

Report of the Head of Planning, Transportation and Regeneration

Address LAND FORMING PART OF 21 VICTORIA AVENUE HILLINGDON

Development: Two storey, 3-bed attached dwelling with associated parking and amenity space involving demolition of existing outbuilding

LBH Ref Nos: 73784/APP/2018/1685

Drawing Nos: 17/050_P1
17/050_S1
17/050_S2
17/050_P1
17/050_S4
17/050_S3
17/050_S0
17/050_P2
17/050_P3
17/050_P5
17/050_P4
Design and Access Statement

Date Plans Received: 04/05/2018

Date(s) of Amendment(s):

Date Application Valid: 14/05/2018

1. SUMMARY

The application seeks full planning permission for the erection of a two storey, 3-bed attached dwelling with associated parking and amenity space involving demolition of existing outbuilding and follows an application for pre-application advice with regard to a similar proposal. The proposal would represent an overdevelopment of the site to the detriment of the character and the visual amenities of the area and to this existing open area of the street scene. Therefore the proposal is 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 (March 2016) and the adopted Supplementary Planning Document HDAS: Residential Layouts. The erection of a dwelling to the side of the host dwelling is therefore considered unacceptable.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposal by reason of its siting in this open prominent position, size, scale, bulk, width, proximity to the side boundary and projection forward of the return building line along Richmond Avenue, would result in the loss of an important gap characteristic to the area, resulting in a cramped appearance. The proposal would therefore represent an overdevelopment of the site to the detriment of the character and the visual amenities of the area and to this existing open area of the street scene. Therefore the proposal is 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 adopted Supplementary Planning Document HDAS: Residential Layouts.

INFORMATIVES

1 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 saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

2 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).

3 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) 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.

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.
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 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 7.4	(2016) Local character

NPPF1	NPPF - Delivering sustainable development
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design

4 174 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

5

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. This application follows an application for pre-application advice where the officers report identified issues to be addressed, allowing the opportunity to address those issues within this submission.

3. CONSIDERATIONS

3.1 Site and Locality

The application property comprises of a two storey detached house with hipped roof located on the Eastern side of Victoria Avenue on a prominent corner plot with Richmond Avenue which lies within the Developed Area as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012). The property benefits from two crossovers and has been extended to the rear by way of a single storey rear extension. A detached outbuilding is located to the rear.

3.2 Proposed Scheme

The application seeks full planning permission for the erection of a two storey, 3-bed attached dwelling with associated parking and amenity space involving demolition of existing outbuilding.

3.3 Relevant Planning History

67914/PRC/2017/226 21 Victoria Avenue Hillingdon Middlesex

Two storey, with rooms in roof space including rear dormer, 3-bed dwelling with associated parking and amenity space

Decision: 06-02-2018 OBJ

Comment on Relevant Planning History

An application for pre-application advice under reference 67914/PRC/2017/226 was submitted for a two storey 3-bed dwelling, with rooms in roof space including rear dormer, with associated parking and amenity space. The conclusion was:

"The current proposal, based on the plans and supporting documents that have been submitted could not be supported, as it would have a significant impact upon the visual amenities of the street scene. The proposal would represent an overdevelopment of the site to the detriment of the character and the visual amenities of the area and to this existing open area of the street scene. Therefore the proposal is 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 (March 2016) and the adopted Supplementary Planning Document HDAS: Residential Layouts. The erection of a dwelling to the side of the host dwelling is therefore considered unacceptable in principle."

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

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.

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 3.3 (2016) Increasing housing supply

LPP 3.4 (2015) Optimising housing potential

LPP 3.5 (2016) Quality and design of housing developments

LPP 7.4	(2016) Local character
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

5 adjoining occupiers and the Oak Farm Residents Association consulted and a site notice posted. 2 replies received objecting to the proposal on the following grounds:

1. It is already impossible to park at present and house number 23 (on the opposite corner) is already about to take up 2 more valuable places.
2. Effect on light and privacy.

Ward Councillor: Requests that the application is reported to committee.

NATS Safeguarding: No objection.

Internal Consultees

Highways Officer:

Site Characteristics

The site is located within a residential catchment South of Hillingdon Circus accessed from Long Lane in Uxbridge.

The surrounding highway network exhibits some parking controls in the vicinity of this address. The neighbouring properties in the locality possess generous off street parking facilities which inherently reduce parking pressures on the public highway.

The location exhibits a low PTAL rating of 2 which is considered as low and thereby encourages private car ownership and usage.

Parking Provision/ Vehicular Access Arrangements

Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP policy states that new development will only be permitted where it is in accordance with the Council's adopted parking standards.

The Council's maximum standard requires up to 2 spaces to be provided on-site in order to comply with the adopted parking standard. The provision of 2 spaces (to the rear of the address) for the new house and 2 spaces (on the existing property frontage) for No 21 conforms to the standard.

The site consists of a corner property (No.21) with a side garden flanking Richmond Avenue. It is proposed to append a new dwelling to the side in order to provide an attached self-contained 3 bedroom single dwelling unit. The existing vehicular access onto No.21 Victoria Avenue would remain unaltered to serve 2 parking spaces for the original address but the existing access from Richmond Avenue, serving 2 new spaces for the new unit, would require minor alteration in terms of widening to the required Council standard to facilitate ease of entry/exit. The widening would be undertaken via a legal agreement and funded at the applicant's cost.

Cycle Parking Provision

In terms of cycle parking there should be a provision of at least 2 secure and accessible spaces for the new house in order to conform to the adopted minimum borough cycle parking standard. 2 spaces for both the new and existing dwelling units are depicted on the property frontage and the arrangement is considered acceptable in terms of positioning.

Vehicular Trip Generation

The proposal would marginally increase traffic generation from the site envelope as compared to the existing single dwelling unit. However peak period traffic movement into and out of the site would not be expected to rise beyond 1-2 additional two-way vehicular movement during the peak morning and evening hours. This uplift is considered marginal in traffic generation terms and therefore can be absorbed within the local road network without notable detriment to traffic congestion and road safety.

Operational Refuse Requirements

Refuse collection for both the existing and new dwelling unit would continue from Victoria Avenue with an appropriate bin store located on the property frontage. There are no further observations.

Construction Logistics Plan (CLP)

A full and detailed CLP will be a requirement given the constraints and sensitivities of the local residential and classified road network in order to avoid/minimise potential detriment to the public realm. It will need to be secured under a suitable planning condition.

Conclusion

The application has been reviewed by the Highway Engineer who is satisfied that the proposal would not exacerbate congestion or parking stress to any measurable degree, and would not raise any highway safety concerns, in accordance with policies AM2, AM7 and AM14 of the Development Plan (2012) and policies 6.3, 6.9, and 6.13 of the London Plan (2016).

Landscape Officer:

This site is occupied by a two-storey house at the junction of Victoria Avenue and Richmond Avenue. The corner plot is an irregular shape and larger than average for this residential street. There is a garage / outbuilding on the East boundary, accessed from Richmond Avenue. The house has a an attractive established garden which is clearly visible from the public realm. While it contributes to the character and appearance of the area, there are no TPO's or Conservation Area designations affecting the site and no significant trees which might constrain development.

COMMENT: No trees or particular landscape features of merit will be lost, although the loss of the garden and open space will be detrimental to the area. The proposed layout indicates that a modest area of front garden will be retained on the corner with a triangular wedge of side / rear garden extending along the Richmond Avenue frontage. A large bin storage area is indicated behind the parking bays, off Richmond Avenue. A hedge should be planted behind the parking bays and the bin store sited more discreetly, if necessary within the rear garden. Landscape conditions are required to ensure that the scheme satisfies policies BE23 and BE38.

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

7. MAIN PLANNING ISSUES

7.01 The principle of the development

In order to establish the acceptability of the principle of developing this site for residential purposes, it is necessary to take into account currently adopted planning policy and to a lesser extent, emerging policy. Paragraph 7.29 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) suggests that backland development may be

acceptable in principle subject to being in accordance with all other policies.

The London Plan (2016) provides guidance on how applications for development on garden land should be treated within the London Region. The thrust of the guidance is that back gardens can contribute to the objectives of a significant number of London Plan policies and these matters should be taken into account when considering the principle of such developments. Policy 3.5 of the London Plan supports development plan-led presumptions against development on back gardens where locally justified by a sound local evidence base.

The Mayor's Housing Supplementary Planning Guidance, November 2016 also provides further guidance on the interpretation of existing policies within the London Plan as regards garden development. Paragraph 1.2.44 advises that when considering proposals which involve the loss of gardens, regard should be taken of the degree to which gardens contribute to a community's sense of place and quality of life (Policy 3.5), especially in outer London where gardens are often a key component of an area's character (Policies 2.6 and 2.7). The contribution gardens make towards biodiversity also needs to be considered (Policies 7.18 and 7.19) as does their role in mitigating flood risk (Policies 5.12 and 5.13). Gardens can also address the effects of climate change (Policies 5.9 - 5.11).

The NPPF (March 2012) at paragraph 53, advises that LPAs '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.'

The Council has adopted the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012). Policy BE1 advises that new development, in addition to achieving a high quality of design, should enhance the local distinctiveness of the area, contribute to community cohesion and sense of place and make a positive contribution to the local area in terms of layout, form, scale and materials and seek to protect the amenity of surrounding land and buildings, particularly residential properties. Specifically, the policy advises that development should not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas and increase flood risk.

In this case, the proposal involves the development of the side garden in a prominent corner location. This space is considered to contribute positively to the character of the street scene and its loss is considered unacceptable in principle as discussed in the section below.

7.02 Density of the proposed development

The density of the proposed development is considered acceptable subject to compliance with all other relevant planning policies.

7.03 Impact on archaeology/CAs/LBs or Areas of Special Character

Not applicable to this application.

7.04 Airport safeguarding

NATS safeguarding have raised no objection to the application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

The NPPF (2012) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the

way it functions.'

Policy BE1 of the Hillingdon Local Plan (November 2012) requires that all new development achieves a 'high quality of design in all new buildings, alterations and extensions'. In addition, Policy BE13 of the Hillingdon Local Plan (November 2012) acknowledges that 'development will not be permitted if the layout and appearance fail to harmonise with the existing street scene'. The emphasis placed on the impact of a development upon the character of the surrounding area is further emphasised under Policy BE19 of the Hillingdon Local Plan (November 2012), which recognises that 'The Local Planning Authority will seek to ensure that new development within residential areas complements or improves the amenity and character of the area'. Paragraph 4.14 of the Residential Layouts HDAS SPD specifies that developments should incorporate usable, attractively laid out and private garden space conveniently located in relation to the property or properties it serves. It should be of an appropriate size, having regard to the size of the dwelling and character of the area. Paragraph 4.27 of the HDAS SPD gives advice that building lines within a new development should relate to the street pattern of the surroundings whilst the height of the development is best determined by reference to the proportions, siting and lines of surrounding buildings.

The Council's adopted SPD's seeks to preserve the open character of corner plots. It is considered that this open space character gives several properties in the immediate locality, including the application dwelling, the appearance of significant spaciousness within their plots and makes a positive visual contribution to the appearance of the street scenes. The open space character and visual gaps also help to clearly define the semi-detached and end terraced contexts of several junction/corner properties in the immediate locality. The corner plot positioning of the application dwelling is such that it is visually prominent on both street scenes. The adjacent properties on Richmond Avenue to the rear 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. It is noted that permission was granted under application reference 12211/APP/2014/238 for a two storey side extension and part two storey, part single storey rear extension to allow for conversion of existing dwelling to 2 x 2-bed self-contained flats with associated parking and amenity space to include the installation of bay windows to front, canopy to side, and vehicular crossover to front involving demolition of attached side garage at the opposite property at Number 23. However a gap of 4.3 m was retained from the flank elevation of this extension to the side boundary ensuring a sense of spaciousness was maintained. The proposed development, in this case, would achieve a minimal set in of approximately 1 m and as such, by reason of it siting in this open prominent position, size, scale and bulk, would result in the loss of a substantial proportion of an important gap, characteristic to the area, resulting in a cramped appearance, and would be detrimental to the visual amenities of the street scene and the surrounding area. The applicant has considered the objections raised in this regard within the pre-application report and has advised that "by removing the 1 metre in set in this would seriously impact the design especially the balance required to create the 2 semi-detached properties from the detached and have an adverse effect to the visual impact of the street scene. Consideration has been given to set back the new property from the existing however this would give the appearance of an extension rather than a new dwelling. It is proposed that the open corner visual amenity will be achieved by lowering the existing 2 m fence to a 1.2 m which will open up the currently enclosed corner plot which provides an attractive and open appearance to the corner. It is considered that a reduction on the height of the side boundary fence would not overcome the concerns previously raised in terms of the significant bulk of the proposed dwelling in this prominent corner location.

Whilst not directly comparable a scheme for a part two storey, part single storey side/rear extension, as opposed to a new dwelling, on the opposite corner site at 23 Victoria Avenue was refused and dismissed at appeal with the reason for refusal being very much the same as is recommended for this scheme. In this case, the Inspector commented as follows:

"3. The appeal property is an end of terrace two storey dwelling on a corner plot with an almost 'triangular' like form as it narrows to the rear. The property was behind hoardings at the time of my visit and has well proportioned elevations and a hipped roof with a lower front projecting gable. It is in an established area of residential character with a pleasant streetscene formed in the main by broadly similar semi-detached and terraced properties. The proposal is as described above and would primarily provide for increased bedroom and living accommodation.

4. The works proposed would be extensive, running along a prominent part of the dwelling and markedly altering the aesthetic aspect from the highway. To my mind the change would be disproportionate to the existing dwelling along this flank and would offer a very ungainly and overly large side element to the street view all emphasised by inappropriate proximity to the footway towards the eastern end. Even with the planned 'set-back' to the front elevation the extension work would appear unduly dominant and would overly intrude into a scene which presently benefits from a sense of spaciousness. By projecting out beyond the original rear of the dwelling so close the side road the extension would fail visually to take account of the plot tapering to its rear. The scheme would appear as uncharacteristic over-development.

5. I conclude that the development sought would lead to visual detriment to the appeal property and the wider locality. This would run contrary to the objectives of Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) which share common themes of seeking to protect or enhance the character and appearance of buildings and their neighbourhood, to ensure harmonious development and the protection of local distinctiveness."

The proposal would therefore represent an overdevelopment of the site to the detriment of the character and the visual amenities of the area and to this existing open area of the street scene. Therefore the proposal is 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 (March 2016) and the adopted Supplementary Planning Document HDAS: Residential Layouts. The erection of a dwelling, as proposed, to the side of the host dwelling is therefore considered unacceptable in principle.

7.08 Impact on neighbours

Policies BE20, BE21 and BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) give advice that buildings should be laid out so that adequate daylight and sunlight can penetrate into and between them, and the amenities of existing houses are safeguarded.

Policies BE23 and BE24 of the Hillingdon Local Plan (Part Two) stress the importance of new buildings and extensions providing adequate amount of external amenity space, that not only protects the amenity of the occupants of the proposed development, but also of those of the surrounding buildings, as well as protecting both parties privacy.

The Council's adopted HDAS SPD: Residential Layouts (July 2006) specifies in paragraph 4.9 that where a two or more storey building abuts a property or its garden, a minimum acceptable distance of 15 m should be maintained, so as to overcome possible over-domination, overbearing and overshadowing. Paragraph 4.11 of the HDAS SPD specifies that the Council's 45 degree principle will be applied and is designed to ensure that adequate daylight and sunlight is enjoyed in new and existing dwellings. The principle involves drawing a line from the mid-point of an existing/new window that is potentially affected by a new dwelling at an angle of 45 degrees towards the new building. Paragraph 4.12 of the HDAS SPD specifies that new residential development should be designed so as to ensure adequate privacy for its occupants and that of the adjoining residential property. It gives advice that the distance should not be less than 21 m between facing habitable room windows.

Given that the proposed development/s would not extend significantly beyond the rear of the existing property, the proposal is unlikely to impact on adjoining occupiers and is set sufficient distance from the property to the rear 1 Richmond Avenue.

7.09 Living conditions for future occupiers

On 25 March 2015, the Government introduced new technical housing standards in England, which comprise of new additional 'optional' Building Regulations on water and access, and a nationally described space standard (referred to as "the new national technical standards"). These new standards came into effect on 1 October 2015. The Mayor of London has adopted the new national technical standards through a minor alteration to The London Plan.

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 3 bedroom (6 person) dwelling is required to provide 108 square metres. The planning design and access statement advises that the proposed dwelling would comprise of a 3 bed (5 person) dwelling. However it is noted that each of the three bedrooms are a minimum floor area of 11.5 square metres which the National Space Standards confirm is the minimum floor area for a double occupancy room. However, at an internal floor area of 115 square metres, the proposal complies with this minimum standard.

Policy BE23 of the Hillingdon Local Plan (November 2012) recognises that new residential buildings should 'provide external amenity space which is sufficient to protect the amenity of the occupants of the proposed and surrounding buildings'. Submitted plans demonstrate that the outbuilding would be removed and the host dwelling would retain 76 square metres of garden area and the proposed dwelling would achieve 50 square metres to the rear and 96 square metres to the front and side which is less private. It is considered, on balance, that the proposed outdoor amenity space provision is acceptable.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) considers 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 AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that all development is in accordance with the Council's adopted Car Parking Standards.

The surrounding highway network exhibits some parking controls in the vicinity of this address. The neighbouring properties in the locality possess generous off street parking facilities which inherently reduce parking pressures on the public highway. The site is

located in an area with a low PTAL rating of 2 which is considered as low and thereby encourages private car ownership and usage. The Council's parking Standards will require 2 parking spaces to be retained for the host dwelling and two for the proposed dwelling. The submitted plans confirm the host dwelling would retain the 2 off street parking spaces accessed from Victoria Avenue with the proposed dwelling utilising the crossover from Richmond Avenue to the proposed two parking spaces. The Highways Officer has confirmed that the proposal would require minor alteration in terms of widening to the required Council standard to facilitate ease of entry/exit. The widening could be undertaken via a legal agreement and funded at the applicant's cost. However in view of the in principle objection, a S106 agreement has not been sought. In the event of an approvable scheme, secure cycle storage could be secured by way of condition.

With regard to traffic generation, the Highways Officer has advised that the proposal would marginally increase traffic generation from the site envelope as compared to the existing single dwelling unit. However peak period traffic movement into and out of the site would not be expected to rise beyond 1-2 additional two-way vehicular movement during the peak morning and evening hours. This uplift is considered marginal in traffic generation terms and therefore can be absorbed within the local road network without notable detriment to traffic congestion and road safety.

7.11 Urban design, access and security

The issues are addressed in the sections above.

7.12 Disabled access

No accessibility issues are raised.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

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. The landscape officer has advised that the house has an attractive established garden which is clearly visible from the public realm. While it contributes to the character and appearance of the area, there are no TPO's or Conservation Area designations affecting the site and no significant trees which might constrain development. The proposed layout indicates that a modest area of front garden will be retained on the corner with a triangular wedge of side/rear garden extending along the Richmond Avenue frontage. A large bin storage area is indicated behind the parking bays, off Richmond Avenue. In the event of an approvable scheme full landscape conditions are required to ensure that the scheme satisfies policies BE23 and BE38 to include a hedge being planted behind the parking bays and the bin store sited more discretely, if necessary within the rear garden.

7.15 Sustainable waste management

The submitted plans indicate the provision of a row of bins to the rear of the parking area to the proposed dwelling. In the event of an approvable scheme, a condition could be imposed to secure details of the bin storage.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

The comments received are addressed in the sections above.

7.20 Planning obligations

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 £35 per sq metre.

The scheme would be CIL liable. Presently calculated the amounts would be as follows;

LBH CIL £29,609.54

London Mayoral CIL £11,593.63

Total CIL £41,203.17

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

No other issues raised.

8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy

2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

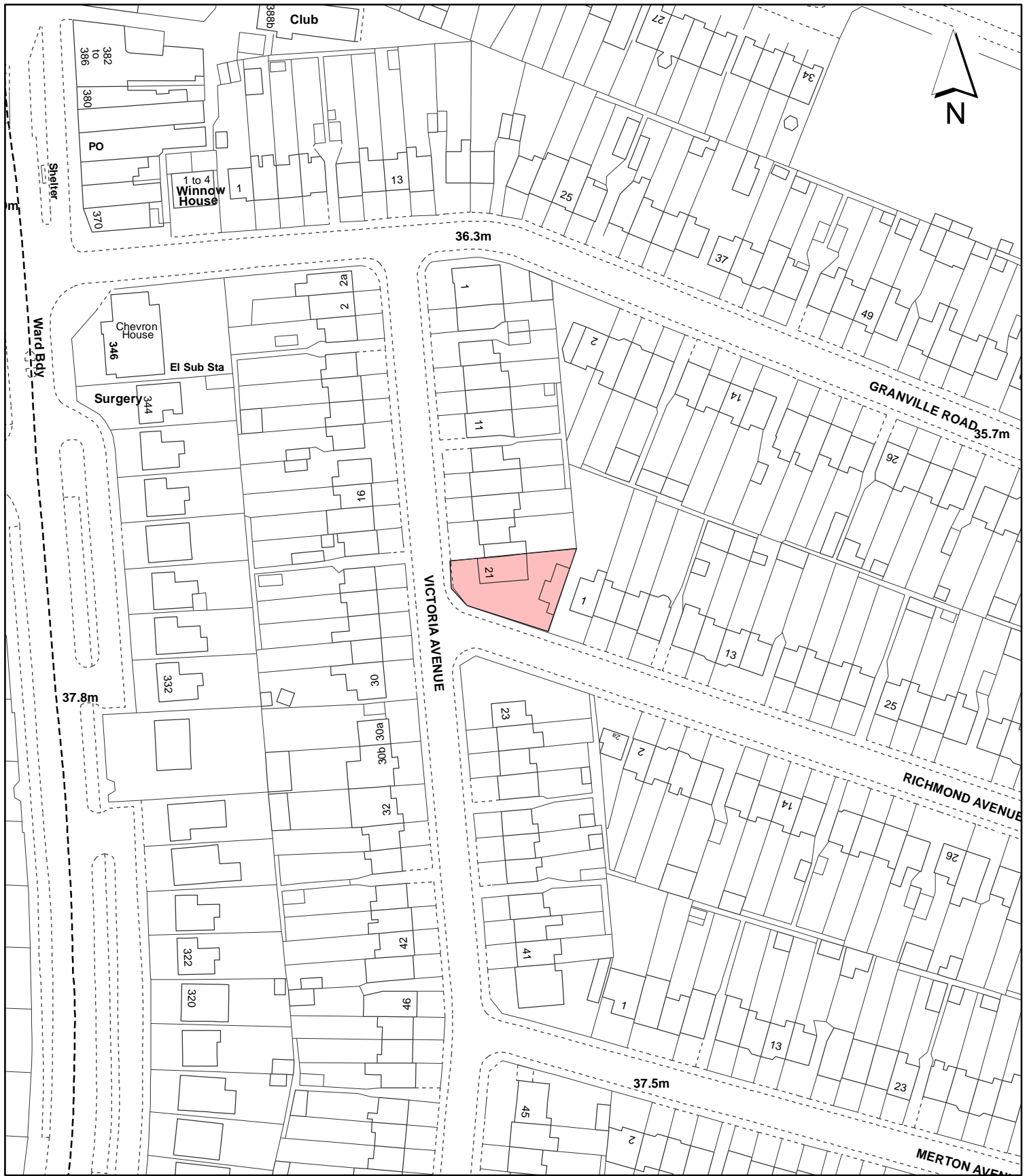
The application seeks full planning permission for the erection of a two storey, 3-bed attached dwelling with associated parking and amenity space involving demolition of existing outbuilding and follows an application for pre-application advice with regard to a similar proposal. The proposal would represent an overdevelopment of the site to the detriment of the character and the visual amenities of the area and to this existing open area of the street scene. Therefore the proposal is 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 (March 2016) and the adopted Supplementary Planning Document HDAS: Residential Layouts. The erection of a dwelling to the side of the host dwelling is therefore considered unacceptable.

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)
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

Contact Officer: Nicola Taplin

Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.
 This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).
 Unless the Act provides a relevant exception to copyright.
 © Crown copyright and database rights 2018 Ordnance Survey 100019283

Site Address:

**Land Forming Part of
 21 Victoria Avenue**

Planning Application Ref:
73784/APP/2018/1685

Planning Committee:
Central & South

Scale:
1:1,250

Date:
July 2018

**LONDON BOROUGH
 OF HILLINGDON**
 Residents Services
 Planning Section
 Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111

