



**MARTIN ROBESON
PLANNING PRACTICE**

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**DEMOLITION OF EXISTING
BUILDING AND ERECTION OF A
REPLACEMENT BUILDING
COMPRISING SEVEN
RESIDENTIAL UNITS
(AMENDMENT TO APPLICATION
6800-APP-2019-3254)**

67 HORTON ROAD, YIEWSLEY

JULY 2020

Introduction

1. This Planning Statement has been prepared by MRPP on behalf of Aynstone Limited. It supports the submission of an amended planning application for the redevelopment of 67 Horton Road, Yiewsley, UB7 8ET
2. Planning permission was refused on 22nd October 2019 for the erection of a:

Part five storey, part four storey, part three storey detached building to provide 8 x 1-bed and 1 x 2-bed self-contained flats involving demolition of existing dwelling.
3. An appeal against the refusal has been lodged with the Planning Inspectorate. Notwithstanding and without prejudice to the appeal, this application is submitted in order to expedite a positive local decision and to bring forward beneficial and much needed residential development at the earliest opportunity, having regard to the recent government statement in respect of the post-Covid economic response.
4. The revised proposal comprises of:

“The erection of part two, part three and part four storey building providing seven residential units (5 x one bed and 2 x two bed), along with on-site vehicle parking, cycle and refuse storage, and private and shared outdoor amenity space.”
5. This Statement summarises the changes that have been made to the original application. The submission is supported by a revised Transport Statement and Design and Access Statement, Daylight and Sunlight Assessment (dated 24th September 2019) and Contamination Study (dated September 2019).
6. The structure of this Statement is as follows. It first sets out the site background, planning history and details of the proposed development. The decision making framework is then confirmed, followed by consideration of the previous reasons

for refusal and how these have been taking into account when formulating the now amended scheme.

7. It should be noted that the application is submitted without prejudice to the ongoing appeal proceedings and amendments to the proposed building should not be read, explicitly or implicitly, as agreement to the Council's earlier objections here. It should also be noted that, through the appeal process, the Council has conceded the earlier transport objection (specifically parking and manoeuvring). On the basis that the revised application proposes much the same parking ratio and only improves the situation in respect of manoeuvring, it would be perverse if the Council sought to refuse planning permission for the current proposal on this basis. Furthermore, the revised application removes the previous raised terrace. The Council has also demonstrated that a condition can adequately control the development in respect of wheelchair compatible units and accessibility generally. Again, it would be perverse if the Council now sought to object on these bases.
8. Having regard to the above matters, it remains that design and local amenity are now the main matters for consideration. The amended scheme seeks to tackle these matters head-on.

Site Background

9. The site accommodates a two-storey building containing two residential units and is located on the corner of Horton Road and Colham Avenue. There is space to park at least five vehicles on the site. There is an open area with a small outbuilding on the western part of the site. The site measures 382m² in area. The existing building has a GIA of 176m². The site slopes from the south (Horton Road) to north and is generally level along its east-west axis.
10. The site is bound by a mixture of two-storey terraced and semi-detached residential buildings to the north and west, Horton Road to the south and

Colham Avenue to the east. The buildings on the southern side of Horton Road are taller apartment buildings, ranging from 3-4 storeys.

11. Mature screening sits along the boundary with 57 and 59 Horton Road, which are two storey maisonettes. The boundary with No 1 Colham Avenue is currently demarcated by a 1.8m high panel board fence.
12. A pedestrian zebra crossing over Horton Road is located in front of the site.
13. The site situated within a highly sustainable location, within walking distance of local schools, and other local facilities. The site is 100m from the defined boundary of Yiewsley Town Centre, and is well connected to public transport, with a PTAL level of 3. West Drayton Station 0.4km from the site and provides links to London and Reading. There are also local bus services and good local cycle networks and pedestrians routes.
14. The site is unusual in terms of not having been included within the wider post-war urban renewal of the area, though now presents itself as an excellent opportunity to improve the corner of Horton Road and Colham Avenue and act as a signal for the much needed enhancement of the immediate land, which comprises a single freehold title benefiting Hillingdon Borough Council.

Planning History

15. The recently refused planning application represents the first known proposal for comprehensive redevelopment of the site. However, in addition to the recent (now implemented) 'office to residential' consent, there have been several other relevant decisions, including the refusal in 2017 of an application for a single infill dwelling between the existing building and 1/3 Colham Avenue (6800/APP/2017/1366). This was refused primarily in respect of the alleged failure to *"maintain an adequate underdeveloped gap between the neighbouring buildings"* arising from the siting, massing and general design of the proposal.

16. A more detailed review of this decision was provided in the recently lodged Appeal Statement and concluded that the application was entirely supportable.
17. It appears that the in-fill proposal was a result of an earlier refusal, in November 2015, to grant planning permission for a change of use of the existing building and its extension to form four apartments. The decision notice records four reasons for refusal, related to design (sharing some characteristics with the subsequent 2017 refusal), use of the vehicle cross-over (now demonstrated to be acceptable), parking (again, now demonstrated to be acceptable) and the relationship between proposed habitable rooms and the public highway (which already exists). As with the subsequent scheme, this application appears to have been entirely supportable.
18. More recently, the applicant engaged with the Council in a pre-application process involving the redevelopment of the site to provide 13 residential units (9 x one bed and 4 x two bed units). A written response was provided on 26th June 2019. Officers confirmed that the principle of development was acceptable and positively encouraged the applicant to pursue high density development in order to maximise the site, subject to resolving amenity space and parking considerations.
19. Following receipt of the pre-application advice, a planning application was submitted for nine residential units (8 x one bed and 1 x two bed units)¹.
20. Regrettably, permission was refused, for six reasons, including the suggestion that position on the corner of Horton Road and Colham Avenue, would fail to respect the character and appearance of the wider street scene. The scale of the proposal was considered to have a detrimental impact on the amenity of neighbouring occupiers, and would fail to provide adequate parking provision, usable amenity space, or comply with the technical specifications within Approved Document M.

¹ 6800/AP/2019/3254

21. As noted above, an appeal against this refusal has been lodged, through which several objections have been resolved.

The Amended Proposal

22. The revised application seeks planning permission for the development described at Paragraph 3, above. Although there is a reduction in units overall, the additional two-bedroom unit should be noted and welcomed. The proposed accommodation comprises 5 x one bed (2 person) units, 1 x two bed (3 person unit) and 1 x two bed (4 person) unit.
23. The overall height of the building has been substantially reduced in three ways. First, the ground floor has been set consistent with ground levels at the rear of the site, some 1.2m lower than Horton Road. Second, a storey has been removed from across the full width of the building (ie, four, three and two storeys instead of five, four and three storeys). And third, the pitched roof has been replaced with flat roofs. This has reduced the height of the tallest part of the building from around 17m to just under 11m (when measured from street level on Horton Road).
24. The building's footprint has also been substantially reduced, particularly in respect of the relationship with Colham Avenue. However, a set-back has also been introduced on the Horton Road frontage. Together, the scale and mass of the building has been substantially reduced.
25. Two entrances to the building are proposed. The main entrance to six of the units will be via Colham Road within a dedicated stair core. A separate entrance to the first floor unit on the western side of the site will be provided via the undercroft parking area. Private balconies would be provided on the southern frontage of the building overlooking Horton Road. A communal garden area is also provided to the rear of the building, with space for cycle parking and refuse/recycling storage. The previous raised terrace has been removed.

26. The vehicular entrances on to Horton Road and Colham Avenue would be retained. The crossover on to Horton Road would move slightly to the west so that it is further from the existing pedestrian crossing. Four parking spaces will be provided on site, three accessed from Horton Road and one from Colham Avenue, equating to a parking ratio of 0.6 parking spaces per unit.

Decision Making Framework

27. Planning decisions are to be taken in accordance with the development plan unless material considerations indicate otherwise.

Development Plan

28. The Development Plan is comprised of:
- Local Plan Part 1: Strategic Policies (Adopted 8 November 2012)
 - Local Plan Part 2: Development Management Policies, Site Allocations and
 - Designations and Policies Map (Adopted 16 January 2020)
 - The London Plan (March 2016)
 - The New London Plan (currently going through examination).

Material Considerations

29. A revised NPPF was published in February 2019. Paragraph 2 confirms that this *“must be taken into account in preparing the development plan, and is a material consideration in planning decisions.”* Despite this, given that Hillingdon has an up-to-date Local Plan that was only published in January 2020, the NPPF will have limited weight in the determination of this application.
30. Hillingdon also has a number of additional documents which contain material considerations relevant to the interpretation of the development plan in the determination of this application:

- Accessible Hillingdon SPD – September 2017
- It is of note that since the application was refused, Hillingdon have adopted a new Local Plan Part 2 Development Management Policies, Site Allocations and Designations and Policies Map (January 2020). Therefore a number of the documents and policies cited within the refusal reasons have been superseded and replaced.

Addressing the Refusal Reasons

31. The following section of the Statement explains how the new proposal has been amended to tackle the earlier reasons for refusal.

Reason 1:

32. The first refusal reason stated that:

The proposed development, by reason of its scale, height, mass, siting and design, situated in a visually prominent position, would result in a visually intrusive form of development, which would fail to harmonise with the existing local and historic context of the surrounding area. As such the proposal would have a detrimental impact on the character, appearance and visual amenities of this existing open area of the street scene and the residential area as a whole. The proposal is thus contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies DMHB 11 and DMHB 12 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019), Policy 7.4 of the London Plan, the Council's adopted Supplementary Planning Document HDAS: Residential Layouts and the NPPF.

33. The existing 19/20th century building is a modestly sized two storey property with a gable roof. It is positioned tight to the boundary on Horton Road and

Colham Avenue. Officers commented that *“the existing building quietly contributes to the surrounding environment. The age and subservient nature of the building responds to its immediate surroundings”*. There is also an undeveloped section on the western side of the site, which is currently used for parking. Officers commented that this section of the site *“appropriately respects the set back of other properties along Horton Road”*.

34. In response to Officers concerns regarding scale, height and mass, the revised proposal has been amended significantly. The key change has been the reduction in the number of overall units, from 9 to 7. This in turn this has led to a reduction in the overall scale of the building which no longer extends across the full width of the site, with a notably reduced footprint (just under 200m²).
35. The reduction in the number of units, the scale and height of the proposed building, ensures it also relates appropriately to the surrounding properties and residential character of the area. The building has also been set down into the site to reduce its overall height, with the lower ground floor some 1.2m below street level. The four-storey element of the building is positioned at the eastern corner. The building then steps down to three storeys, and then to two storeys at the western end. These steps ensure that it relates appropriately to the neighbouring two storey residential properties on Colham Avenue and Horton Road whilst still taking advantage of the corner location and ensure the optimisation of brownfield land.
36. The earlier gabled roof design which was considered by officers to appear *“overly fussy”*. It has been replaced with flat roofs. The simplified design contributes to reducing the overall height and mass of the building, and ensures it doesn’t appear overly prominent or imposing within either of the streetscenes.
37. Officers previously expressed concerns that locating development up to the site’s boundaries would increase its prominence, noting that other taller building within the area are set back from the road often, with landscaping between. The revised scheme has been set back 1.1m from the Horton Road boundary

and over 4m from the Colham Avenue boundary and provides space for landscaping around the foot of the building. A planning condition is proposed requiring the submission and approval of hard and soft landscaping.

38. The careful repositioning of the building on the site has also contributed to addressing officer concerns regarding the relationship with neighbouring residential terrace on Colham Avenue. The set back of the building means the eastern facade is now consistent with the building-line of the terrace. Not only does this help to create a continuous frontage along Colham Avenue, but it also reduces the prominence of the proposed building when viewed from the north (which no longer projects forward of the existing residential properties).
39. The setback from Horton Road has similar effects in reducing the prominence of the building, and helps reduce its effect on the streetscene, sitting comfortably within the site, and with adequate space surrounding it. This should be considered a significant concession on the applicant's part given the existing building is coterminous with the highway boundary, with its doors opening directly onto the footway. The proposed balconies are positioned on the southern elevation of the building, along with full height windows and the entrance to the parking area and a communal garden. This will ensure there is still activity, in these locations yet provides a practical layout for a flatted residential development.
40. Officers raised the concern previously that *"the design and appearance of the building fails to relate to the area's well defined appearance. It would appear almost industrial in character rather than the subservient residential character, defined by muted natural tones, low rise building and traditional built forms"*. The stepped design of the building and the incorporation of flat roofs, creates a simpler building form. The window and balcony arrangement has also been reviewed, and the proportions are now more appropriate and proportionate to the immediate residential buildings.

41. Importantly, further analysis of materials has resulted in a shift to a palette of colours with a softer, natural tone. The use of lighter bricks on the upper storeys of the building helps to reduce its perceived mass, whilst the use of large glazed windows helps lighten the appearance of the building, particularly on the eastern corner which is entirely glazed. The darker brown bricks on the lower floors of the building reflect those of neighbouring residential properties and help the building to feel 'rooted' to the site, particularly when coupled with the sunken ground floor level relative to Horton Road.
42. The revised design makes a positive contribution to the surrounding residential character and is therefore in accordance with the strategic aims of Local Plan Part 1 – Strategic Policy BE1, and Part 2 Development Management Policies DMH 4, DMHB 16, DMHB 17 and DMHB 18.

Reason 2:

43. The second reason for refusal relates to the impact on neighbouring properties:

The proposed development, by virtue of its siting, size, scale, bulk and proximity, would be detrimental to the amenities of the adjoining occupiers at 57 and 59 Horton Road and 1 - 3 Colham Avenue, by reason of visual intrusion, overdominance and loss of outlook. Therefore the proposal would be contrary to Policies BE19 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy DMHB 11 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

44. The response to the first reason for refusal has outlined the changes which result in a substantial reduction in the scale and mass the building, which is now inset 1.1m from the southern boundary, 4.1m from the eastern boundary, and is in line with the building line of the terraced properties on Colham Avenue.

The overall footprint of the building has reduced as has its overall height. Notwithstanding the view that the earlier scheme was acceptable in terms of local amenity, these changes can only result in an improvement to living conditions in adjacent properties and gardens.

45. Officers noted that the previous scheme would compromise a 45 degree line of sight from the first floor windows of Nos 57 and 59 Horton Road. Whilst this does not of itself prevent new development, any proposal falling within the 45 degree arc must be very carefully assessed. Particular attention has been given therefore, to the impact of the proposed building on the amenities of Nos 57 and 59 Horton Road. The relevant part of the building is now just two storeys in this location (rather than three or four). These changes have assisted in reducing the overall bulk and any perceived 'overbearing' impact on the front facades of Nos 57 and 59 Horton Road. It is highly relevant that these properties enjoy a substantial set-back from Horton Road and that there exists built form and landscape screening in this location at the present time.
46. Concerns were also raised regarding the impact of the building on Nos 1-3 Colham Avenue which are located to the north of the site. The reduction in the overall height of the building, the flat roof design, and its reduced footprint have assisted in ensuring there is no unacceptable impact on the rear gardens of these properties.
47. The supporting Daylight and Sunlight assessment for the original scheme demonstrated that all of the rooms within the neighbouring properties on Horton Road and Colham Avenue would continue to meet acceptable internal daylighting levels. All of the properties would also still have a good level of sunlight, in accordance with BRE Guidelines. This situation can only have improved given the substantial reduction in height of the proposed building.
48. Officers also expressed concerns that the rear windows of the proposed building could lead to overlooking and a loss of privacy for neighbouring properties. To address this, windows on the rear elevation of the proposed

building are now considerably smaller. Obscure glazing is also proposed. A suitably worded condition could be used to ensure this remains the case over the lifetime of the development.

49. Overall it is considered that the proposed building accords fully with the aims and objectives of Policy DMHB 11.

Reason 3:

50. The third refusal reason stated that:

The proposed development, by virtue of the provision of a raised terrace would be detrimental to the amenities of the adjoining occupiers at 1 - 3 Colham Avenue, by reason of loss of privacy. Therefore the proposal would be contrary to Policy BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy DMHB 11 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

51. The raised terrace has been omitted from the revised scheme and thus, this reason for refusal has been fully addressed.

Reason 4:

52. The fourth refusal reason related to parking and highways:

The proposal has not demonstrated that sufficient off street parking/manoeuvring arrangements would be provided, and therefore the development is considered to result in substandard car parking provision, leading to on-street parking/queuing to the detriment of public and highway safety and contrary to Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012), Policies DMT 2 and DMT 6 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies

with Modifications (March 2019), to Hillingdon's Adopted Parking Standards as set out in the Hillingdon Local Plan: Part Two – Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

53. The Council, in responding to the appeal, has now withdrawn its objection on transport grounds and therefore conceded the fourth reason for refusal. The Council agreed that a suitable number of parking spaces would be provided and that manoeuvring into and out of the site was acceptable.
54. Although the number of parking spaces has now reduced by one (relative to the refused scheme), there are now two less residential units proposed. This represents a change in parking ratio from 0.66 to 0.57 spaces per unit. This is not considered to be a material change or one which should bring the Council to be a different position. Indeed, the new ratio is broadly consistent with local car ownership data adduced in respect of the related appeal (0.6 vehicles per household). On the basis that homes in the local area would be skewed more towards larger family accommodation (ie, more two and three bedroom units), then a minor reduction below the local ownership level is not considered material or in any way unacceptable, particularly in the context of local policy derogations, the site's highly sustainable location and policy aimed at reducing reliance on private motor vehicles.
55. In respect of manoeuvring, the now amended scheme can only be seen as an improvement over the appeal scheme given: (a) the additional set-back of the building to both Horton Road and Colham Avenue (ie, an improvement to visibility when reversing); (b) one less parking space on both Horton Road and Colham Avenue (ie, fewer movements overall); and (c) the slight repositioning of parking spaces away from the Horton Road crossing facilities (ie, less prospect for pedestrian conflicts).

56. In the circumstances, it would be perverse if the Council sought to sustain an objection on a matter from which it has now withdrawn, particularly given the benefits secured arising from a reduction in the quantum of development now proposed. Accordingly, the amended scheme is acceptable in transport terms.

Reason 5:

57. Officers stated in the fifth reason for refusal that:

The proposed development, by virtue of its failure to provide usable quality amenity space would result in an over-development of the site detrimental to the residential amenity of future occupiers. The proposal is therefore contrary to Policies BE19 and BE23 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012), Policy DMHB 18 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

58. At the post-decision meeting with officers, it was confirmed that the earlier scheme provided a sufficient quantum of outdoor private and communal space for residents but that concerns existed over the usability of the outdoor amenity area, particularly in respect of a lack of direct sunlight.
59. Whilst the applicant remains of the view that the amenity area would be no less usable or useful having regard to sunlight penetration, the proposed building has been substantially reduced in scale, mainly in respect of height, and will therefore improve the amount of sunlight reaching this area, particularly in the afternoon owing to the more pronounced reduction in height on the western part of the site. The outdoor area remains secure to residents and also provides an area for cycle storage (which could as easily be relocated to secure containers in the surplus undercroft parking area).

60. The revised application continues to provide excellent levels of private amenity space through balconies which are in excess of the size prescribed by Policy DMHB 18 of the Part 2 Local Plan. In any event, the development is in very close proximity to other local recreation facilities, including Yiewsley Recreation Ground, footpaths adjacent to the Grand Union Canal, and the 'Green Flag' facilities Phillpotts Farm County Park.
61. It is also material that the development now provides a series of incidental landscaped spaces in locations where the building is now proposed to set back.

Reason 6:

62. The final refusal reason stated that:

The proposal fails to demonstrate compliance with the technical specification within Approved Document M to the Building Regulations (2015 edition) and as such the proposal fails to comply with the requirements of Policy 3.8(c) of the London Plan (March 2016).

63. Policy 3.8 of the adopted London Plan aims to ensure that Londoners have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments. Development should ensure that:

c) that 90% of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings'

d) 10% of new housing should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings' i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users.

64. A new London Plan is currently being prepared, and the Examination of the plan has now been concluded. The Panel of Inspectors issued their report and recommendations to the Mayor on 8th October 2019. The recommendations have been reviewed and an 'Intend to Publish' London Plan was issued on 9th

December 2019. Although the Secretary of State has now intervened, there is no suggestion that the part of the London Plan tackling accessibility is in any way deficient; indeed, Policy D5 (see below) was expressly supported by the Examination Panel. Thus, full weight must be given to it in decision making.

65. Policy D5 is intended to provide suitable housing and genuine choice for London's diverse population, including those with disabilities, older people and families with young children. Residential development must ensure that:

"1) at least 10 per cent of new build 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', i.e. designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users; and

2) all other new build 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'".

66. The internal configuration of the amended scheme has been designed to allow adequate manoeuvrability within the kitchens, bathrooms, living rooms and communal entrances: The two lower ground floor flats would be 'wheelchair user dwellings' (29% of units), and the remaining units would be 'Accessible and Adaptable' (71% of units). This exceeds the requirements of Policy D5.
67. Even if the scheme was not designed to this effect, the Council implicitly agrees, through its response to the appeal, that the matter is capable of being addressed through a suitable worded condition. It would be perverse if the Council in that content sought to continue object to the scheme on this basis.

Conclusion

68. Notwithstanding the merits of the appeal scheme (particularly the greater number of residential units it would secure), this Statement has demonstrated that the revised scheme for seven units at 67 Horton Road has positively addressed the reasons for refusal and is acceptable in its own right.
69. The height and mass of the building has been substantially reduced following not only a reduction in the number of units but also ‘sinking’ the building into the site, reducing its footprint and its overall height. A full storey has been removed across the building and the previous pitched roofs replaced with flat roofs. The choice of materials and detailing is highly appropriate to the area, and reflective of the surrounding residential properties. Adequate garden and amenity space would also be provided for future residents, along with landscaping around the perimeter of the building. Changes to the building fabric have resolved the potential impact on neighbouring two storey properties, and has resulted in the scheme having a positive relationship with the immediate surroundings. Attractive, accessible and useable amenity space will be provided.
70. Appropriate on-site parking will be provided, and given the changes to the layout of the site all of the spaces would have improved access and manoeuvrability. The changes to the scheme are an enhancement over the situation with existed when the Council withdraw its transport objection.
71. This Statement has demonstrated that the revised proposal is entirely in accordance with the Development Plan, and there are no material considerations to indicate that planning permission should not now be granted. Even if residual objections remain, these must be very carefully balanced against a net gain of five dwellings, and central government policy to boost the supply of homes and the desirability of granting planning permissions to aid the nation’s economic recovery.