

# **Peter Weatherhead Planning**

## **PLANNING STATEMENT**

**LAND ADJACENT TO 5 ALBERT ROAD/24 NORTH HYDE ROAD, HAYES UB3 4HR**

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## **1 INTRODUCTION**

- 1.1 This Planning Statement supports an application for the development of vacant land at the corner of Albert Road and North Hyde Road, Hayes, by the erection of a two-storey building of two flats.
- 1.2 The application comprises:
- Drawing 22/018\_SO Site/location plan
  - Drawing 22/018\_S1 Existing elevations front and rear
  - Drawing 22/018\_S2 Existing elevations side
  - Drawing 22/018\_P0 Proposed site/location plan
  - Drawing 22/018\_P1 Proposed ground floor
  - Drawing 22/018\_P2 Proposed first floor
  - Drawing 22/018\_P3 Proposed roof plan
  - Drawing 22/018\_P4 Proposed front and rear elevations
  - Drawing 22/018\_P5 Proposed side elevations
  - Drawing 22/018\_P6 Proposed section
  - Design and Access Statement by ES Architecture
  - Planning Statement
  - Draft legal agreement regarding parking permits

## **2 PROPOSED DEVELOPMENT**

- 2.1 The development site is a vacant plot of 479m<sup>2</sup> located in the Hayes Housing Zone, an Opportunity Area designated in the London Plan 2021 as a focal point for housing delivery. It is undeveloped land in a highly accessible area which is recognised as suitable for considerable development associated with increased accessibility generated by Heathrow and the Elizabeth Line West.
- 2.2 An inspector dealing with an appeal against the refusal of a part 3-storey flatted development described the surrounding area as urban in nature and of a mixed character. The inspector noted that the character of the area to the north and west of the site was suburban in character and comprised mainly two-storey residential properties. The Hayes and Harlington Community Centre is opposite the site on the eastern side of Albert Road and there is an area of public open space on the opposite side of Station Road in very close proximity to the site.
- 2.3 The opposite side of North Hyde Road comprises a number of very large developments including a superstore.
- 2.4 The Design and Access Statement analyses the proposed development and explains how its design addresses concerns raised by the previous inspector and by officers dealing with the most recent application. The proposed scheme is a two-storey building matching in height, scale and massing the adjacent house at 5 Albert Road. It would extend the pattern of development in Albert Road in a sympathetic manner which accords with local characteristics and distinctiveness.
- 2.5 The proposed building comprises a ground floor 3-bedroom flat and a first floor 2-bedroom flat in a 2 storey building which is similar to those in the local area and which

will have a positive impact on its setting and appearance. Each dwelling will benefit from a home office at the end of its garden.

### 3 PLANNING HISTORY

3.1 The site's planning history is set out in the Design and Access Statement. In summary there have been two previous applications proposing 3-storey blocks of 6 flats which were refused planning permission in 2019 and 2021. Both were the subject of appeals which were dismissed. In the most recent decision in August 2021 (APP/R5510/W/21/32834120). the inspector identified the main issues as:

- The effect of the proposed development on the character and appearance of the area; and
- Whether the proposed development would provide acceptable living conditions for future occupiers, with particular regard to amenity space.

3.2 The applicants submitted a further application (42985/APP/2022/2336) that sought to address the reasons for dismissal of the previous appeal. It was treated as having been withdrawn in May 2023. It comprised a 2-storey traditional style of building on the Albert Road frontage comprising 2 flats with a third flat as a subterranean dwelling to the rear of the site on the North Hyde Road frontage.

3.3 The Planning Committee resolved that had an appeal not been submitted the Council would have refused permission for reasons based on loss of open space, projection in front of the building line and overdevelopment of the site, the adequacy of the internal floor space, overlooking, loss of privacy, floor to ceiling heights, overprovision of parking and the lack of a basement impact assessment.

3.4 The Design and Access Statement explains how each of these issues is overcome in the proposed development.

### 4 PLANNING POLICY

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that regard is to be had to the development plan for the purposes of any determination, that determination must be in accordance with the development plan unless material considerations indicate otherwise. The development plan in this case comprises the Hillingdon Local Plan Part One - Strategic Policies adopted in 2012 and Hillingdon Local Plan Part Two- Development Management Policies and Site Allocations and Designations adopted in January 2020. The London Plan 2021 is an important part of the Local Plan because of the age of the two Hillingdon Local Plan documents. The National Planning Policy Framework 2021 is also a material consideration.

#### Strategic Context

4.2 The **National Planning Policy Framework** (Framework) sets out the Government's objective of significantly boosting the supply of homes. It adds that it is important that sufficient amount and variety of land can come forward where it is needed (paragraph 60). The Framework advises that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. Planning authorities are urged to support the development of windfall

sites through their decisions, giving great weight to the benefits of using suitable sites within existing settlements.

- 4.3** The Framework promotes the effective use of land, including supporting the development of under-utilised land and buildings and giving substantial weight to using suitable brownfield land within settlements for homes (paragraph 120).
- 4.4** **The London Plan** sets out the strategic context for planning decisions in Hillingdon. The application site is within the designated Hayes Housing Zone and Opportunity Area. Such areas are identified as significant locations with development capacity to accommodate new housing, commercial development and infrastructure. **London Plan policy SD1 Opportunity Areas** states that the Mayor will set out a clear strategy for accommodating growth and assist in delivering specific infrastructure requirements that unlock capacity for new homes and jobs. Boroughs are to clearly set out how they will encourage and deliver the growth potential of Opportunity Areas and support development which creates employment opportunities and housing choice for Londoners.
- 4.5** London Plan Table 2.1 indicates that the Hayes Opportunity Area will accommodate 4000 new homes supported by the Elizabeth Line West and Heathrow. **The Hillingdon Local Plan Part Two – Site Allocations and Designations** acknowledges that Housing Zones were introduced by the Mayor’s Housing Strategy to speed up the number of homes being built across the capital in areas with high development potential. The Hayes Housing Zone/Opportunity Area is expected to deliver a significant proportion of the Council’s housing requirement (paragraphs 2.13 and 2.14).
- 4.6** **London Plan policy GG2 Making the best use of land** states that to create successful sustainable mixed-use places that make the best use of land planning must enable the development of brownfield land, particularly in Opportunity Areas as well as utilising small sites and prioritise sites which are well connected by existing or planned public transport.
- 4.7** **London Plan policy H2 Small Sites** emphasises the importance of small sites below 0.25 hectares in size to meet the need for housing development. Policy H2 requires Boroughs to support and significantly increase the contribution of small sites in meeting London’s housing need. Paragraph 4.2.1 of the London Plan advises that increasing the rate of housing delivery from small sites is a strategic priority requiring positive and proactive planning by boroughs in terms of planning decisions and plan-making.
- 4.8** **London Plan policy D3 Optimising site capacity through the design-led approach** states that all development must make the best use of land. The officer’s report on the previous application advises that numerical density levels are more appropriate to larger sites. The key consideration is whether the development would acceptably integrate with the character and appearance of the locality and would respect residential amenity considerations. The proposed development fully meets this requirement.
- 4.9** The application site is located within the Hayes Housing Zone/Opportunity Area and is vacant land suitable for development to meet the aspirations and objectives of these strategic policies.

#### **Local Context and Status of the Site**

- 4.10** The local authority would have refused the previous scheme because it was said to result in a loss of open space (adopted highway land). The site is privately owned vacant land

with no public access and is suitable for development. Although apparently considered historically as highways land, the highway authority has confirmed that it is no longer required for highways purposes and the perceived safeguarding can be removed if permission is granted.

- 4.11 The officer's report on the previous application cites policies dealing with the protection of publicly accessible open space although they do not apply to the appeal site. Policy G4 of the London Plan seeks to prevent the loss of protected open space and policy DMC! 3 of the Hillingdon Local Plan Part Two similarly seeks to protect public open space. Neither of these policies is relevant to a site that is not protected public open space. Paragraph 99 of the Framework, also cited in the report, is again clearly related to publicly accessible open space.
- 4.12 The site is privately owned vacant land in the urban area and has no highways or open space designation which would prevent development.

### Design

- 4.13 The proposed development is a building of traditional scale on a consistent building line with neighbouring houses in Albert Road. As the building is positioned on the Albert Road building line it takes up only 25% of the site with the remainder as garden/amenity space. This leaves views across the site from North Hyde Road and preserves the sense of openness of this corner location.
- 4.14 The inspector dealing with the previous appeal on this site identified the relevant design policies as being **policy BE1** of the Local Plan Part One and **policies DMHB11 and DMHB 12 of the Local Plan Part Two Development Management Policies** and **Policy D3 of the London Plan**. In summary, these policies seek to ensure that all development is of a high quality design and is well integrated with the surrounding area.
- 4.15 The Design and Access Statement explains how the proposed development responds to previous criticisms and seeks to overcome objections. In doing so, it demonstrates that the proposed development is of a high-quality design that responds to its local context.
- 4.16 Previous proposals were said to be of inadequate internal floorspace and to result in unacceptable intervisibility between units. The Design and Access Statement details the floor spaces and their compatibility with both the Nationally Described Standards and those of the **Hillingdon Local Plan policy DMHB16: Housing Standards**. The design overcomes any concerns over intervisibility, some of which were occasioned by the subterranean dwelling that is no longer part of this scheme.
- 4.17 It was also asserted that the applicant had provided insufficient evidence of minimum floor to ceiling heights of 2.5m for at least 75% of the gross internal area of the proposed dwellings resulting in potentially substandard accommodation. The current application demonstrates that the floor to ceiling heights are 2.5m across the entire development and this is shown on the drawing with a section through the proposed building (drawing 22/018\_P6).
- 4.18 The proposed development no longer includes rooms in the roof space with dormer windows and omits the subterranean dwelling at the rear of the site so overlooking between units is not an issue. The two units have their own gardens and the amenity

spaces provided exceed the requirements of **Hillingdon policy DMBH 18: Private Outdoor Amenity Space**.

- 4.19** The Design and Access Statement explains the provisions for refuse storage and cycle parking. The scheme meets the requirements of Hillingdon **policy DMT 5 Pedestrians and Cyclists** and **DMHB 11: Design of New Development** which requires that sufficient provision should be made for well-designed storage space for recycling and waste.
- 4.20** The Design and Access Statement details the layout of the ground floor flat that is wheel-chair accessible. Door openings, corridor widths and rooms have been designed to be accessible by wheelchair users and the internal space by the front entrance allows for the turning of a wheel-chair. The proposal complies with **London Plan policies D5 and D7** in terms of inclusive design and accessibility.
- 4.21** The officer's report also asserted that the living conditions of future occupiers of the two flats in the proposed development would be harmed by its close proximity, scale, bulk and height in relation to an approved side extension to no.5 Albert Road.
- 4.22** As is detailed in the Design and Access Statement the application for this extension was submitted and approved during the lengthy determination period of the application for the current site so it could not have been taken into account in the design. The proposed building in this application takes account of the permitted but as yet unbuilt extension to no.5 Albert Road. The first floor is set back from the boundary and there is no direct overlooking no unacceptable sense of enclosure between the proposed extension and the application proposal.

### **Parking and Highways**

- 4.23** The previous scheme was criticised for an asserted over-provision of parking in a connected location with a high level of public transport accessibility. This application does not propose any parking provision. An earlier appeal inspector had concluded that the site was appropriate for car-free development that should be supported by a legal agreement. The applicant proposes a legal agreement to prevent the issuing of parking permits to future occupiers in order to meet the Council's concern that the absence of such an agreement would be likely to lead to an increase in pressure for on-street parking. The proposed arrangements meet the requirements of **Hillingdon policy DMT6 Vehicle parking**.
- 4.24** The officer's report on the previous application stated that the height and siting of proposed boundary treatment would obstruct visibility splays for the proposed parking space and crossover onto North Hyde Road and would obstruct views of retained road signs. The current application omits the parking space and crossover and the boundary has been set back by 1 meter so as not to obstruct views of the junction. There is therefore no conflict with policies **DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan Development Management Policies** and policies **T4, T6 and T6.1 of the London Plan**.

## **5 CONCLUSIONS**

- 5.1** This Planning Statement sets out the background to the proposed development and assesses it against relevant planning policies. It should be read in conjunction with the Design and Access Statement.

- 5.2 We conclude that the proposed development meets all policy standards and requirements. It is a high-quality development that integrates well with the surrounding area in the Hayes Housing Zone / Opportunity Area. As such it accords with the development plan and planning permission should be granted.