is therefore considered that the proposal would not result in an unacceptable loss of light to the habitable rooms of the neighbouring property.

The new dwelling will project further to the rear of the existing bungalow at ground floor level by a distance of approximately 3.7m, it will be set 1.9m from the shared boundary. It is also set noticeably lower than the previously refused application and as such, it will have less of a visual impact and will not result in harmful overshadowing on the neighbouring property.

The design of the roof incorporates low set eaves at first floor which minimises the massing of the new property. Given that the height of the eaves which extends to just 0.9m taller than the existing 2.1m fence positioned on the shared northern boundary (as well as maintaining a separation distance of 1.9m), the proposal would not result in an unacceptable adverse overbearing impact.

Although the proposal is deeper than that which is normally considered acceptable, the area displays a wide variety of dwellings of varied designs and depths and in the absence of other harm, such as an overbearing impact, loss of daylight and sunlight or material loss of privacy, a refusal on the depth of the building alone could not be sustained at

appeal.

A condition has been added to ensure the windows at first floor level overlooking No. 14 Frays Avenue are obscure glazed to mitigate against overlooking and the loss of privacy. Overall, it is not considered that this proposal would result in harm to the amenities of the neighbouring property.

## 7.2 Impact on Street Scene

Paragraph 197 of the NPPF (2019) requires Local Planning Authorities to take into account the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods.

Policy DMHB 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) expects development proposals to avoid harm to the historic environment. Policy DMHB 5 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) requires the replacement of buildings to positively contribute to the character and local importance of Areas of Special 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.

The existing site comprises of a mid-20th century bungalow, prominently positioned on a corner site within the Garden City, West Drayton ASLC. The bungalow is L-shaped in plan form and is characterised by its red brick exterior and hipped tiled roof from. The building is typical of the area with many other bungalows built within the Garden City in a similar manner, such as No.20 Frays Avenue. This low-rise, modest form of development is an important characteristic of the area. It also allows for views down Lawn Avenue across the Fray's River from Frays Avenue and vice versa. The area generally comprises of a mix of single storey and two storey, detached and semi-detached dwellings.

The existing site backs onto the Fray's River and benefits from two exposed elevations due to its corner location. The boundary along Lawn Avenue is defined by a red brick wall with two vehicle access gates.

The proposal seeks to erect a 1.5 storey building following the demolition of the existing dwellinghouse. The proposed building would feature a building with a contemporary appearance. The Conservation Officer considers the proposal that the simple design aesthetic would sympathetically relate to the existing bungalow and character of the area. Based on the submitted information it appears to respect the low-rise character of the site.

It is noted that the proposal includes a large crown roof which is normally resisted as it is not an established feature within the area. However, the Conservation Officer considers that on balance the ridge detail and sunken nature of the crown element would reduce its appearance when viewed at street level, providing the perception of a traditional, fully pitched roof form.

The flush appearance to the gable end would positively contribute to the simplicity of the building, with the verge roof tiles in line with the brick work, creating a thin roof line detail to the gable ends which is a commendable design element. However, it would need to be ascertained that no soffit detail is proposed to be added to the gable ends at a later date. The inclusion of a soffit would significantly alter the aesthetically clean appearance of the gables. A condition is included to this effect.

Whilst in this particular case, the contemporary approach is considered an enhancement, it is important that the external materials of the building is of a high quality and this would need to be demonstrated from the outset. Information would be required in relation to roofing materials, brickwork, roof lights and external windows and doors including proposed glass (colour). As such, a pre-commencement condition (other than demolition) is included which requires samples of the materials (including a sample brick work panel made up on site), product details and manufacturer information to be provided. The Conservation Officer has also requested that the proposed roof lights are conservation roof lights set completely flush with the roof line, a condition is included to the effect.

The proposed guttering and downpipes appear to sensitively camouflage into the proposed brickwork. This would be a commendable however further details are required by way of a condition to ensure the quality of the design is implemented in reality.

The existing garage to the rear of the site is an isolated, oddly placed structure in close proximity to the Fray's River. Its demolition is strongly supported as it would take the opportunity to enhance the appearance of the site within the ASLC and adjacent river environment.

Whilst the Conservation Officer has identified some harm would result from the loss of the original property, the Conservation Officer also recognises the proposed design is an opportunity for enhancement. In accordance with paragraph 197 of the NPPF, as part of the assessment of a formal application, the decision maker would need to make a balanced decision in terms of harm caused to the non-designated heritage asset. In this case, the proposal is a positive enhancement, subject to details being secured by way of a condition.

It is noted that there is some hardstanding off Lawn Avenue and which separates to some extent the house from the garden. This application is an opportunity to enhance the setting of the property and enhance landscaping to the rear so the property contributes positively to the area. A landscaping condition and a condition requiring details of boundary treatments has thus been included.

In order to safeguard the design quality of the development and its positive contribution to the ASLC, it is recommended that some permitted development rights area restricted on this site.

Given the above considerations, the proposed dwelling would not appear dominating, incongruous, obtrusive or cramped within the plot or its setting to an unacceptable degree. As has been mentioned above, on Frays Avenue, there are several examples of similarly re-developed dwellinghouses that occupy similar plot widths and have similar sizes, scales and proportions. The proposed dwelling would therefore not appear out of character with the scale and massing of the prevailing development in the street scene and wider area.

In terms of the design and detailing of the proposed development and with regard to the objections about design and appearance under previous applications. This application has sought to address the concerns through a comprehensive scheme and on this basis is

considered to overcome previous reasons for refusal.

### **7.3 Traffic Impact/Pedestrian Safety**

Policy DMT 1 of the Local Plan: Part Two (2020) requires development proposals to meet the transport needs of the development and address its transport impacts in a sustainable manner.

Policy DMT 2 of the Local Plan: Part Two (2020) notes development proposals must ensure that safe and efficient vehicular access to the highways network is provided to the Council's standards.

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 highway safety concerns, in accordance with Policies DMT 1 and DMT 2 of the Local Plan: Part 2 Development Management Policies (2020) and Policies 6.3, 6.9, and 6.13 of the London Plan (2016).

### **7.4 Carparking & Layout**

Policy DMT 6 of the Local Plan: Part Two (2020) states that development proposals must comply with the relevant parking standards.

The proposal includes forecourt car parking which meets the car parking standards specified within the Local Plan. It is noted that the access to the hardstanding area off Lawn Road is to be removed as part of this proposal is strongly supported. An informative has been added advising the applicant in respect of the alteration/removal of the existing dropped kerb arrangements.

### **7.5 Urban Design, Access and Security Considerations**

#### **PRIVATE AMENITY SPACE**

The London Plan seeks to ensure that all housing developments are to the highest quality, both internally and externally, and in relation to their context. It sets out minimum internal floor spaces required for residential developments in order to ensure that there is an adequate level of amenity for existing and future occupants.

However, on 25 March 2015 through a written ministerial statement, the government introduced new technical housing standards in England and detailed how these would be applied thorough planning policy. The system comprises of new additional 'optional' building regulations on water and access, and national space standards for new homes (referred to as "the new national technical standards"). These new standards came into effect on 1 October 2015.

The Housing Standards (Minor Alterations to the London Plan) March 2016 sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. A three storey 6 bedroom (12 person) dwelling is required to provide an internal floor area of 129 sq.m which the proposal complies with and significantly exceeds. Furthermore the habitable rooms would enjoy a satisfactory outlook in accordance with the requirements of Policy 3.5 of the London Plan (2016).

The size of the amenity space at over 550 sq.m would easily meet London Plan and Council standards. It is considered that all the proposed habitable rooms would maintain an adequate outlook and source of natural light, therefore complying with Policies 3.5 and 5.3 of the London Plan (2015).

Overall, it is concluded that the development will provide a very high standard of living accommodation for its future occupants.

## 7.6 Other Issues

### Trees and Landscaping

Policy DMHB 14 of the Local Plan: Part Two (2020) notes all developments will be expected to retain or enhance the existing landscape, trees, biodiversity and natural features of merit. Planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees.

The Trees and Landscaping Officer has commented on this application noting there are no trees of merit within the site and no TPO's or Conservation Area designations affecting it.

No trees or other landscape features of merit will be affected by the proposal to replace the bungalow with a 1.5-storey house. Landscape enhancements will be required to comply with policies DMHB11, DMHB14, DMEI8 of the Local Plan and have duly been included within the draft decision.

### COMMUNITY INFRASTRUCTURE LEVY

The application is subject to 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 £65 per sq metre.

### CONCLUSION

The proposed development, by reason of its acceptable design, scale, siting, form, proportions and footprint, is not considered to have a detrimental impact on the character and appearance of the Frays Avenue street scene and surrounding West Drayton Garden City Area of Special Local Character.

It is considered that the proposed development would not have an unacceptable adverse impact on the residential amenities of adjacent occupiers, and general highway/pedestrian safety.

For the reasons outlined within this report, the proposal is, on balance, recommended for approval.

## 8. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)

Hillingdon Local Plan: Part 2 Development Management Policies (2020)

Hillingdon Local Plan: Policies Map (2020)

London Plan (2016)

London Plan Intend to Publish (2019)

National Planning Policy Framework (2019)

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