

Report of the Head of Planning, Sport and Green Spaces

Address 9 RYEFIELD AVENUE HILLINGDON

Development: Two storey, 3-bed dwelling with associated parking and amenity space

LBH Ref Nos: 5457/APP/2017/1667

Drawing Nos: Proposed Block Plan (1:500)
Design and Access Statement
Location Plan (1:1250)
BSJ001
BSJ002
BSJ005

Date Plans Received: 08/05/2017 **Date(s) of Amendment(s):**

Date Application Valid: 22/05/2017

1. SUMMARY

Planning permission is sought for the erection of a 3 bedroom attached house with associated parking and amenity space.

The proposal would have no undue or unacceptable impacts on the residential amenities of the adjoining occupiers. The standard of accommodation for future occupiers would be acceptable. There would be no undue impact on parking. However, the proposal would result in a cramped development, out of keeping with the character of the surrounding area and detrimental to the visual amenity of the street scene by reason of the layout, scale of the building, the limited spacing and prominent siting and would not respect or improve the existing pattern of buildings contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy 7.4 of the London Plan (2016) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

The application is therefore recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development, by reason of its siting in this open prominent position, size, scale, proximity to the side boundary and its projection beyond the return front building line of the adjacent properties to the rear on Victoria Avenue, would result in the virtual loss of an important gap, resulting in a cramped appearance. The proposal would therefore represent an overdevelopment of the site to the detriment of the visual amenities of the street scene and the character and appearance of the surrounding area. The proposed development is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5 and 7.4 of the London Plan (2016) and the Council's adopted Supplementary Planning Documents HDAS: Residential Layouts and HDAS: Residential Extensions.

2 NON2 Non Standard reason for refusal

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

3 NON2 Non Standard reason for refusal

The proposal would provide a bedroom of an unsatisfactory size and quality for the future occupiers of the dwelling and would therefore give rise to a substandard form of living accommodation to the detriment of the amenity of future occupiers. The proposal is thus contrary to Policy 3.5 of the London Plan (2016), the Housing Standards Minor Alterations to The London Plan (March 2016), the Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016) and the Technical Housing Standards - Nationally Described Space Standard (March 2015).

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2016) and national guidance.

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
OE1	Protection of the character and amenities of surrounding properties

	and the local area
OE7	Development in areas likely to flooding - requirement for flood protection measures
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 5.3	(2011) Sustainable design and construction
LPP 7.4	(2016) Local character
LPP 8.3	(2011) Community infrastructure levy
NPPF1	NPPF - Delivering sustainable development
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design

3

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 'Saved' UDP 2007, Local Plan Part 1, 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.

3. CONSIDERATIONS

3.1 Site and Locality

The site is located on the Northern side of Ryefield Avenue at its junction with Victoria Avenue. The site consists of a two-storey detached house on a spacious plot which was landscaped until some of the landscaping has been removed recently. The property has a front drive which provides parking for the occupiers.

The surrounding area is residential in character and appearance and is made up of terraced and semi-detached properties.

The site is within the 'Developed Area' as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

3.2 Proposed Scheme

Full planning permission is sought for the erection of a 3 bedroom attached house with associated parking and amenity space.

The proposed building would be 5.5m in width and 10m in depth. The height would be the same as the host property. The external facing materials comprise tiles for the roof, render for the walls and PVC windows. The proposal is orientated to the East and South East side of the property. Provision has been made for two parking spaces for the new dwelling and two for the existing dwelling.

3.3 Relevant Planning History

5457/APP/2002/879 9 Ryefield Avenue Hillingdon
ERECTION OF TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSION AND A
DOUBLE GARAGE IN REAR GARDEN

Decision: 25-09-2002 Approved

5457/APP/2003/2475 9 Ryefield Avenue Hillingdon
ERECTION OF AN ATTACHED THREE-BEDROOM DWELLINGHOUSE WITH TWO PARKING
SPACES TO FRONTAGE AND DOUBLE GARAGE AT END OF REAR GARDEN

Decision: 17-12-2003 Refused

5457/APP/2004/234 Land At And Adjoining 9 Ryefield Avenue Hillingdon
ERECTION OF A THREE-BEDROOM TWO STOREY ATTACHED DWELLINGHOUSE

Decision: 31-08-2004 Refused

Comment on Relevant Planning History

The current proposal is similar to the 2003 and 2004 refused schemes;
5457/APP/2003/2475 and 5457/APP/2004/234.

UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.H1 (2012) Housing Growth

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

BE19 New development must improve or complement the character of the area.

BE20 Daylight and sunlight considerations.

BE21 Siting, bulk and proximity of new buildings/extensions.

BE22 Residential extensions/buildings of two or more storeys.

BE23 Requires the provision of adequate amenity space.

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

BE38 Retention of topographical and landscape features and provision of new planting
and landscaping in development proposals.

H4 Mix of housing units

OE1	Protection of the character and amenities of surrounding properties and the local area
OE7	Development in areas likely to flooding - requirement for flood protection measures
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
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LPP 7.4	(2016) Local character
LPP 8.3	(2011) Community infrastructure levy
NPPF1	NPPF - Delivering sustainable development
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

11 neighbouring occupiers and the Oak Farm Residents Association were notified by letter dated 24/05/2017. A site notice was also erected.

4 objections on the following grounds have been received:

1. Overdevelopment.
2. The development is not in keeping with the existing development pattern.
3. Overlooking.
4. Overshadowing.
5. Excessive parking.
6. Removal of trees and hedges.
7. Congestion and traffic.
8. Noise and disturbance.
9. Pollution.
10. The proposal would not be beneficial to the community.

Ward Councillor: Requests that the application be considered by Committee.

Internal Consultees

ACCESS OFFICER:

Comments: Any grant of planning permission should include the following condition:

The dwelling(s) would be required to be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015.

Reason: To ensure an appropriate standard of housing stock in accordance with London Plan policy 3.8c, is achieved and maintained.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

LONDON PLAN

Policy 3.5 of the London Plan (2011 consolidated with alterations) states in part the following:

'Housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment, taking account of strategic Policies in this Plan to protect and enhance London's residential environment and attractiveness as a place to live. Boroughs may in their LDFs introduce a presumption against development on back gardens or other private residential gardens where this can be locally justified.'

NPPF

Para 53 of the NPPF states:

"..53. Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area..."

LOCAL POLICY

Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) makes it clear that new developments should not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas and increase the risk of flooding through the loss of permeable areas.

The policy also requires new development to enhance the local distinctiveness of the area, be appropriate to the identity and context of Hillingdon's townscapes, landscapes and views, and make a positive contribution to the local area in terms of layout, form, scale and materials.

7.07 Impact on the character & appearance of the area

The NPPF sets out economic, environmental and social planning policies with a presumption in favour of sustainable development. It also indicates that development should respond to local character.

Policies 7.1, 7.4, 7.5 and 7.6 of the London Plan indicate that development should make a positive contribution to the local character, public realm and street scape.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seek to ensure that new development complements and improves the character and amenity of the area.

The adopted Supplementary Planning Document (SPD) HDAS: Residential Layouts: Section 3.4 states this type of development must seek to enhance the character of the

area. Section 4.10 of the SPD explains careful consideration should be given to the height of new buildings and the surrounding building lines, as a general rule the front and rear building lines should be a guide for the siting of new dwellings. Section 4.27 of SPD; Residential Layouts, states that careful consideration should be given to the location of surrounding buildings, their orientation, building lines, frontages and entrances. Building lines within schemes should relate to the street pattern. Section 5.11 of the SPD; Residential Layouts also states the intensification of sites within an existing streetscape if carefully designed can enhance the appearance of the surrounding area and the form and type of development should be largely determined by its townscape context. New developments should aim to make a positive contribution to improve the quality of the area, although they should relate to the scale and form of their surroundings.

Whilst it is accepted that the proposal is for a new dwelling, to all extent and purpose, it is an extension to the existing property and thus the provisions of the adopted Supplementary Planning Document (SPD): Residential Extensions are considered relevant in the consideration of this case.

Paragraph 4.5 of the adopted Supplementary Planning Document HDAS: Residential Extensions states "In order to appear subordinate, the width..... of the extension should be considerably less than that of the main house and be between half and two thirds of the original house width."

Paragraph 5.1 of the adopted HDAS SPD: Residential Extensions (December 2008) requires all extensions and buildings of two or more storeys to be set back a minimum of 1 m from the side boundary of the property for the full height of the building. Paragraph 5.3 of the HDAS SPD specifies that where two storey side extensions are proposed in the case where the side of the house adjoins a road, there may be some scope for flexibility on the set-in. It further specifies that where an existing return building line exists, any extension should ensure that the openness of the area is maintained and that the return building line is not exceeded.

The original house width measures 6.38m and the proposed "side extension" measures 5.51m which would be well in excess of the maximum two thirds width stated in the SPD. The proposed development would occupy virtually all of the space to the side of the dwelling and would thus have a substantial width resulting in a development of a significant overall size and bulk, which would be viewed in the street scene as an overlarge addition which would not be subordinate to the host dwelling and would disrupt its current balanced appearance. This would unacceptably harm the character of the host dwelling and the visual amenities of the street scene and the surrounding area.

Ryefield Avenue and Victoria Avenue are characterised by mainly small terraces interspersed with some semi-detached dwellings, with many of the properties having projecting double height bay front windows. The properties have spacious front and rear gardens. Whilst some of the properties have been extended there is nonetheless a prevailing uniformity of space between and around the properties and in the main most of the buildings follow a common building line. These positive attributes add distinctive character to the locality.

The application site represents a very prominent corner plot. The front and side of the property can be easily viewed from Ryefield Avenue and Victoria Avenue. The rear of the property is very conspicuous when driving down Victoria Avenue towards its junction with Ryefield Avenue.

It is acknowledge that other properties at the junction include two storey side extensions which have been built in close proximity to the pavement. However, it is clear from their design and appearance that these were approved some considerable time ago and well before the adoption of the current Supplementary Planning Documents (SPD) HDAS: Residential Layouts and HDAS: Residential Extensions.

Whilst the proposal would be set-in from the side boundary with the Victoria Avenue highway by a maximum of 1.25m, reducing to 1m towards the rear, the proposed development would project well beyond the return front building line of the adjacent properties to the rear on Victoria Avenue. It is instructive to note that the adjacent properties on Victoria Avenue (the closest being No. 60 Victoria Avenue) have an established and uniform front building line and the front gardens and the side garden area of the application property results in a sense of spaciousness not only at the road junction but along the road. The proposal would result in virtually the total infilling of this space as a result of the proposed width of the development and would result in the loss of this prominent open space feature to the detriment of the visual amenity of the Ryefield Avenue and Victoria Avenue street scene and the wider area.

Consequently, it is concluded that the proposed development, by reason of its siting in this open prominent position, size, scale, proximity to the side boundary and its projection beyond the return front building line of the adjacent properties to the rear on Victoria Avenue, would result in the virtual loss of an important gap, resulting in a cramped appearance. The proposal would therefore represent an overdevelopment of the site to the detriment of the visual amenities of the street scene and the character and appearance of the surrounding area. The proposed development is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5 and 7.4 of the London Plan (2016) and the Council's adopted Supplementary Planning Documents HDAS: Residential Layouts and HDAS: Residential Extensions.

7.08 Impact on neighbours

Paragraph 17 of the NPPF indicates that decisions should 'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy 3.5 of the London Plan requires housing development to be of the highest quality internally, externally and in relation to their context and to the wider environment. Policy BE21 states that planning permission will not be granted for new buildings which by reason of their siting, bulk and proximity would result in significant loss of residential amenity. Paragraph 4.11 of HDAS (Residential Layouts) states that the 45° principle will be applied to new development to ensure the amenity of adjoining occupiers and future occupiers are protected.

The proposed building would not project beyond the rear building line of the adjoining properties as such there would be no overbearing, over dominant or visually intrusive impact on the adjoining occupiers. Furthermore, no windows are proposed on the flank which would offer direct view into the neighbouring properties or gardens. Therefore, the proposal would not result in a loss of privacy, through overlooking. It is recognised that properties on the other side of Ryefield Avenue and Victoria Avenue would be able to see the proposal across the two Avenues, but these are views across the public realm.

It is therefore considered that the proposal would not harm the residential amenities of the occupiers of adjoining occupiers through over dominance, visual intrusion, overshadowing and overlooking, in accordance with Policies BE20, BE21, and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.09 Living conditions for future occupiers

The national space standards contained in the Technical Housing Standards and policy 3.5 of the London Plan set out the minimum floor areas required for proposed residential units in order to ensure that they provide an adequate standard of living for future occupants. For a two-storey 3 bedroom 4 persons dwellings, the requirement is 84 sq.m.

The floor space of the proposed dwelling would be approximately 85 sq.m. It would exceed the minimum standards of policy 3.5 of the London Plan and Technical Housing Standards. However, it is noted that the floor space of one of the bedrooms would be only 3.9sqm, which would be considerably less than the minimum requirement of 7.5sq.m for a single bedroom and thus the proposal is considered unacceptable for this reason also. The proposal is thus contrary to Policy 3.5 of the London Plan (2016), the Housing Standards Minor Alterations to The London Plan (March 2016), the Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016) and the Technical Housing Standards - Nationally Described Space Standard (March 2015).

The new windows would provide adequate outlook and natural light to the rooms they would serve, in accordance with the Local Plan and paragraphs 4.9 and 4.12 of the HDAS: Residential Layouts.

Hillingdon Local Plan Saved Policy BE23 and HDAS: Residential Layouts requires 60-100 sq.m of private amenity space should be provided for three bedroom houses. The proposed private amenity space would comply with this figure. The existing property would retain a rear garden of over 100 sq.metres. As such, the proposal would comply with the above guidance and Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The proposed development shows the provision of 2 car parking spaces for the proposed new dwelling and 2 for the existing dwelling on the front of each plot. Therefore, sufficient off street parking would be provided in accordance with the Council's adopted parking standards.

The proposal will require alterations to the existing access however insufficient details have been provided to demonstrate that the access would be safe and given its location at a junction, it is considered that the proposal has not demonstrated that sufficient off street parking/manoeuvring arrangements would be provided or that the access arrangements would be provided in a safe and acceptable manner, and therefore the development is considered to result in substandard car parking/access provision, leading to on-street parking/queuing and conditions prejudicial to highway and pedestrian safety, contrary to policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012), 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.

7.13 Provision of affordable & special needs housing

Not applicable to the current application.

7.14 Trees, landscaping and Ecology

TREES AND LANDSCAPING

Saved Policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

There are no significant trees, protected or otherwise, or other landscape features close enough to the site to constrain development.

7.15 Sustainable waste management

Had the application been recommended for approval this could have been the subject of a condition.

7.17 Flooding or Drainage Issues

The site is not within a Flood Zone or Critical Drainage Area. Therefore, Had the application been recommended for approval this could have been the subject of a condition.

7.19 Comments on Public Consultations

The issues raised have been covered in the main body of the report.

7.20 Planning obligations

The proposal would be LBH and Mayoral CIL liable. Presently calculated the figures would be;

LBH CIL £11,544.30

London Mayoral CIL £4,520.18

Total: £16,064.48

CIL contributions could overcome previous issues surrounding infrastructure impacts.

10. CONCLUSION

The proposed development would harm the character of the surrounding area and be detrimental to the visual amenity of the street scene by reason of the layout, siting and scale of the buildings and would not respect or improve the existing pattern of buildings. It has not been demonstrated that the proposed parking can be provided in a safe manner and the size of one of the proposed bedrooms is substantially below the minimum required as set out in the National Standards. Consequently, the application is recommended for refusal.

11. Reference Documents

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

Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

The London Plan (2016)

The Housing Standards Minor Alterations to The London Plan (March 2016)

Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)

Technical Housing Standards - Nationally Described Space Standard

Hillingdon Design and Accessibility Statement: Residential Layouts

Hillingdon Design and Accessibility Statement: Residential Extensions

Hillingdon Design and Accessibility Statement: Accessible Hillingdon

National Planning Policy Framework

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Notes:

 Site boundary

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Site Address:

9 Ryefield Avenue

LONDON BOROUGH OF HILLINGDON
 Residents Services
 Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111

Planning Application Ref:

5457/APP/2017/1667

Scale:

1:1,250

Planning Committee:

Central & South

Date:

September 2017



HILLINGDON
 LONDON