

Report of the Head of Development Management and Building Control Committee Report

Case Officer: **Haydon Richardson**

77097/APP/2024/2693

Date Application Valid:	11.10.24	Statutory / Agreed Determination Deadline:	28.03.25
Application Type:	Full	Ward:	West Drayton

Applicant: **Mr J Singh**

Site Address: **13 Oak Avenue, West Drayton**

Proposal: **Erection of a two storey, 2-bed attached dwelling with associated cycle storage and amenity space**

Summary of Recommendation: **GRANT planning permission subject to legal agreement and conditions**

Reason Reported to Committee: **Required under Part 3 of the Planning Scheme of Delegation (Petition received)**



Summary of Recommendation:

GRANT planning permission subject to the completion of a satisfactory section 106 legal agreement to secure the heads of terms set out below, and subject to the conditions as set out in Appendix 1.

Legal Agreement required to secure:

1. Obligation to ensure self-build status for Biodiversity Net Gain exemption.

1 Deferred at Planning Committee on 13 February 2025

- 1.1 This application was deferred at Planning Committee on 13 February 2025 for members to conduct a site visit.

Members Site Visit

- 1.2 A member site visit was carried out on 25 February 2025. The site was viewed from the public footpath and within the private garden area proposed for the development. The surrounding area and immediate streets were also viewed to understand parking arrangements and to gain an appreciation of the character and visual amenity of the street scene.

Planning Enforcement Investigation

- 1.3 As noted in the addendum to Planning Committee on 13 February 2025, the Council's Planning Enforcement Team is investigating allegations that no. 13 Oak Avenue, West Drayton is in use as a House in Multiple Occupation (HMO), and that development works carried out do not accord with plans approved. Whilst this matter is separate to the consideration of the planning application, the Planning Enforcement Team Leader's update has been provided below for completeness:
- 1.4 'Further site visits have now been undertaken in conjunction with the Private Sector Housing Team. At a previous partially accessed site visit the occupant stated that he lived there as part of an extended family unit consisting of five adults and two children. During this limited access visit there were no blatantly obvious signs of sui generis HMO use on site such as locked or numbered bedrooms.
- 1.5 Despite this a further arranged visit with full access was undertaken on 11th February 2025. On this occasion there were a number of discrepancies that lead us to believe that the property may be in use as a sui generis HMO. There was a potential of up to 8 bedrooms on site, in contrast to plan layouts as put forward previously, with

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some rooms being presented as lounge areas in excess of what would be expected for a busy family dwelling.

- 1.6 As such, at this time we cannot positively assert that the property at 13 Oak Avenue is in use as a single-family dwelling and believe it more likely to be in use as a sui generis HMO. Whilst the information gathered thus far would be considered more circumstantial than definitive, we do believe that further investigation is required which may ultimately result in enforcement action being taken.
- 1.7 With regard to the extension built on site we are aware of discrepancies in the build from that as approved under Ref: 77097/APP/2022/3630 and the side extension which was to be lawfully built in line with Ref: 77097/APP/2023/2640. This matter is subject to further planning enforcement consideration. In Planning Enforcement we are obligated to work within the established national guidelines and policies including the National Planning Policy Framework (Paragraph 60) and Planning Practice Guidance (Ensuring effective enforcement) (<http://planningguidance.communities.gov.uk/blog/guidance/ensuring-effective-enforcement/>) in order to resolve breaches of planning control. Planning Practice Guidance states explicitly that in deciding, in each case, what is the most appropriate way forward, local planning authorities should usually assess prior to taking action whether the breach causes material harm or adverse impact on the amenity of the site or the surrounding area.
- 1.8 As such we will now be contacting the property owners in order to bring about suitable remedy of the built structure concerns prior to any enforcement action being taken where warranted.'
- 1.9 Members are advised to note that this Committee Report has been updated from the original report which was brought to the Planning Committee on the 13 February 2025 to reflect the above update on the status of the property and to include the two additional recommended conditions that had been included in the addendum (relating to obscure glazing of a first floor bathroom window, and to remove permitted development rights for the conversion of the proposed new dwelling to a small HMO (use Class C4) in the future, without planning permission).
- 1.10 For the avoidance of doubt, the aforementioned planning enforcement matters are separate and are not material to the determination of planning application 77097/APP/2024/2693. Regardless of the outcome of the planning application, the Council's Planning Enforcement Team will continue with their investigation at 13 Oak Avenue as reported by the Planning Enforcement Team Leader in his update.

2 Executive Summary

- 2.1 Planning permission is sought for the erection of a two storey, 2-bed attached dwelling with associated cycle storage and amenity space.
- 2.2 The new dwelling would be formed by extending to the side of the existing property with an upward extension which would meet the rear building line of the existing

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property at both first floor and ground floor level. The built form to facilitate the provision of a new dwelling is relatively modest and partially exists already. Due to the orientation of the properties in the street scene, which funnel around a square shaped and modestly sized piece of soft landscaped open space, the extension would not be visible from within the street scene. As such the development is considered to have an acceptable impact upon the character and appearance of the area.

- 2.3 In terms of principle, the proposed dwelling would be constructed on garden land. Garden land is excluded from the definition of previously developed land and therefore the application site is not considered to be brownfield. Officers have reviewed the design and conclude that the additions which facilitate the provision of a new dwelling are moderate in scale and would not result in detrimental harm to the character and appearance of the area, to neighbour amenity or the local highway network. As such the proposal would conform with the Council's garden land development policy. Furthermore, the proposal would retain the existing property on site and provide a new 2-bedroom dwelling that would contribute to local housing stock. As such the principal of development is supported.
- 2.4 Whilst no additional parking is proposed, the site does not benefit from off-street parking at present. The applicant has provided a parking survey which demonstrates that there is sufficient space on street to absorb potential parking generated by the development. This has been reviewed by the Highway Authority who have raised no objection.
- 2.5 Further to the above, the proposed 2 bed dwelling has been carefully designed to ensure that it causes no loss of light, privacy or outlook to neighbouring properties and that future residents of the property are provided with a good standard of living accommodation.
- 2.6 For the reasons mentioned above, it is concluded that the proposal complies with the Development Plan and no material considerations indicate that a contrary decision should be taken. The planning application is therefore recommended for approval subject to the conditions set out in Appendix 1.

3 The Site and Locality

- 3.1 The development site comprises a two storey, end of terrace property and is located on the east side of Oak Avenue.
- 3.2 The property has been finished in brick and tiling. It has a single storey side extension, part single, part two storey rear extension and rear dormer. The property is set back from the main road, in a pedestrianised area, next to a green and within the corner of the residential enclave.
- 3.3 The property is subject to a planning enforcement investigation as set out within Section 1 of this report.

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- 3.4 Properties within the area are terraced and semi-detached, their material palette varies slightly but they are predominantly of similar appearance to the property on the development site.
- 3.5 The development site has PTAL Rating of 1A (Low) and is located upon potentially contaminated land.



Figure 1: Location Plan (application site edged red)



Figure 2: Street View Image of the Application Property (furthest terrace to the left)



Figure 3: Front Elevation of the Property

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4 Proposal

4.1 Planning permission is sought for the erection of a two storey, 2-bed dwelling with associated cycle storage and amenity space. The submitted plans are copied below for information.



Existing Floor Plans



Proposed Floor Plans



Existing Elevation Plans



Proposed Elevation Plans

Figure 4: Existing and Proposed Plans – (please note – larger version of plans can be found in the Committee Plan Pack)

5 Relevant Planning History

- 5.1 The relevant planning history is set out in Appendix 2 and comprises of various applications for residential extensions including an appeal for a rear extension which was subsequently allowed in 2023.

6 Planning Policy

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6.1 A list of planning policies relevant to the consideration of the application can be found in Appendix 3.

7 Consultations and Representations

7.1 Thirteen neighbouring properties were consulted on 29th October 2023.

7.2 Representations received in response to public consultation are summarised in Table 1 (below). Consultee responses received are summarised in Table 2 (below). Full copies of the responses have also separately been made available to Members.

Table 1: Summary of Representations Received

Representations	Summary of Issues Raised	Planning Officer Response
A petition with 30 signatures was received on 21/01/25 objecting to the proposed development.	Objection to the erection of a two bed house being attached to 13 Oak Avenue. The approved building work at the property has already doubled its living area and caused noise and inconvenience to neighbours for over a year.	Material considerations are addressed in the main body of this report (section 8).
7 individual letters of objection have been received	77097/APP/2024/2694 was withdrawn at short notice and therefore my objection will not be noted.	Objections received for 77097/APP/2024/2694 would have been considered under that application had it not been withdrawn. All objections received for this application have been taken into consideration.
	The development is for profit.	This is not a material planning consideration.
	The proposal would result in an overdevelopment of the site. The existing dwelling has already been extended. The resulting dwelling would be visually out of character and harmful to the areas appearance.	The impact of the proposed development on the character and appearance of the area has been assessed from paragraph 8.15 to 8.28 of this report.
	The proposed development would harm neighbouring amenities, causing a loss of	The impact of the proposed development on the amenities of the

	light to residential windows and gardens. It would also cause a loss of privacy and would have an adverse impact on the mental health of nearby residents.	occupiers of neighbouring properties has been assessed from paragraph 8.29 to 8.41 of this report.
	Boundary fences have been erected splitting the sites garden - the development has therefore commenced without permission.	The erection of boundary fences is lawful under Part 2, Class A of the General Permitted Development Order.
	The existing dwelling has been converted into a large HMO (with up to 13 people).	This matter is addressed in section 1 of this report. The outcome of the ongoing planning enforcement investigation is not deemed to be material to the determination of the current planning application.
	The intensified residential use of the site has resulted in excess litter and bins.	Litter at the site resulting from the previously approved development or occupants of the approved dwelling is not a material planning consideration. Both of the resulting dwellings would be provided with adequate waste facilities.
	No notification was received regarding other development at the site last year.	This is not a material consideration for this application. Applications at the site include CLD's which do not require a public consultation.
	Construction has already caused excessive noise and disturbance to residents. The safety of residents has also been compromised through poor site management and lack of consultation on building works.	A planning condition has been recommended to secure the submission of a construction management plan, in order to minimise the impacts of the construction phase on neighbouring residents as far as practicable.

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	The safety of labourers has been compromised as they do not have sufficient equipment to move heavy materials.	This matter is not a material planning consideration.
	Use of fireworks too close to the neighbouring boundaries has caused disturbance.	This matter is not a material planning consideration.

Table 2: Summary of Consultee Responses

Consultee and Summary of Comments	Planning Officer Response
<p>Access Officer</p> <p>This proposal for the erection of 2 bed, 2-storey dwelling, has been reviewed with reference to London Plan Policy D7.</p> <p>No accessibility concerns are raised subject to conditions pertaining to level access and compliance with the relevant Part (M) Building Regulations.</p>	<p>The recommended conditions have been adopted as part of the Planning Officer's recommendation.</p>
<p>Contaminated Land Officer</p> <p>Having considered the submitted application in relation to our land contamination record, please be advised that we have no objection to the proposed development.</p> <p>However, our land contamination record shows the proposed development site to be on a potentially contaminated land site formerly used and identified as Nursery/Orchard, as well as within 250m of landfill buffer.</p> <p>No objection subject to a condition pertaining to the submission of a Contaminated Land Survey.</p>	<p>The recommended condition has been adopted as part of the Planning Officer's recommendation.</p>
<p>Highways Officer</p> <p>The proposal does not involve the provision of on-plot parking therefore the proposal as presented would be car free. Cycle storage for 2 bicycles is shown on the proposed site plan and this complies with the London Plan standards. The site plan also illustrates bin storage to be provided at the front of the new dwelling.</p> <p>As the proposal would not provide parking for the new dwelling and the absence of parking controls on</p>	<p>The officer's comments have been discussed from paragraph 8.42 to 8.53 of this report.</p>

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<p>roads surrounding the development, a parking stress survey has been provided. The survey demonstrates there to be adequate space on street to observe any parking overspill generated by the development. As the existing property does not benefit from on plot parking spaces no parking is required to be retained for this property under its lawful use.</p> <p>Taking the above points into account, the development would not have a detrimental impact on highways and would encourage future occupants to more sustainable modes of transport.</p> <p>The scheme would provide adequate bin and cycle storage, and there is sufficient kerbside parking available within the locale to meet the needs of any future occupants without detrimentally impacting on existing parking pressures.</p> <p>No objection subject to conditions pertaining to further cycle parking design details and submission of a construction management plan condition.</p>	
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8 Planning Assessment

Principle of Development

New Housing and Garden Land Development

- 8.1 The site comprises an end of terrace property and land within its curtilage. The site is located within an established residential area.
- 8.2 The National Planning Policy Framework has a requirement to encourage the effective use of land.
- 8.3 London Plan (2021) Policy H2 states that well designed housing schemes on small sites should be actively supported. The Hillingdon Local Plan details how small-scale sites will make a significant contribution to housing supply.
- 8.4 Policy DMH 6 of the Hillingdon Local Plan Part 2 - Development Management Policies (2020) 'Garden and Backland Development' states that "there is a presumption against the loss of gardens due to the need to maintain local character, amenity space and biodiversity".
- 8.5 Garden land is excluded from the definition of previously developed land therefore the proposal would not amount to the redevelopment of a brownfield site. As such, for the principle to be considered acceptable the applicant must demonstrate accordance with Policy DMH 6. This would include a design which appears more intimate in scale within the street scene, safeguards the amenities of neighbouring

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properties and does not result in a detrimental impact upon the local highway network.

- 8.6 The proposal seeks to construct a new dwelling onto the side of the existing property at 13 Oak Avenue. This would involve a proportion of the rear and side of the garden being lost.
- 8.7 The proposal involves an upward extension in line with the existing front elevation and steps out 1.9 m when setback 3 m from the front. The orientation of the property means that the side projection would be modest in scale and would not be prominently visible from within the street scene.
- 8.8 The two-storey element would extend up to the rear building line of the existing property at the upper floor level. The ground floor element would also meet the rear building line of the existing property on site.
- 8.9 The proposal would not extend beyond the existing front and rear building lines which are established by the existing property at the site. Where there is additional width proposed, it is set back substantially from the front elevation therefore limiting any views from within the street. Given the lack of available views, the retention of the existing building lines and the scale of the extensions proposed, it is considered that the proposal would present a form of development which is viewed as intimately scaled.
- 8.10 Furthermore, the proposal would not result in a reduction in the residential amenities of neighbouring properties in terms of overshadowing or loss of outlook and would not give rise to significant harm upon the local highway network.
- 8.11 As such it is considered that principle of development is supported, and the application complies with Policy DMH 6 of the Local Plan and the principle of development.

Housing Mix

- 8.12 Policy H10 of the London Plan (2021) states that applicants and decision-makers should have regard to the need for additional family housing. Family housing is defined within the glossary of the London Plan (2021) and advises that it must generally be of a size that has three or more bedrooms.
- 8.13 Policy DMH 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that the Council will require the provision of a mix of housing units of different sizes in schemes of residential development to reflect the Council's latest information on housing need.
- 8.14 The proposal comprises of 1 new two-bedroom dwelling. The proposed dwelling would contribute to the Borough's housing mix and is therefore considered acceptable and in compliance with Policy DMH 2 and London Plan Policy H10.

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Design / Impact on the Character and Appearance of the Area

- 8.15 Paragraph 135 of the NPPF (2024) states 'Planning policies and decisions should ensure that developments are designed to their function whilst contributing to the overall quality of the area. Furthermore, it states that development proposals should demonstrate a design led approach, respond to local character, establish a strong sense of place whilst optimising the sites potential for development.
- 8.16 Policies D1, D3 and D4 of the London Plan (2021) require development proposals to be of high quality and to enhance the local context by delivering buildings and spaces that positively respond to local distinctiveness.
- 8.17 Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states that all new developments should achieve a high quality of design in all new buildings and the public realm contributes to community cohesion and a sense of place.
- 8.18 Local Plan Policy DMHB 11 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 harmonising with the local context and considering the height, mass and bulk of adjacent structures. They should also ensure the use of high-quality building materials and finishes, plus ensure that the internal design and layout of development maximises sustainability and is adaptable to different activities.
- 8.19 Policy DMHB 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) re-emphasises the need for new development to be well integrated with the surrounding area and provides design criteria as to how this would be achieved.
- 8.20 The proposed new dwelling would retain the existing front building line which is established by the existing side extension. An upper floor extension built in line with the ground floor would be constructed extending 9.5 m in depth at first floor level. A two-storey side projection is also proposed which is set back from the main front elevation by 3 metres and would measure 1.9 metres in width. At ground floor level a modest single storey rear element would extend in line with the existing rear elevation at No.13. The proposed dwelling would be characterised by a gable ended roof which would measure 7.3 m in height and would step down towards the rear first floor projection.
- 8.21 The dwelling would be of similar height and depth to the existing property, as such it would not appear oversized or out of scale. In terms of design, the dwelling would have a pitched roof and flush front elevation like other properties within the terrace block, it would also be finished in similar materials.
- 8.22 Although the stepped front elevation is not common within the street scene, this element of the proposal is setback significantly from the front elevation in order to appear more modest in scale and to fit the site's constraints. Furthermore, views of

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this part of the development would be almost entirely hidden from within the street scene.

- 8.23 Further to the above, the entirety of the new dwelling would be located within a pedestrianised area, away from the main road, in a corner, between the flank walls of 13 and 11 Oak Avenue, where it would have limited to no impact on the character and appearance of the area. Additionally, part of the structure already exists in the form of a single storey side extension, therefore part of the development already exists, lessening the visual impact of the proposed works. The dwelling has also been designed to be subordinate to the host property and other properties in the terrace, whilst still respecting its primary features (materials, building lines, ridge line, pitched roof). The resulting site frontage would comprise a mixture of lawn and hardstanding like other properties within the area.
- 8.24 It should be noted that two storey side additions have been granted planning permission and constructed within the surrounding area. They are also in more prominent locations (1 – South Road 34588/APP/2020/1498, 106 Porters Way - 72945/APP/2017/2090). The proposed development would therefore not be out of character.
- 8.25 Upon review of the proposal, Officers considered that additional articulation was required to the front elevation. The applicant has submitted amended plans incorporating windows within the proportion of the front elevation which is set back 3 metres from the main front building line. This provides an improvement to the elevation which is hidden from street scene views but did appear to be lacking articulation.
- 8.26 Noting that this is an application for a new dwelling and not a set of householder extensions, the additions do appear to be modestly scaled when compared with the scale of the existing building. Furthermore, the bulk of the main front elevation, or certainly its main width, already benefits from consent. As such, the additional development above what exists already is considered to be subordinately designed and would not present a significant impact upon local character which could be justified as a reason for refusal.
- 8.27 Officers consider the revised plans to improve the articulation of the front elevation to result in a design which can now be supported.
- 8.28 The proposal would therefore accord with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two- Development Management Policies (2020), Policy D3 of the London Plan and National Planning Policy Framework (2024).

Residential Amenity

- 8.29 Paragraph 135 of the NPPF (2024) states 'Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing

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and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'

- 8.30 Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) seek to ensure a satisfactory relationship with adjacent dwellings with no unacceptable loss of outlook, amenity, daylight and sunlight to neighbouring occupiers.
- 8.31 Policy D14 of the London Plan (2021) requires that proposals minimise noise pollution and Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) promotes the maximum possible reduction in noise levels and seeks to ensure that noise impacts can be adequately controlled and mitigated.
- 8.32 The proposed dwelling would be sited alongside 13 Oak Avenue and would be designed with front and rear building lines which do not extend beyond the existing host property. Given the existing and proposed identical building lines officers can confirm that the additional built form would not breach the 45-degree line of sight drawn from any of the front or rear facing habitable room windows. The new dwelling would provide some views into the rear garden of No.13; however, such views are mutual and common not only within this terrace block, but within most residential areas.
- 8.33 The new dwelling and No.13 will share an access that will provide occupants and visitors with a sole access point to the front entrance of the properties. Sufficient space exists at the front of the site for privacy screening, and this would be secured via condition should the application be determined for approval.
- 8.34 Based on the above points, officers conclude that the proposal satisfactorily safeguards the amenities of the existing property at No.13.
- 8.35 The new dwelling would not extend beyond the front or rear elevation of No.11 Oak Avenue, as such it would cause no loss of light or outlook to its primary windows. Notwithstanding this point, the dwelling would face the flank wall of No.11 at a distance of approximately 7.5m. The flank wall has no windows at first floor and two small windows at ground floor. One of the windows serves a bathroom and is obscure glazed, as such the development would cause no loss of light, privacy or outlook to the non-habitable space.
- 8.36 The other is a secondary kitchen window, which faces the site's boundary fence and privacy planting (see figure 5). Due to its position, the factors mentioned above the kitchen window receives limited light and has limited outlook. Due to the separation distance between the new development and window, the proposal would not cause any harmful impact on light or outlook, especially as the primary sources of light and outlook to the kitchen come from its rear facing window. At present, the front elevation windows of No.13 already provide views towards the aforementioned windows and No.11's garden, it is therefore considered that that the addition, of 1 dwelling, with 1 forward facing habitable room window would cause no harmful increase in privacy loss to No.11. To ensure that the privacy of No.11 Oak Avenue

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is further protected, a condition is recommended to ensure that the proposed first floor bathroom window is obscure glazed.

- 8.37 To ensure that the privacy of No.11 Oak Avenue is further protected, a condition is also recommended to restrict the insertion of any additional first floor windows. Taking into consideration these points, the proposal would cause no significant harm to the amenities of the occupiers of No.11.



Figure 5: 11 Oak Avenue ground Floor side windows

- 8.38 The new dwelling would be in excess of 30m from properties to the north and east of the site, due to the separation distance it would have no adverse impact on amenities of those neighbours in terms of loss of light, outlook or privacy.
- 8.39 One additional 2 bed property would not result in a significant increase in activity or people movements at the site.
- 8.40 To ensure that construction is managed in a way which limits nuisance and disturbance to neighbours, a condition is recommended requiring a construction management plan to be submitted and approved by the LPA prior to any works taking place at the site.
- 8.41 For these reasons and given the site context, it is considered that the proposed development would not unduly impact the residential amenity of the adjoining properties, in terms of daylight/sunlight, outlook, privacy and overbearing effect, in accordance with Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

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Highways and Parking

Access

- 8.42 The application site forms part of a square of properties plotted around the outside of a piece of public open space comprising of soft landscaping and tree planting. The properties are bounded by boundary fencing which separates the private residential boundaries and the public footpath. None of the properties which front the open space benefit from on-plot parking therefore no vehicle access to the site exists and one is not proposed.

Parking

- 8.43 According to the TFL Webcat system which is used to measure a site's sustainability across London, the site has a PTAL Rating of 1A meaning that there would be a higher than moderate level of reliance on the motor vehicle to travel to and from the site.
- 8.44 The London Plan (2021) requires that a maximum of 1.5 parking spaces be provided for 2 bedroom dwellings in this location. As there is no existing vehicle access to the property boundary and no opportunity to provide one, no parking space is to be provided for the proposed dwelling. With regard to the existing property, as no existing parking is provided the applicant is not required to demonstrate that adequate parking is retained.
- 8.45 In the absence of on-plot parking space provision, it should be noted that there are some formal parking spaces at the southern end of the open space. These spaces are not subject to any parking restrictions. Similarly, the entirety of Oak Avenue is free from parking restriction meaning that vehicle parking generated by the development is likely to be absorbed on street. For the development to be considered acceptable the applicant must demonstrate that there is sufficient parking availability on street.
- 8.46 In support of the application the application has submitted a Parking Survey Report. The report concludes that on survey days parking stresses were at 61.21% and 62.93%. Thus, indicating that there is sufficient space on the adjacent highway to accommodate the parking needs of future occupiers (should they own a car) without exacerbating existing parking pressures or leading to roadside parking.
- 8.47 Additionally, the development site is within walking distance from bus stops on Porters Way to the north. Mulberry Parade (also to the north of the site) has a small parade of commercial units that would support the day-to-day needs of future residents and discourage car use (see figure 6).



Figure 6: walking distance to shops and bus stops

8.48 Taking into consideration these points the development is considered to cause no harm to the local highways network. The parking required to serve the new development can be sufficiently absorbed on street and this arrangement is no different to the existing properties in this area of Oak Avenue.

Electrical Vehicle Charging Points

8.49 As the development does not provide parking there is no provision for EVCP proposed.

Cycle Parking

8.50 The Published London Plan (2021) Table 10.2 Maximum Cycle Parking Standards requires dwellings with two or more bedrooms to have a minimum of 2no. cycle parking spaces. Drawing reference 1031-11_Rev05 Rev 06 indicates 2 cycle parking spaces (1 per occupant) are proposed which complies with the London Plan. A condition is recommended to ensure that the facilities are provided and appropriately designed.

Waste Storage and Collection

8.51 It should be noted that The London Borough of Hillingdon operates a kerbside bag collection as opposed to a wheeled bin collection. As this proposal comprises of a single family dwellinghouse, future occupiers would be expected to store waste within the site and then place it kerbside on the day of collection.

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- 8.52 Drawing ref 1031-11_Rev05 Rev 06 show that waste storage facilities would be provided for the new dwelling but not the existing property. The bin storage details plan does not match the proposed site plan. If planning permission is granted, a condition is recommended requiring full details of the design, location and sizes of all refuse and recycling storage facilities to be used at the site (for both properties).
- 8.53 Overall, subject to the aforementioned conditions, it is concluded that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns, in accordance with the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policies DMT 1, DMT 2 and DMT 6 and Policies T4, T5 and T6 of the London Plan (2021).

Quality of Residential Accommodation (Internal and External)

- 8.54 Regarding internal accommodation, Policy D6 of the London Plan (2021) sets out the requirements for the gross internal floor area of new dwellings at a defined level of occupancy. Table 3.1 of the London Plan (2021) set outs the same gross internal area space standards set out in the technical housing standards - nationally described space standard (2015). Policy DMHB 16 of the Local Plan (2020) Aligns with this policy.
- 8.55 The above policy states that two storey, 2 bed, 4 person dwellings should provide future residents with a minimum internal floor space of 79sqm. The proposed drawings illustrate that 101sqm of internal floor space would be provided, exceeding requirements in the London Plan. The internal floor to ceiling height would be 2.5m as required by the London Plan (2021). Each habitable room within the property would have access to natural light and outlook through the position of windows and doors. Overall, it is considered that the new dwelling would provide future residents with an acceptable standard of internal living accommodation which exceeds the minimum standards.
- 8.56 Policy DMHB 18 of the Hillingdon Local Plan - Part 2: Development Management Policies (2020) requires a minimum of 100sqm of outdoor amenity space for a dwelling house with 4 or more bedrooms and that 60sqm be provided for 2-bedroom dwellings.
- 8.57 The boundary of the site is awkward and forms a triangular shape towards the rear. This makes creating a distinct and consistent boundary which doesn't extend across the rear facing windows of either existing or proposed property more difficult. Officers have considered two sets of plans in order to reach a position where the design of the rear gardens could be supported.
- 8.58 Whilst the quantum of space to be provided for the new dwelling and that to be retained to serve the existing property forms part of the assessment it is equally as important to assess the quality. Noting superseded drawing ref 1031-11_Rev05 Rev 05 illustrates a policy compliant quantum of amenity space for each unit; however it is clear the design would not meet the requirements of Policy DMHB 18 which requires amenity space to be usable, well designed and well located. As such

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Officers consider that an amenity space provision to serve No.13 which falls modestly short of the 100sqm requirement (82.sqm) (as shown on revised plan 1031-11_Rev05 Rev 06) would be more usable, better designed and better located than simply providing the policy required quantum.

- 8.59 Furthermore, residents of No.13 would have access to the modest open space to the front of the site. In addition, it should be noted that the new dwelling would benefit from a modest overprovision of private amenity space. As such, on-balance, the development would accord with Policy DMHB 18 of the Local Plan.

Accessibility

- 8.60 Policy D5 of the London Plan (2021) seeks to ensure development proposals achieve the highest standards of accessible and inclusive design. Policy D7 of the London Plan (2021) requires at least ten percent of dwellings to meet Building Regulation requirement M4(3) 'wheelchair user dwellings', with all other dwellings meeting Category M4(2) 'accessible and adaptable dwellings'.
- 8.61 The Councils Access Officer has been consulted on the application and has no objection to the proposed development in terms of accessibility, subject to conditions pertaining to the requirement for step free access to be provided and compliance with the relevant Part (M) Building Regulations.

Trees and Landscaping

- 8.62 The proposed development would result in no loss of trees and would therefore have no adverse tree impact. In the event that planning permission is granted, a condition is recommended to ensure that the site's trees are retained and replaced if damaged.
- 8.63 Landscaping on the site would remain similar to existing (a mix of hard and soft landscaping). If the application is approved, a condition has been recommended to ensure that appropriate planting, boundary treatments and surfacing is introduced. The proposal is therefore considered to be acceptable.

Biodiversity Net Gain

- 8.64 Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity.
- 8.65 In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.
- 8.66 Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition").

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This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.

- 8.67 There are exemptions and the BNG planning condition does not apply to all planning permissions. Self-build and custom build developments are exempt from having to meet BNG Requirements in the following circumstances. The development must consist of no more than 9 dwellings, be on a site that has an area no larger than 0.5 hectares, consist exclusively of dwellings that are self-build or custom housebuilding as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015.
- 8.68 The applicant has stated that the development is a self-build project and therefore the development is exempt from having to fulfil the BNG requirements. In the event that planning permission is approved, a legal agreement will be secured to ensure that the development is self-build.

Ecology

- 8.69 The site does not contain any significant trees, ponds, open woodland, dense scrub or shrubbery. There are no protected sites of ecological interest adjacent to or near to the site. It is therefore considered that the likelihood of protected species being present at the site is low. Like the existing site, the resulting site would have a mixture of hard and soft landscaping, as such the ecological value of the site would be similar
- 8.70 In the event of an approval, an informative would be secured advising that should protected species be found at the site, the applicant(s) must fulfil their duties under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010.
- 8.71 The proposal is therefore considered to be acceptable.

Air Quality

- 8.72 Policies SI 1 of the London Plan (2021), EM8 of the Hillingdon Local Plan: Part 1 (2012) and DMEI 14 of the Hillingdon Local Plan: Part 2 (2020) are all directly relevant to the proposal. These policies can be read in full in the Committee Report Part 3 - Policy Appendix, and in summary, seek to safeguard and improve air quality to protect existing and new sensitive receptors.
- 8.73 The application site is located within Hillingdon Air Quality Management Area. Whilst there would be no parking provision retained on site for the existing dwelling or provided for the proposed dwelling it has been demonstrated that there is adequate space on street to absorb the potential parking requirements for this development (as set out in paragraphs 8.43 – 8.48 of this report). As such it cannot be confirmed by Officers that the proposal would not give rise to additional trip generation. Notwithstanding this point, the level of trips would be de-minimis and would not give rise to a noticeable contribution towards poor air quality. Furthermore, as a minor application it would not be justifiable or meet the relevant test to impose obligations or conditions to secure mitigation in lieu of such limited potential harm.

- 8.74 As such, the proposal is not considered to give rise to an increase in poor air quality therefore the application complies with the above policies.

Contamination

- 8.75 Policy DMEI 12 of the Local Plan (2020) states that for sites which are identified as being at potential risk of land contamination a contaminated land report detailing the history of contamination on site, relevant survey work and findings should be submitted in support of the application.
- 8.76 Land contamination records show the proposed development site to be on a potentially contaminated land site formerly used and identified as Nursery/Orchard, as well as within 250m of landfill buffer. The application is not supported by a Contaminated Land Survey, therefore upon review of the proposal, the Council's Contamination Officer has suggested that conditions be imposed to secure further land contamination information post determination. Subject to this condition, no objection is raised.

Drainage

- 8.77 Policy SI12 and SI13 of the London Plan (2021) require, in summary, that flood risk is minimised and mitigated, and that surface water runoff is managed close to source.
- 8.78 The site lies within Flood Zone 1 of the Environment Agency's Flood Risk Map. This means the site is classified as being at low risk and defined as having a less than 1 in 1,000 probability of fluvial and tidal flooding. As such, there are no restrictions on development, including more vulnerable uses such as Use Class C3 (dwellinghouses), in this location, in terms of fluvial and tidal flood risk.
- 8.79 In the event of approval, a sustainable water management scheme would be secured by condition to ensure compliance with Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policies SI 12 and SI 13 of the London Plan (2021).

Sustainability

- 8.80 Policy DMEI 2 of the Hillingdon Local Plan (2020) requires all developments to make the fullest contribution to minimising carbon dioxide emissions in accordance with the London Plan targets.
- 8.81 The proposed development is of a minor scale therefore whilst the principle of SI 2 (carbon reduction) is applicable, the London Plan Policy applies more specifically to major scale applications. The applicant is therefore not required to submit an energy statement with the application or demonstrate a policy level of on-site savings. Notwithstanding this point, the modern construction of the development would be considered as providing sufficient energy savings itself and therefore the development would comply with the principles of the carbon saving development plan policies.

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Airport Safeguarding

- 8.82 Due to the limited scale of the proposed works, no cranes would be needed for construction, nor would the building itself (once constructed) impact on air traffic. Furthermore, the site is a considerable distance from Heathrow and aviation space and therefore it would have no adverse impact on aviation functionality. The development is therefore considered to be acceptable in terms of Airport safeguarding.

Fire safety

- 8.83 Policy D12 (Fire safety) of the London Plan (2021) says that in the interests of fire safety and to ensure the safety of all building users, development proposals must achieve the highest standards of fire safety.
- 8.84 Due to the nature of the development and its limited scale, appropriate measures to ensure that the building and its residents are safe in the event of fire would be secured at building control stage through the necessity to comply with Approved Document B – Fire Safety of the Building Regulations (2010).

9 Other Matters

Human Rights

- 9.1 The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Equality

- 9.2 Due consideration has been given to Section 149 of the Equality Act with regard to the Public Sector Equality Duty in the assessment of this planning application. No adverse equality impacts are considered to arise from the proposal.

Local Finance Considerations and CIL

- 9.3 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 square metre. CIL rates are index linked.

10 Conclusion / Planning Balance

- 10.1 On balance, the proposed development would have a satisfactory impact on the character and appearance of the area and would not give rise to any undue harm to neighbouring amenities, or the local highway network. Additionally, adequate living accommodation would be provided for future residents. The proposal would retain the existing family sized dwelling and contribute to the borough's housing stock.
- 10.2 The proposal is considered to comply with the Development Plan and no material considerations indicate that a contrary decision should be taken. Consequently, the application is recommended for approval subject to the conditions set out in Appendix 1 (below).

11 Background Papers

- 11.1 Relevant published policies and documents taken into account in respect of this application are set out in the report. Documents associated with the application (except exempt or confidential information) are available on the [Council's website here](#), by entering the planning application number at the top of this report and using the search facility. Planning applications are also available to inspect electronically at the Civic Centre, High Street, Uxbridge, UB8 1UW upon appointment, by contacting Planning Services at planning@hillingdon.gov.uk.

APPENDICES

Planning Application

77097/APP/2024/2693

Appendix 1: Recommended Conditions and Informatives

Conditions

1. RES3 **Time Limit**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2. RES4 **Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on submitted plans numbers:

1031-01_Rev01 Rev 02
1031-02_Rev01 Rev 02
1031-11_Rev05 Rev 06
1031-12_Rev05 Rev 06
1031-13_Rev05 Rev 06
1031-14_Rev05 Rev 06
1031-35_Rev05 Rev 06
01 Rev 02

and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012), Part 2 (2020) and the London Plan (2021).

3. NONSC **Sustainable Drainage and Water Management**

No development above ground level shall take place until a scheme for the provision of sustainable water management and water efficiency shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- i. Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. Include a timetable for its implementation; and
- iii. Provide a management and maintenance plan for the lifetime of the development

The scheme shall also demonstrate the use of methods to minimise the use of potable water

through water collection, reuse and recycling and will:

- iv. Provide details of water collection facilities to capture excess rainwater;
- v. Provide details of how rain and grey water will be recycled and reused in the development;
- vi. Provide details of how the dwelling will achieve a water efficiency standard of no more than 110 litres per person per day maximum water consumption (to include a fixed factor of water for outdoor use of 5 litres per person per day in accordance with the optional requirement defined within Approved Document G of the Building Regulations).

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

REASON

To ensure the development does not increase the risk of flooding in accordance with Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan Part 2 (2020) and Policies SI2 and SI 13 of the London Plan (2021).

4. HO5 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the first floor walls or roof slopes of the proposed dwelling.

REASON

To prevent overlooking to adjoining properties in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

5. NONSC Step Free Access

Prior to the construction of the hereby approved dwelling details of step free access via all points of entry and exit for each of the dwellings 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 housing of an inclusive design is achieved and maintained in accordance with Policies D5 and D7 of the London Plan (2021).

6. NONSC Accessibility Compliance M4(2)

The dwelling hereby approved shall accord with the requirements of Policy D7 of the London Plan, and shall not be occupied until certification of compliance with the technical specifications for an M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, has been submitted to, and approved in writing, by the Local

Planning Authority. All such provisions must remain in place for the life of the building.

REASON

To not only allow the Building Control body to require the development to comply with the optional Building Regulations standards, but to also ensure the appropriate quantity and standard of accessible and adaptable housing is constructed and maintained in accordance with Policy D7 of the London Plan (2021).

7. RES7 Materials (Submission)

No development above ground level shall take place until details of all materials and external surfaces (associated with the proposed development) have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

8. RES9 Landscaping (car parking & refuse/cycle storage)

No development above ground level shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

1. Details of Soft Landscaping

1.a Planting plans (at not less than a scale of 1:100)

1.b Written specification of planting and cultivation works to be undertaken

1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

2. Details of Hard Landscaping

2.a Refuse Storage (for both dwellings, secure and enclosed)

2.b Cycle Storage (2 cycle storage spaces shall be provided for the approved dwelling and the storage facilities shall be secure and enclosed, and re-sited if necessary to allow for efficient bin and cycle storage on the site)

2.c Means of enclosure/boundary treatments

2.d Hard Surfacing Materials

2.e External Lighting (Including positions)

2.f Other structures

2.g Privacy planting outside of No.13 Oak Avenue's ground floor living room window

3. Schedule for Implementation

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with Policies DMHB 11, DMHB 12, DMHB 14, DMEI 1 and DMT 2 of the Hillingdon Local Plan Part 2 (2020).

9. 0M10 Construction Management Plan

Prior to development commencing, a demolition and construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall detail:

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (iii) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (iv) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vi) The storage of demolition/construction materials on site.
- (vii) Measures to reduce the impact of construction on the amenities of neighbouring occupiers

The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

REASON

To safeguard the amenity of surrounding areas in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

10. RES14 Outbuildings, extensions and roof alterations

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification); no garage(s), shed(s) or other outbuilding(s), nor extension or roof alteration to the dwellinghouses hereby approved shall be erected without the grant of further specific permission from the Local Planning Authority.

REASON

To protect the character and appearance of the area and amenity of residential occupiers in accordance with Policies DMHB 11 and DMHD 2 of the Hillingdon Local Plan Part 2 (2020).

11. RES26 Contaminated Land

The development shall not commence until a scheme to deal with contamination has been submitted to and approved by the Local Planning Authority (LPA). All works which form part of any required remediation scheme shall be completed before any part of the development is occupied or brought into use unless the Local Planning Authority dispenses with any such requirement specifically and in writing. The scheme shall include the following measures unless the LPA dispenses with any such requirement specifically and in writing:

a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site:

(b) A site investigation, including where relevant soil, soil gas, surface water and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use; and

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement, along with the details of a watching brief to address undiscovered contamination. No deviation shall be made from this scheme without the express agreement of the LPA prior to its implementation.

(ii) If during remedial or development works contamination not addressed in the submitted remediation scheme is identified an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and

(iii) Upon completion of the approved remedial works, this condition will not be discharged until a comprehensive verification report has been submitted to and approved by the LPA. The report shall include the details of the final remediation works and their verification to show that the works have been carried out in full and in accordance with the approved methodology.

(iv) No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping and/or engineering purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be independently tested for chemical contamination, and the factual results and interpretive reports of this testing shall be submitted to and approved in writing by the Local Planning Authority.

REASON

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and

ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies DMEI 11 and DMEI 12 of the Hillingdon Local Plan Part 2 (2020).

12. RES10 Tree to be retained

Trees, hedges and shrubs shown to be retained on the approved plan(s) shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during (or after) construction, or is found to be seriously diseased or dying, another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'

Remedial work should be carried out to BS BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with Policy DMHB 14 of the Hillingdon Local Plan Part 2 (2020) and to comply with Section 197 of the Town and Country Planning Act 1990.

13. NONSC Non Standard Condition

The first floor bathroom window shown on Plan No. 1031-13_Rev05 Rev 06 shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and be non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

To prevent overlooking to adjoining properties in accordance with policy DHMB 11 of the Hillingdon Local Plan Part 2 (2020).

14. NONSC Non Standard Condition

Notwithstanding the provisions of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the dwelling hereby permitted shall only be

used as a dwellinghouse (Class C3), and shall not be used as a house in multiple occupation (HMO) (Class C4).

REASON

To ensure that the development is occupied in accordance with the submitted plans and to protect the residential amenities of adjoining properties in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

Informatives

1. I52 **Compulsory Informative (1)**

The decision to GRANT 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. I73 **Community Infrastructure Levy (CIL) (Granting Consent)**

Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. Before commencement of works the development parties must notify the London Borough of Hillingdon of the commencement date for the construction works (by submitting a Commencement Notice) and assume liability to pay CIL (by submitting an Assumption of Liability Notice) to the Council at planning@hillington.gov.uk. The Council will then issue a Demand Notice setting out the date and the amount of CIL that is payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed.

The above forms can be found on the planning portal at:
www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

Pre-Commencement Conditions: These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of the pre-commencement conditions have been discharged/complied with.

3. I15 **Control of Environmental Nuisance from Construction Work**

Nuisance from demolition and construction works is subject to control under The Control of

Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

4. IT05 Wildlife and Countryside Act 1981

Wildlife and Countryside Act 1981: Note that it is an offence under this act to disturb roosting bats, nesting birds or any other protected species. Therefore, if applicable, it is advisable to consult your tree surgeon / consultant to agree an acceptable time for carrying out the approved works.

153 Compulsory Informative (2)

The decision to GRANT 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 (2021) and national guidance.

DMEI 12	Development of Land Affected by Contamination
DMEI 14	Air Quality
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMH 6	Garden and Backland Development
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping

DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D1	(2021) London's form, character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP H1	(2021) Increasing housing supply
LPP H2	(2021) Small sites
LPP SI13	(2021) Sustainable drainage
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF11 -24	NPPF11 2024 - Making effective use of land
NPPF12 -24	NPPF12 2024 - Achieving well-designed places
NPPF2 -24	NPPF2 2024 - Achieving sustainable development
NPPF4 -24	NPPF4 2024 - Decision making
NPPF5 -24	NPPF5 2024 - Delivering a sufficient supply of homes

Appendix 2: Relevant Planning History

77097/APP/2022/2167 13 Oak Avenue West Drayton

Conversion of roof space to habitable use to include a rear dormer roof extension, 3 front roof lights and conversion of roof from hip to gable end (Application for a Certificate of Lawful Development for a Proposed Development)

Decision: 31-08-2022 Approved

77097/APP/2022/2558 13 Oak Avenue West Drayton

Erection of a single storey extension to the rear

Decision: 10-10-2022 Refused

77097/APP/2022/3630 13 Oak Avenue West Drayton

Erection of a single storey rear extension

Decision: 17-01-2023 Refused **Appeal:** 28-07-2023 Allowed

77097/APP/2022/613 13 Oak Avenue West Drayton

Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4 metres, for which the maximum height would be 3 metres, and for which the height of the eaves would be 3 metres

Decision: 08-04-2022 Prior Approval
N/Req

77097/APP/2023/2640 13 Oak Avenue West Drayton

Erection of a single storey side extension (Certificate of Lawful Development for a Proposed Development).

Decision: 31-10-2023 Approved

77097/APP/2024/2694 13 Oak Avenue West Drayton

Erection of a two storey, 2-bed attached dwelling with associated cycle storage and amenity space

Decision: 20-11-2024 Withdrawn

77097/APP/2024/854 13 Oak Avenue West Drayton

Erection of a first floor rear extension

Decision: 29-05-2024 Approved

Appendix 3: List of Relevant Planning Policies

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

Part 1 Policies:

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

Part 2 Policies:

- NPPF11 -24 NPPF11 2024 - Making effective use of land
- NPPF12 -24 NPPF12 2024 - Achieving well-designed places
- NPPF2 -24 NPPF2 2024 - Achieving sustainable development
- DMH 1 Safeguarding Existing Housing
- DMH 2 Housing Mix
- NPPF4 -24 NPPF4 2024 - Decision making
- NPPF5 -24 NPPF5 2024 - Delivering a sufficient supply of homes
- DMH 6 Garden and Backland Development
- DMEI 12 Development of Land Affected by Contamination
- DMEI 14 Air Quality
- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 14 Trees and Landscaping
- DMHB 15 Planning for Safer Places
- DMHB 16 Housing Standards
- DMHB 17 Residential Density
- DMHB 18 Private Outdoor Amenity Space

DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D1	(2021) London's form, character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP H1	(2021) Increasing housing supply
LPP H2	(2021) Small sites
LPP SI13	(2021) Sustainable drainage
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking