

Report of the Head of Planning, Transportation and Regeneration

Address LAND ADJ. 5 ALBERT ROAD/NORTH HYDE ROAD ALBERT ROAD HAYES

Development: Erection of a three storey, detached building to create 3 x 2-bed and 2 x 1-bed residential units with associated landscaping, cycle and refuse storage.

LBH Ref Nos: 42985/APP/2019/2676

Drawing Nos: Design and Access Statement
5254_00_050 Rev. P1
5254_00_100 Rev. P1
5254_00_200 Rev. P1
Location Plan (1:1250)
Planning Statement

Date Plans Received: 09/08/2019

Date(s) of Amendment(s):

Date Application Valid: 21/08/2019

1. SUMMARY

The application seeks planning permission for the erection of a three storey, detached building to create 3 x 2-bed and 2 x 1-bed residential units with associated landscaping, cycle and refuse storage. The principle of redevelopment of the site is considered unacceptable by virtue of the fact that the scheme fails to harmonise with its surroundings. Furthermore the proposal would result in a serious loss of amenity to occupants of the adjacent property at 5 Albert Road.

The application is 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, bulk and projection forward of the very strong building line along North Hyde Road, would result in the total loss of an important gap characteristic to the area and would thus result in a cramped, unduly intrusive, visually prominent over-development of the site. The proposal would therefore be detrimental to the character, appearance and visual amenities of the street scene and the wider area in general. Therefore the proposal is 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), Policies 3.5, 7.1 and 7.4 of the London Plan (2016) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

2 NON2 Non Standard reason for refusal

The proposed development, by virtue of its size, scale, bulk, depth, height and proximity, would be detrimental to the amenities of the adjoining occupier at 5 Albert Road by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore the proposal would be contrary to policies BE19, BE20 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 adopted Supplementary Planning Document HDAS: Residential Layouts.

3 NON2 Non Standard reason for refusal

The proposed development, by virtue of its failure to provide access to amenity space of a sufficient size and quality commensurate to the size and layout of the said units would result in an over-development of the site detrimental to the residential amenity of existing and 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.

4 NON2 Non Standard reason for refusal

In the absence of a Tree Survey and Arboricultural Implication Assessment to BS5837:2012 standards, the application has failed to demonstrate that the development will safeguard existing trees on the site and further fails to demonstrate protection for and long-term retention of the trees. The proposal is therefore detrimental to the visual amenity of the street scene and the wider area contrary to Policies BE19 and BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy DMHB 14 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

5 NON2 Non Standard reason for refusal

The proposal does not make adequate provision for car parking in accordance with the Council's adopted standards. This is likely to result in on-street parking displacement to the detriment of highway and pedestrian safety. The proposal is therefore contrary to the Council's adopted policies in particular Policy AM14 of the Hillingdon Local Plan: Saved UDP Policies (November 2012) and Emerging Policy DMT 6 of the Local Plan: Part 2 - Development Management Policies (October 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 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.
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 7.1	(2016) Lifetime Neighbourhoods
LPP 7.2	(2016) An inclusive environment
LPP 7.4	(2016) Local character
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places

3 159 **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.

4

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 application site is located on the corner of Albert Road with North Hyde Road and comprises an area of Highway Land which is currently laid to grass with 3 trees planted in the centre. There are various pieces of street furniture alongside the footpath around its perimeter. Number 5 Albert Road is a two storey semi-detached dwelling, to the north and Number 24 North Hyde Road is sited to the west. A community centre is sited to the north east.

3.2 Proposed Scheme

The application seeks planning permission for the erection of a three storey, detached building to create 3 x 2-bed and 2 x 1-bed residential units with associated landscaping, cycle and refuse storage.

3.3 Relevant Planning History

42985/89/0174 Adjacent 5 Albert Road Hayes
Erection of a two-storey building to contain 2 x 2-bedroom flats with amenity space and 3 car parking spaces

Decision: 11-04-1989 Refused

42985/A/89/3573 Adjacent 5 Albert Road Hayes
Erection of 6 advertisement hoardings.

Decision: 22-08-1989 Refused

42985/PRC/2019/66 Land Adj. 5 Albert Road/North Hyde Road Albert Road Hayes
Construction of four flats with amenity and parking

Decision: 22-05-2019 OBJ

Comment on Relevant Planning History

An application for pre-application advice was submitted under application reference 42985/PRC/2019/66 for the construction of a building to accommodate four flats with amenity space and parking. The conclusion was:

The principle of redevelopment of the site is considered unacceptable by virtue of the fact that the scheme fails to harmonise with its surroundings and would fail to provide acceptable outdoor amenity space for the future occupants of the properties. The proposed development is considered to be an inefficient development of land within a highly accessible location where strategic planning policies identify housing growth is expected to occur.

4. Planning Policies and Standards

The Revised Proposed Submission Local Plan Part 2 (LPP2) documents (Development Management Policies, Site Allocations and Designations and Policies Map Atlas of Changes) were submitted to the Secretary of State for examination in May 2018.

The public examination hearing sessions took place over one week in August 2018. Following the public hearing sessions, the examining Inspector advised the Council in a Post Hearing Advice Note sent in November 2018 that he considers the LPP2 to be a plan that could be found sound subject to a number of main modifications.

The main modifications proposed by the Inspector were agreed by the Leader of the Council and the Cabinet Member for Planning, Transport and Recycling in March 2019 and are published for public consultation from 27 March to 8 May 2019.

Regarding the weight which should be attributed to the emerging LPP2, paragraph 48 of the National Planning Policy Framework (NPPF) 2019 states that 'Local Planning Authorities may give weight to relevant policies in emerging plans according to:

(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

With regard to (a) above, the preparation of the LPP2 is now at a very advanced stage. The public hearing element of the examination process has been concluded and the examining Inspector has indicated that there are no fundamental issues with the LPP2 that would make it incapable of being found sound subject to the main modifications referred to above.

With regard to (b) above, those policies which are not subject to any proposed main modifications are considered to have had any objections resolved and can be afforded considerable weight. Policies that are subject to main modifications proposed by the Inspector will be given less than considerable weight. The weight to be attributed to those individual policies shall be considered on a case by case basis considering the particular main modification required by the Inspector and the material considerations of the particular planning application, which shall be reflected in the report, as required.

With regard to (c) it is noted that the Inspector has indicated that subject to main modifications the LPP2 is fundamentally sound and therefore consistent with the relevant policies in the NPPF.

Notwithstanding the above, the starting point for determining planning applications remains the adopted policies in the Local Plan: Part 1 Strategic Policies and the Local Plan: Part 2 Saved UDP Policies 2012.

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.

- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 14 Trees and Landscaping
- DMHB 16 Housing Standards
- DMHB 17 Residential Density
- DMHB 18 Private Outdoor Amenity Space
- HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
- LDF-AH Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
- LPP 3.3 (2016) Increasing housing supply
- LPP 3.4 (2015) Optimising housing potential
- LPP 3.5 (2016) Quality and design of housing developments
- LPP 7.1 (2016) Lifetime Neighbourhoods
- LPP 7.2 (2016) An inclusive environment
- LPP 7.4 (2016) Local character
- NPPF- 2 NPPF-2 2018 - Achieving sustainable development
- NPPF- 5 NPPF-5 2018 - Delivering a sufficient supply of homes
- NPPF- 11 NPPF-11 2018 - Making effective use of land
- NPPF- 12 NPPF-12 2018 - Achieving well-designed places

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 properties were consulted by letter dated 23.8.19 and a site notice as displayed to the front of the site which expired on 25.9.19. 3 letters and a petition of objection with 165 signatories have been received. Concerns have been raised relating to noise, disturbance, overdevelopment, rat infestation and traffic.

Internal Consultees

Highways Officer:

The proposed development would comprise of 5 residential units with cycle parking spaces; however, the development would have no on-site car parking. The application site occupies an edge of town centre location situated on the corner of Albert Road/North Hyde Road, Hayes just west of the busy Fairey Corner signalised junction.

North Hyde Road is a classified road which within the vicinity of the site has a 30 mph speed limit. There are double yellow lines on the corners of the junction of Albert Road/North Hyde Road. By the application site, ahead of the Fairey Corner junction, North Hyde Road flares from 2 lanes to 4 lanes.

Aside from a Social Centre and Hayes Spiritualised Centre, Albert Road is mainly residential in character. Parking along Albert Road is controlled by a single yellow line 9:00 am to 5:00 pm Monday to Friday parking restriction, Albert Road forms part of the HY2 Parking Management Scheme. Parking Management Scheme HY2 also extends along Keith Road, which intersects with Albert Road just north of the application site. Further afield parking along most other residential streets is also controlled by resident parking management schemes.

Transport for London use a system called PTAL (Public Transport Accessibility Level) to measure access to the public transport network. PTAL assesses walk times to the nearest public transport location taking into account service frequency. The location is then scored between 0 and 6b where 0 is the worst and 6b the best. According to the Transport for London WebCAT service the application site has a PTAL ranking of 5 indicating access to public transport is good compared to London as a whole. This suggests that there are opportunities for some trips to be made to and from the site by modes other than the private car. Hillingdon however is an outer London borough; some residents commute to destinations outside Greater London and are hence reliant on the private car for trip making. The PTAL model is a Transport for London system and does not take this into account.

There would be a bin storage point fronting onto North Hyde Road, refuse collection would involve the refuse vehicle stopping on-street whilst the operatives load the vehicle. It is recognised that this arrangement is not ideal as the refuse vehicle would hold up traffic behind, however this event is likely to be brief and take place just once a week.

The Development Plan for the London Borough of Hillingdon continues to consist of the Local Plan: Part 2 - Saved UDP Policies (2012) for the purposes of decision making. This includes Policy AM14 in regards to car parking. However Paragraph 48 of the National Planning Policy Framework (2019) states that decision makers may give weight to relevant policies in emerging plans based on the stage of preparation of the plan and the extent to which there are unresolved objections to the relevant policies. An Inspector's Report has been received which confirms that the car parking

standards held within the Local Plan: Part 2 Development Management Policies with Proposed Modifications (2019) are sound. The Highway Authority therefore affords substantial weight to Local Plan: Part 2 Policy DMT 6: Vehicle Parking in its decision making.

For a development of this type to be in accordance with Local Plan Part 2 Policy DMT 6 the Highway Authority would normally require that six car parking spaces are provided. As mentioned above none are to be provided. This raises road safety and traffic management concerns as it may lead to drivers cruising around looking for somewhere to park - placing further demands on a road network that is already saturated in the peak hours. It may also result in drivers parking in inappropriate locations presenting a risk to road safety and impeding the free flow of traffic.

The risk to road safety arising from the lack of on-site parking would make the development contrary to Local Plan Part 2 Policy DMT 2: Highway Impacts, development proposals must ensure that they do not contribute to the deterioration 'of safety of all road users'.

The Highway Authority has objections to this development as it does not provide any on-site parking which would lead to road safety and traffic management concerns contrary to the requirements of Local Plan 2 Policy DMT 6 and DMT 2. However, given that the site occupies an edge of town centre location with a range of public transport opportunities and services and facilities nearby, it is considered that the development could operate with three car parking spaces.

Landscape Officer

This site is occupied by a wide grass verge with three semi-mature trees situated on the north side of North Hyde Road. The trees contribute to the character and appearance of this busy road, complementing nearby tree groups to the east and south (the ASDA site). They are not protected TPO or Conservation Area designation.

COMMENT: This site was the subject of pre-application advice under planning ref. PRC/2019/66. The proposal will necessitate the loss of the three trees and the grass verge. The site layout indicates a narrow strip of landscape between the building and the back edge of the footway, which will be insufficient to provide replacement tree planting and is too public/exposed to provide attractive usable amenity space. No landscape infrastructure is indicated on the proposed layout and no landscape description, or objectives are mentioned in the D&AS.

RECOMMENDATION: This application should be refused. It fails to satisfy policies BE23 or BE38 without which it will be detrimental to the character of the area.

Access Officer:

Any grant of planning permission should include the following conditions:

Prior to works commencing, details of step free access via the principal private entrance shall be submitted to, and approved in writing, by the Local Planning Authority. Such provision shall remain in place for the life of the building.

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

The dwellings hereby approved shall 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, and all such provisions shall remain in place for the life of the building.

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

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application is for the development of 4 flats on an open area of land in Hayes. The site is within the Hayes housing zone and close to what will shortly be a Crossrail station. Strategic planning policies seek to increase housing provision in such a highly accessible location. The site is prominent in this corner location adjacent to a major road junction and this has resulted in a development which is heavily constrained by the position within the street scene and need to avoid neighbour impacts.

It is noted that In 1989 there was a Planning Application, 42985/89/174 which was for the erection of a 2 storey building to contain 2 x 2 bed flats with amenity space and 3 parking spaces. The Application was refused on grounds of overdevelopment of the site; Highways as regards vehicular access; incongruity of design; unneighbourly development and inappropriate materials.

7.02 Density of the proposed development

The density of the proposed development is 107 units/ha which exceeds the minimum density of 50 units/ha. It should, however, be noted that on a development of the scale proposed, density in itself is of limited use in assessing such applications and more site specific considerations are relevant.

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

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

The application site lies within the Developed Area as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012), where there is no objection in principle to the erection of two buildings subject to compliance with the relevant policies set out the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and the Hillingdon Design and Accessibility Statement (HDAS) Residential Extensions.

Policy BE13 ensures development harmonises with the existing street scene or other features of the area which are considered desirable to retain or enhance. BE19 ensures new development complements or improves the amenity and character of the area. The NPPF (2018) also 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 DMHB 11 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) advises that that all development will be required to be designed to the highest standards and incorporate principles of good design. It should take into account aspects including the scale of the development considering the height, mass and bulk of adjacent structures; building plot sizes and established street patterns; building lines and streetscape rhythm and landscaping. It should also not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

It is considered that the design of the proposed building fails to respect or compliment the nearby development. The building has been designed so that it has a large crown roof

element, which given the visually prominent location of the site would be very visible. This, together with its three storey height, overall bulk, depth and design would not reflect the domestic nature of the existing housing both Albert Road and North Hyde Road.

Due to the exposed nature of the site, three sides of the development would be clearly visible to the public domain. In order to provide interest to prominent elevations, the applicant has articulated elevations using an irregular build pattern with a configuration of hipped roofs above. This layout and design would not reflect the regularity of the layout and design of neighbouring dwellings. Moreover, the amount of built development proposed on the site reduces the available space surrounding the property. Whilst the amount of outdoor space includes balcony features, the limited space surrounding the property leads to the property appearing visually cramped within its plot. This is especially obvious given the context of its environment of more spacious surroundings to the other residential dwellings along Albert Road and North Hyde Road

Furthermore, the modest size of the application site is such that there would be little space around the building to provide it with a sufficiently large immediate setting to assimilate the structure into its surroundings. Although the scheme provides for small private gardens to the rear and some possible limited areas of soft landscaping, there would be a considerable amount of hardsurfacing for pathways, cycle storage, bin provision etc. These elements of the proposal would fail to reflect the characteristics of the relationship of buildings to front gardens and verges which make an important contribution to the character and appearance of the area.

Although part of the frontage of the development would sit in line with 5 Albert Road, the development would sit well forward of the front building line of 24 North Hyde Road which sits perpendicular to the appeal site. The uniform front gardens of the properties along North Hyde Road creates separation from the main road and is also a strong recognisable feature here. The fact that the development would sit forward of the building line of North Hyde Road with no similar garden pattern here makes the development appear particularly pronounced within the street scene where front gardens form an important part of the streetscape of the area. The development would not relate well to the other dwellings and therefore would not appear well assimilated into the streetscene, but instead appear as visually over-prominent development that would be harmful to the character and appearance of the area.

Therefore, proposal, by virtue of its excessive size, scale, bulk, layout and site coverage on this prominent corner plot would result in a cramped development of the site, which is visually incongruous and would fail to harmonise with the existing local and historic context of the surrounding area. The principle of the residential use of the site to the level proposed would have a detrimental impact on the character, appearance and visual amenity of the street scene and the surrounding area generally. 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 7.1 and 7.4 of the London Plan (2016) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

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 15m should be maintained, so as to overcome possible overdomination, 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 21m between facing habitable room windows.

The proposed building would be sited 4.4m away from the side boundary with Number 5 Albert Road. At a height of 8.65m in such close proximity, the proposed building would result in a serious loss of light and outlook to rear facing windows of Number 5 Albert Road and its private rear garden area. Given its siting in front of the return building line in North Hyde Road, the proposal would not result in an unacceptable loss of light or outlook to the neighbouring properties at 24 North Hyde Road. However, the proposed development, by virtue of its size, scale, bulk, design and proximity, would be detrimental to the amenities of the adjoining occupier at 5 Albert Road by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore the proposal would be contrary to policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

It is noted that windows serving habitable rooms would be sited towards North Hyde Road and would not therefore result in an unacceptable loss of privacy in accordance with Policy BE24 of the Hillingdon Local Plan - Saved UDP Policies (November 2012).

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 one bedroom (2 person) flat to provide 50 square metres, a two bedroom (4 person) flat over 2 storeys is to provide an internal floor area of 79 m² and a two bedroom (4 person) flat to provide 70 square metres which the proposal complies with. Furthermore the habitable rooms would enjoy a satisfactory outlook in accordance with the requirements of Policy 3.5 of the London Plan (2016).

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'. The Council's adopted Supplementary Planning Document HDAS: Residential Layouts sets out the requirements for amenity space at Paragraph 4.17 and states that for 1 bed flats a minimum of 20 sq.m should be provided and for two bed flats 25 sq.m. The submitted plans indicate that units 1 and 5 would each be served by a private garden area and the remaining units would each be served by balconies or a terrace, but would not have any access to amenity space. Given the limited size of the balconies proposed and the failure to provide all the flats with access to usable amenity space, the proposal is considered to be contrary to policy BE23.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The application site is situated on the corner of Albert Road/North Hyde Road, Hayes just west of the busy Fairey Corner signalised junction. The site benefits from being in close proximity to Hayes town centre which offers a full range of shopping and personal business facilities. Hayes town centre is served by eight bus routes and local train services stopping at Hayes and Harlington railway station. Elizabeth line (Crossrail) trains will call at this station when the new railway line opens in 2020. The site is also in close proximity to the under construction Grand Union Canal Cycle Quietway that connects Yeading, West Drayton, Stockley Park, Hayes and onwards to Central London. On the opposite side of North Hyde Road is a large supermarket.

North Hyde Road is a classified road which within the vicinity of the site has a 30 mph speed limit. There are double yellow lines on the corners of the junction of Albert Road/North Hyde Road. By the application site, ahead of the Fairey Corner junction, North Hyde Road flares from 2 lanes to 4 lanes. Aside from a Social Centre and Hayes Spiritualised Centre Albert Hall, Albert Road is mainly residential in character. Parking along Albert Road is controlled by a single yellow lines 9:00 am to 5.00 pm Monday to Friday parking restriction, Albert Road forms part of the HY2 Parking Management Scheme. Parking Management Scheme HY2 also extends along Keith Road, the nearest residential road to the site. Further afield parking along most other residential streets is also controlled by resident parking management schemes.

Transport for London use as system called PTAL (Public Transport Accessibility Level) to measure access the public transport network. PTAL assesses walk times to the nearest public transport location taking into account service frequency. The location is then scored between 0 and 6b where 0 is the worst and 6b the best. According to the Transport for London WebCAT service the application site has a PTAL ranking of 5 indicating access to public transport is good compared to London as a whole suggesting that there are opportunities for some trips to be made to and from the site by modes other than the private car.

There would be a bin storage point fronting onto North Hyde Road, refuse collection would involve the refuse vehicle stopping on-street whilst the operatives load the vehicle. It is recognised that this arrangement is not ideal as the refuse vehicle would hold up traffics behind, however this event is likely to be brief and take place just once a week. Moreover this arrangement is already taking place as it is how refuse is collected from the neighbouring residential properties along North Hyde Road.

Hillingdon's adopted car parking standards are those contained in the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012). Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that all development is in accordance with these Councils adopted Car Parking Standards. For a development of this type these standards require that a maximum of 8 car parking spaces and 5 cycle parking

spaces are provided. The cycle parking spaces should be covered and secure. No car parking spaces are to be provided .

The Council's Highways Engineer has reviewed the submitted details and raised an objection to the development based on the level of parking proposed, which is well below policy requirements. The submitted proposal, with nominal disabled compliant parking, is therefore considered unacceptable and contrary to Policy AM14 of the Hillingdon Local Plan: Saved UDP Policies (November 2012) and Emerging Policy DMT 6 of the Local Plan: Part 2 - Development Management Policies (October 2015).

7.11 Urban design, access and security

The issues are addressed in th 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. This site is occupied by a wide grass verge with three semi-mature trees situated on the north side of North Hyde Road. The trees contribute to the character and appearance of this busy road, complementing nearby tree groups to the east and south (the ASDA site). They are not protected by a TPO or Conservation Area designation. The proposal will necessitate the loss of the three trees and the grass verge. The site layout indicates a narrow strip of landscape between the building and the back edge of the footway, which will be insufficient to provide replacement tree planting and is too public/exposed to provide attractive usable amenity space. Furthermore, no landscape infrastructure is indicated on the proposed layout and no landscape description, or objectives are mentioned in the design and access statement. It is considered that the proposal fails to satisfy policy BE38 and would be detrimental to the character of the area.

7.15 Sustainable waste management

The submitted plans indicate bin storage sited to the side (south) of the proposed building. In the event of an approvable scheme, conditions could be imposed to secure details of sustainable waste management.

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

The application site is located adjacent to a busy road junction. It is considered, in the event of an approvable scheme, a condition would be required to secure details of sound insulation to protect future residents from external noise.

7.19 Comments on Public Consultations

The comments received through consultation are addressed in the sections above.

7.20 Planning obligations

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £60 per sq metre.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

No other issues are 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

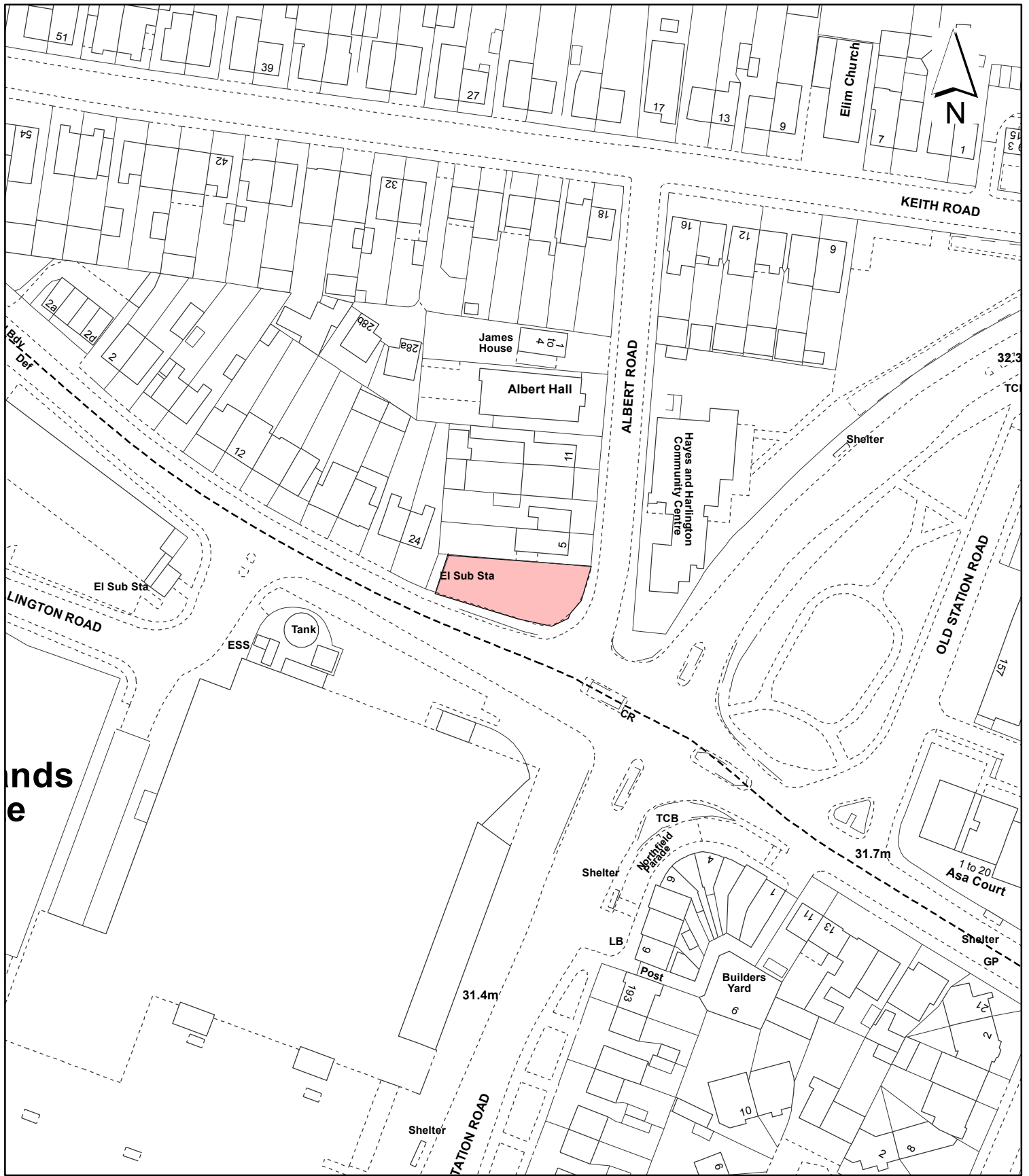
The principle of redevelopment of the site is considered unacceptable by virtue of the fact that the scheme fails to harmonise with its surroundings. Furthermore the proposal would result in a serious loss of amenity to occupants of the adjacent property at 5 Albert Road. The application is recommended for refusal.

11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)
Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019)
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: 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 2019 Ordnance Survey 100019283

Site Address:

Land Adj. 5 Albert Road/ North Hyde Road/ Albert Road

Planning Application Ref:

42985/APP/2019/2676

Planning Committee:

Central & South

Scale:

1:1,250

Date:

December 2019

LONDON BOROUGH OF HILLINGDON
 Residents Services
 Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 01895 250111



HILLINGDON
 LONDON