

## Report of the Head of Planning, Transportation and Regeneration

**Address** 16 FRAYS AVENUE WEST DRAYTON

**Development:** Two storey, 4 bed detached dwelling, parking and amenity space involving demolition of existing dwelling

**LBH Ref Nos:** 53156/APP/2020/1393

**Drawing Nos:** 3260-07/FP Rev. A  
Daylight and Sunlight Study  
3260-01/FP Rev. A  
3260-02/FP Rev. B  
3260-03/FP Rev. A  
3260-04/FP Rev. A  
3260-05/FP Rev. A  
3260-08/FP

**Date Plans Received:** 01/05/2020 **Date(s) of Amendment(s):**

**Date Application Valid:** 12/05/2020

### 1. SUMMARY

The application seeks planning permission for the erection of a two storey, 4 bed detached dwelling, parking and amenity space involving demolition of existing dwelling. The proposal is a revision of a scheme that has been refused a number of times. Whilst it is recognised that the scheme represents an improvement in residential amenity terms and goes some way to address concerns relating to visual impact, the proposed dwelling would result in a disproportionately large, dominating and incongruous form of development which would fail to respect the pattern of development in the area. The proposal would thus be detrimental to the visual amenities of the street scene and the character and appearance of the wider West Drayton Garden City Area of Special Local Character.

### 2. RECOMMENDATION

**REFUSAL for the following reasons:**

#### 1 NON2 Non Standard reason for refusal

The proposed development, by reason of its overall size, scale, bulk and design, would result in a large, dominating and incongruous form of development which would fail to respect the pattern of development in the area. The proposal would thus be detrimental to the visual amenities of the street scene and the character and appearance of the wider West Drayton, Garden City Area of Special Local Character, contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), and Policies DMHB 1, DMHB 5, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies 3.5 and 7.8 of the London Plan and the NPPF.

### 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).

## **2 153 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 1 (2012) and Part 2 (2020) 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.

DMHB 1	Heritage Assets
DMHB 5	Areas of Special Local Character
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMHD 2	Outbuildings
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
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
LPP 7.8	(2016) Heritage assets and archaeology
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
NPPF- 16	NPPF-16 2018 - Conserving & enhancing the historic environment

## **3 171 LBH worked applicant in a positive & proactive (Refusing)**

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 is a resubmission of a previously refused scheme, where the Officers Report and subsequent application for pre-application advice identified issues to be addressed, which were reflected in the reasons for refusal, allowing the opportunity to address those issues within this submission.

## **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](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

### **3. CONSIDERATIONS**

#### **3.1 Site and Locality**

The application site comprises a detached bungalow situated on the North West side of Frays Avenue with its principle elevation facing to the East. The site backs onto Frays River and forms a highly prominent corner plot at the junction with Lawn Avenue. The property is brick built with a hipped roof and is located in the South East corner of the plot in close proximity to the boundaries and main roads of both Frays Avenue and in particular, Lawn Avenue. To the front of the property is an area of soft landscaping with a section of hardstanding providing one off-street parking space. To the rear is a patio section with a dropped kerb and access from Lawn Avenue and further to the rear is a single storey garage again with a dropped kerb and access from Lawn Avenue. The remaining area is soft landscaped and mainly laid to lawn which backs onto the river at the end of the garden.

Frays Avenue is a cul-de-sac that terminates at the River Colne to the South West. Frays River runs along the rear/west boundary of the property and connects with the River Colne to the South. The surrounding street scene is predominantly residential in character. There is a mix of properties within the locality however the neighbouring properties to the South on this application side of the road are bungalows, with a number of the single storey buildings having dormer windows and living accommodation in the roof space. The majority of properties have off-street parking however some on-street parking is present. There are well established building lines within the street scene, particularly on the opposite, North East side of the road. On the application side of the road the building line is set with the application site running to the North whilst most of the properties to the South are generally set further back. This is certainly evident with no.18 Frays Avenue.

The adjacent property to the immediate North no.14 Frays Avenue is a two storey dwelling which has been extended; and the adjacent property to the South, no.18 Frays Avenue, is also a bungalow which has been recently extended to provide additional living area in the roof space.

The site lies within the Garden City, West Drayton Area of Special Local Character (ASLC), as identified in the Hillingdon Local Plan - Part One Strategic Policies (November 2012). Frays River, outside but adjoining the site, is designated as a Nature Conservation Site of Metropolitan or Borough Grade I Importance.

#### **3.2 Proposed Scheme**

The application seeks planning permission for the erection of a two storey, 4 bed detached dwelling, parking and amenity space involving demolition of existing dwelling.

#### **3.3 Relevant Planning History**

53156/APP/2018/207      16 Frays Avenue West Drayton

Two storey, 3-bed detached dwelling with habitable roofspace, associated parking and amenity space involving the demolition of the existing bungalow

**Decision:** 13-03-2018 Refused

53156/APP/2018/4298 16 Frays Avenue West Drayton

Single storey rear extension

**Decision:** 04-02-2019 Approved

53156/APP/2019/1392 16 Frays Avenue West Drayton

Erection of two storey, 3-bed, detached dwelling, involving demolition of existing bungalow and garage

**Decision:** 03-07-2019 Refused **Appeal:** 20-03-2020 Dismissed

53156/APP/2019/3166 16 Frays Avenue West Drayton

Erection of a two storey 4-bed dwelling with associated parking and amenity space, involving demolition of existing dwelling and erection of double garage.

**Decision:** 03-12-2019 Refused

53156/APP/2020/702 16 Frays Avenue West Drayton

Two storey, 5 bed detached dwelling, single storey detached garage, cycle store, parking and amenity space involving demolition of existing dwelling

**Decision:** 23-04-2020 Refused

53156/PRC/2018/127 16 Frays Avenue West Drayton

Demolition of existing bungalow and replacement with new detached dwelling

**Decision:** 27-07-2018 OBJ

### **Comment on Relevant Planning History**

There has been an extensive planning history at the site with the most recent application reference 53156/APP/2020/702 for the two storey, 5 bed detached dwelling, single storey detached garage, cycle store, parking and amenity space involving demolition of existing dwelling which was refused for the following reasons:

1. The proposed development, by reason of its overall size, scale, bulk and design, materials and fenestration would result in a disproportionately large, dominating and incongruous form of development which would fail to respect the pattern of development in the area. The proposal would thus be detrimental to the visual amenities of the street scene and the character and appearance of the wider West Drayton, Garden City Area of Special Local Character, contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), and Policies DMHB 1, DMHB 5, DMHB 11

and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies 3.5 and 7.8 of the London Plan and the NPPF.

2. The proposed garage, by reason of its siting adjacent to the road in a visually prominent position, its size, scale, bulk and height would be detrimental to the visual amenities of the street scene and the character and appearance of the wider West Drayton, Garden City Area of Special Local Character, contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), and Policies DMHB 1, DMHB 5, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies 3.5 and 7.8 of the London Plan and the NPPF.

3. The proposed development, by reason of its overall size, scale, bulk, depth and height would be detrimental to the residential amenity of the adjoining occupiers at 14 Frays Avenue by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore the proposal would be contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

53156/APP/2019/3166 - Erection of a two storey 4-bed dwelling with associated parking and amenity space, involving demolition of existing dwelling and erection of double garage was refused for the following reasons:-

1. The proposed development, by reason of its overall size, scale, bulk and design would result in a disproportionately large, dominating and incongruous form of development which would fail to respect the pattern of development in the area. The proposal would thus be detrimental to the visual amenities of the street scene and the character and appearance of the wider West Drayton Garden City Area of Special Local Character, contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE5, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies DMHB 1, DMHB 5 and DMHB 11 of the emerging London Borough Of Hillingdon Local Plan Part 2 Development Management Policies with Modifications (March 2019) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

2. The proposed replacement garage with a brick built double garage with pitched roof, sited adjacent to the road is not a feature within the West Drayton Garden City Area of Special Local Character and would be detrimental to the visual amenities of the street scene contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE5, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies DMHB 1, DMHB 5 and DMHB 11 of the emerging London Borough Of Hillingdon Local Plan Part 2 Development Management Policies with Modifications (March 2019) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

3. The proposed development, by reason of its overall size, scale, bulk, depth, height and design would be detrimental to the residential amenity of the adjoining occupiers at 14 Frays Avenue by reason of loss of daylight, loss of outlook, overdominance, overshadowing and an increase sense of enclosure. The proposal would thus be contrary to Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

4. The proposed development by reason of the siting of the proposed first floor side facing

bedroom window in the north elevation would result in the direct overlooking of the private amenity space of 14 Frays Avenue causing an unacceptable loss of privacy to the adjoining occupiers. The proposal is therefore contrary to policy BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and the advice contained within HDAS Residential Layouts.

Prior to that application reference 53156/APP/2019/1392 for the Erection of two storey, 3-bed, detached dwelling, involving demolition of existing bungalow and garage was refused and further dismissed at appeal. The application was refused for the following reason:

The proposed development, by reason of its overall size, scale, bulk and design would result in a disproportionately large, dominating and incongruous form of development which would fail to respect the pattern of development in the area. The proposal would thus be detrimental to the visual amenities of the street scene and the character and appearance of the wider West Drayton Garden City Area of Special Local Character, contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE5, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies DMHB 1, DMHB 5 and DMHB 11 of the emerging London Borough Of Hillingdon Local Plan Part 2 Development Management Policies with Modifications (March 2019) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

#### **4. Planning Policies and Standards**

##### **UDP / LDF Designation and London Plan**

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.HE1 (2012) Heritage
- PT1.H1 (2012) Housing Growth

Part 2 Policies:

- DMHB 1 Heritage Assets
- DMHB 5 Areas of Special Local Character
- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 14 Trees and Landscaping
- DMHB 16 Housing Standards
- DMHB 18 Private Outdoor Amenity Space
- DMHD 2 Outbuildings
- DMT 2 Highways Impacts
- DMT 6 Vehicle Parking
- 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
LPP 7.8	(2016) Heritage assets and archaeology
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
NPPF- 16	NPPF-16 2018 - Conserving & enhancing the historic environment

## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- Not applicable

**5.2** Site Notice Expiry Date:- Not applicable

## **6. Consultations**

### **External Consultees**

8 neighbouring properties were consulted by letter dated 18.5.20.

3 letters and a petition of objection signed by 27 valid signatories have been received raising the following concerns:

1. Over development and does not fit in with the character and appearance of the area.
- 2 The proposed development does not fit in within the local character of a garden city and does not fit in with the heritage of the local area.
3. The proposals are significantly over bearing and we are concerned that the appeal decision of 20 March 2020 dismissed an application for a two storey, 3 bed room detached house.
4. An example of this overdevelopment is the extent of the depth of the proposed property.
5. Overlooking
6. The scale and mass of the proposals for a corner property will look out of place and will be obstructive and dangerous for cars, pedestrians and cyclists both driving past Frays Avenue and traffic turning into Lawn Avenue - this is not safe. The scale of the development both to the front and the side scene at Lawn Avenue will be harmful to the character and appearance of the street-scene.
7. The proposals do not contribute positivity to being a heritage asset, quite the opposite - that would look nothing like the properties in the local area.
8. It is beyond belief that the proposed development is a staggering 3000 square foot and its detrimental effect on the environment and climate change.
9. Concerns that the property may be used as a house in multiple occupation.

West Drayton Conservation Area Advisory Panel.

This property occupies a site in the Garden City, West Drayton, Area of Special Local Character. This the fifth application for permission to demolish the existing bungalow on this site and replace it with a two storey house. Two of the reasons why the last proposal for a 5 bed roomed property was refused were related to the overall size and bulk of the proposed house in comparison to the

bungalow it would replace. It was thought that this change would fail to respect the pattern of development in the area and would be detrimental to the residential amenity of the adjoining occupiers at 14 Frays Avenue by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. This new proposal is for a smaller 4 bedroomed house and is accompanied by a report claiming that "the proposed building will not have any adverse impact in terms of daylight and sunlight to the neighbouring properties". There are a few examples on Frays Avenue of properties that have been converted from single to two storeys but 16 Frays Avenue occupies a prominent corner position in this Area of Special Local Character. The current single storey building and its surrounding garden contribute an open aspect to the street scene at the junction of Frays Avenue and Lawn Avenue. To replace this with a two storey building would necessarily be detrimental to this open aspect even though the proposed design is less bulky than the previous proposition. It would also be detrimental to the residential amenity of the adjoining occupiers at 14 Frays Avenue by reason of its dominance and overshadowing. The table of Annual Probable Sunlight Hours in the "Daylight and Sunlight Study" accompanying the application shows that 12 out of the 15 windows in 14 Frays Avenue that they modelled would receive less sunlight (some significantly less) if the proposal went ahead. We believe that this supports our contention that the proposal would have a detrimental effect on number 14 rather than the report's conclusion that it would not have an adverse impact on neighbouring properties. We therefore hope that this application will be refused.

### **Internal Consultees**

Access Officer:

I have considered the detail of this planning application and deem there to be no accessibility issues raised by the proposal. However, the following Conditions should be attached to any grant of planning permission: 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.

Conservation Officer:

The proposal comprises the demolition of the existing building to be replaced by a two storey chalet style property. The loss of the existing bungalow would further erode the character of the ASLC. The existing bungalow relates to the original development of the Garden City and the typology of buildings built within the development.

The proposed chalet style dwelling would somewhat relate to the bungalow aesthetic of the site however the character and appearance of the proposed development would bear little relation to the existing dwelling on the site.

The proposal would erect a property rectangular in plan form with a half hipped roof form. First floor accommodation would be contained within the roof space resulting in the half dormers at roof level. The proposed double door entrance is not ideal as properties with the ASLC predominantly feature

single entrance doors. Overall the proposed building would be simple in appearance and form finished in an exposed brick with a plain tiled roof.

As per previous comments, there would still be concerns that the height of the proposal which would fail to respect the low-rise character of the site. Due to the exposed nature of the corner site, any proposal that includes a height increase to the built form would inevitably result a significantly prominent building, particularly from various views along Frays Avenue and Lawn Road. The redevelopment of the site would intensify the developed nature of the site and have an enclosing impact on the Frays Avenue street scene.

The existing garage to the rear of the site is an isolated structure oddly placed in close proximity to the Fray's River. It is disappointing that it has not be removed and the provision of a garage has not be integrated as part of the proposed development. This would take the opportunity to enhance the appearance of the site, ASLC and river environment.

The proposed development would continue an unwelcome precedent within the area which would contribute to the potential further erosion of the area's pleasant character and appearance. It is important to note section 12 of the NPPF notes the importance of achieving well-design developments which are sympathetic to the surrounding environment maintaining a sense of place.

In accordance with paragraph 197 of the NPPF, harm would be caused to the non-designated heritage asset in any instance the decision maker would need to make a balanced design.

Conclusion: Harm to ASLC

If approved permitted development rights should be restricted in relation to further extensions and alterations to site boundary treatment. The following conditions would also be recommended:

Prior to commencement of development further details and samples of all external materials and finishes shall be submitted to and approved in writing by the Local Planning Authority. Samples shall be made available on site for inspection and details shall include manufacturer information, the product type and code. Works shall be carried out in accordance to the approved details.

REASON: To safeguard the character and appearance of the ASLC in accordance to policies DMHB 1 and 5 of Hillingdon Local Plan: Part 2.

Prior to commencement of development details of the all boundary treatments to the site shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance to the approved details.

REASON: To safeguard the character and appearance of the ASLC in accordance to policies DMHB 1 and 5 of Hillingdon Local Plan: Part 2.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

The site lies within an established residential area. It is therefore considered there would be no objection in principle to the erection of a replacement dwelling of the site, subject to all other material planning considerations being acceptable.

### **7.02 Density of the proposed development**

Not applicable to this application.

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

The NPPF 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 7.1 of the London Plan states that "design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability and accessibility of the neighbourhood".

Policy 7.4 of the London Plan states, "Development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area".

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'.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including: i) harmonising with the local context by taking into account the surrounding: · scale of development, considering the height, mass and bulk of adjacent structures; · building plot sizes and widths, plot coverage and established street patterns; · building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure; architectural composition and quality of detailing; local topography, views both from and to the site; and impact on neighbouring open spaces and their environment. ii) ensuring the use of high quality building materials and finishes; iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities; iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

Policy DMHB 5: Areas of Special Local Character of the emerging London Borough Of Hillingdon Local Plan Part 2 Development Management Policies with Modifications (March 2019) states et al that within Areas of Special Local Character, new development should reflect the character of the area and its original layout. Alterations should respect the established scale, building lines, height, design and materials of the area.

Whilst it is recognised that there has been an improvement the design of the proposed replacement dwelling over that which was recently previously refused, the visual impact of the proposal remains unacceptable given that it would harm the character and appearance of the street scene which lies within the ASLC. Particular concerns are raised in terms of the overall height and bulk, and double entrance doors. The height of the proposal would fail to respect the low-rise character of the site. Due to the exposed nature of the corner site, any proposal that includes a height increase to the built form would inevitably result a significantly prominent building, particularly from various views along Frays Avenue and Lawn Road. The redevelopment of the site would intensify the developed nature of the site and have an enclosing impact on the Frays Avenue street scene.

In dismissing an appeal for a previous proposal on the site, the Inspector concluded:

"The appeal site is located within the Garden City, West Drayton Area of Special Local Character (ASLC). The ASLC includes areas that possess sufficient architectural, townscape and environmental quality to make them of considerable local value. Therefore the appeal site is a non-designated heritage asset.

The corner turning nature of the site and limited height of the boundary wall results in the site appearing highly visible within the streetscene, although the existing bungalow is low level and discrete in its setting as it wraps around the corner with Lawn Avenue. The adjacent dwelling of No 14 Frays Avenue is by far the most prominent dwelling along this side of the road within close proximity to the appeal site. It stands proud within the streetscene and is highly visible when viewed from the south, towards the junction where Lawn Avenue meets Frays Avenue.

The dwelling at the scale and massing proposed would physically compete with the proportions of this adjacent dwelling. Given the corner plot, the positioning of the dwelling within the site, with reduced space to both sides, would further highlight its prominence. The proposed development would be especially pronounced as No 18 Frays Avenue is set back within the site with an open front garden, further exposing clear views towards the appeal site from the south.

The proposal merges a number of design combinations including a peaked gable end to part of the front elevation; a dormer window; half hipped roof; cat slide roof. Whilst there is a variety of architectures within the area, the combination of these would not harmonise with the surrounding area and would therefore appear out of context with its environment, thus appearing as a disjointed and incongruous form of development. Overall, its large and bulky mass, together with the design combinations, would not respect its context. Instead, the proposal would be harmful to the character and appearance of the street-scene.

Moreover, the proposed side elevation has been designed as a long expanse of brickwork with various roof forms visible. Given this appeal site is located on a corner plot, and as the side elevation would be positioned close to the boundary, would further emphasise its scale and discordant nature. This would not harmonise with the local area, or make a positive contribution to the ASLC.

There are examples of new build dwellings within the area, however these do not share precisely the same characteristics as the appeal site. Some are located between other houses and are of a less prominent nature. No 18 Frays Avenue is also located on a corner plot and has been extensively altered, however, this dwelling is sited further back into the site from Frays Avenue with an uncomplicated roof form, and cannot be directly compared to this new build proposal. I have had regard to the other examples elsewhere, nevertheless, each decision is made on its own individual merits.

Whilst the harm to the ASLC would be less than substantial, taking into account paragraph 196 of the National Planning Policy Framework (the Framework), there are no identified public benefits which would outweigh such harm."

The proposed development, by reason of its overall size, scale, bulk and design would result in a disproportionately large, dominating and incongruous form of development which would fail to respect the pattern of development in the area. The proposal would thus be detrimental to the visual amenities of the street scene and the character and appearance of the wider West Drayton Garden City Area of Special Local Character, contrary to Policies

BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), and Policies DMHB 1, DMHB 5 and DMHB 11 of the London Borough Of Hillingdon Local Plan Part 2 Development Management Policies (2020).

**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 issues are addressed in the section above.

**7.08 Impact on neighbours**

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

Given the location and distances there would be no adverse impact to the neighbouring properties to the south and rear.

Concerns have been raised locally that the proposal would have an unacceptably dominating impact upon the occupants of the adjacent property at 14 Frays Avenue. It is noted that the applicant has submitted a daylight and sunlight study. This study however relates to the previously refused scheme.

The proposed ground floor would project to the same extent as the rear projection at ground floor level to number 14 and 5.1m beyond the rear elevation closest to the boundary. However, the submitted plans indicate that the 45 degree line would not be breached from the centre point of the closest first floor window in the rear elevation of Number 14 and the development is sited some distance (3.75m) from the adjacent property. It is considered, on balance, that the proposal would not have an unacceptably dominating impact upon the occupants of this property.

**7.09 Living conditions for future occupiers**

Policy DMHB 16: Housing Standards states:

All housing development should have an adequate provision of internal space in order to provide an appropriate living environment. To achieve this all residential development or conversions should:

meet or exceed the most up to date internal space standards, as set out in Table 5.1. The proposed development would provide a 4 bed dwelling over two storeys, the minimum required internal floor space for 8 persons is a total of 124 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 DMHB 18: Private Outdoor Amenity Space states:

All new residential development and conversions will be required to provide good quality and useable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.2. A four bedroom dwelling is required to provide 100 square metres which the proposal complies with.

**7.10 Traffic impact, Car/cycle parking, pedestrian safety**

Policy DMT 6: Vehicle Parking states:

A) Development proposals must comply with the parking standards outlined in Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity.

The Council may agree to vary these requirements when:

- i) the variance would not lead to a deleterious impact on street parking provision, congestion or local amenity; and/or
- ii) a transport appraisal and travel plan has been approved and parking provision is in accordance with its recommendations.

B) All car parks provided for new development will be required to contain conveniently located reserved spaces for wheelchair users and those with restricted mobility in accordance with the Council's Accessible Hillingdon SPD.

The standards require a maximum provision of two off-street parking spaces. The proposal complies with the Council's standards and is considered acceptable.

#### **7.11 Urban design, access and security**

The issues are addressed in the sections above.

#### **7.12 Disabled access**

No accessibility concerns are raised.

#### **7.13 Provision of affordable & special needs housing**

Not applicable to this application.

#### **7.14 Trees, landscaping and Ecology**

Policy DMHB 14: Trees and Landscaping requires:

A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.

B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.

C) Where space for ground level planting is limited, such as high rise buildings, the inclusion of living walls and roofs will be expected where feasible.

D) Planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees. Where the tree survey identifies trees of merit, tree root protection areas and an arboricultural method statement will be required to show how the trees will be protected. Where trees are to be removed, proposals for replanting of new trees on-site must be provided or include contributions to offsite provision.

The application site does not contain any significant trees of merit. In the event of an approvable scheme, a landscaping condition could be imposed to secure a comprehensive landscaping scheme .

#### **7.15 Sustainable waste management**

In the event of an approvable scheme, a condition could be imposed to secure details of sustainable urban drainage.

#### **7.16 Renewable energy / Sustainability**

Not applicable to this application.

#### **7.17 Flooding or Drainage Issues**

Flooding

The far end of rear garden is located within the flood zone associated with the Fray's River,

however the property itself is within Flood Zone 1. The Flood and Water management Officer has previously raised no objection to the proposed subject to the imposition of a drainage condition to ensure that there is no increase in flood risk as a result of the development.

#### **7.18 Noise or Air Quality Issues**

Not applicable to this application.

#### **7.19 Comments on Public Consultations**

The issues 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 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**

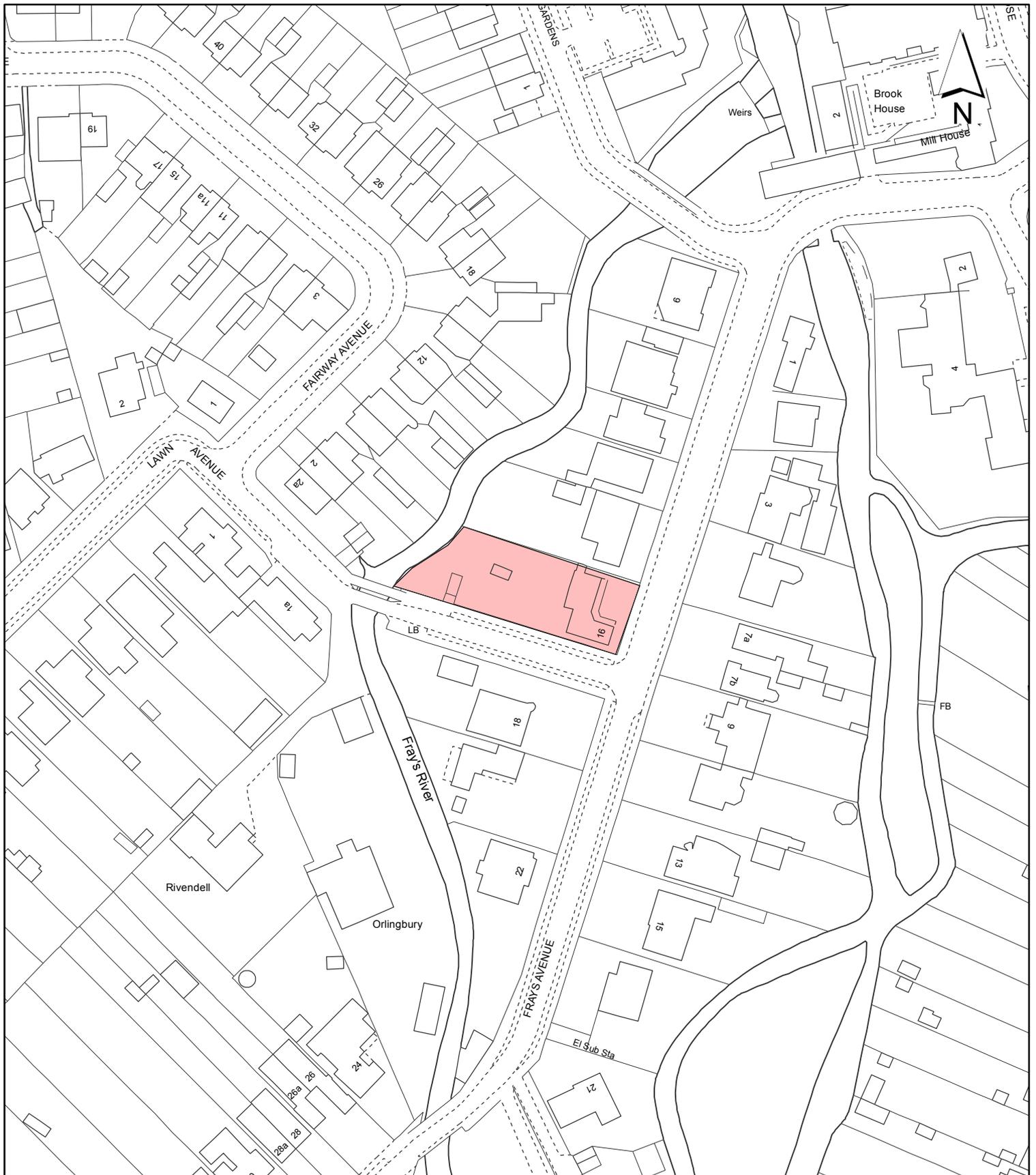
The application seeks planning permission for the erection of a two storey, 4 bed detached dwelling, parking and amenity space involving demolition of existing dwelling. The proposal is a revision of a scheme that has been refused a number of times. Whilst it is recognised that the scheme represents an improvement in residential amenity terms and goes some way to address concerns relating to visual impact, the proposed dwelling would result in a disproportionately large, dominating and incongruous form of development which would fail to respect the pattern of development in the area. The proposal would thus be detrimental to the visual amenities of the street scene and the character and appearance of the wider West Drayton Garden City Area of Special Local Character.

#### **11. Reference Documents**

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)  
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: 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 2020 Ordnance Survey 100019283

Site Address:

**16 Frays Avenue  
 West Drayton**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section

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

Planning Application Ref:

**53156/APP/2020/1393**

Scale:

**1:1,250**

Planning Committee:

**Central & South**

Date:

**July 2020**



**HILLINGDON**  
 LONDON