

HEAD OFFICE

71 - 75 SHELTON STREET
COVENT GARDEN.
LONDON.
WC2H 9JQ



LOCAL OFFICE

CROWN HOUSE HOME GARDENS
DARTFORD
KENT
DA11 0DZ

**TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED BY THE PLANNING AND COMPULSORY PURCHASE ACT
2004) SECTION 78 APPEAL.**

**STATEMENT OF CASE ON BEHALF
OF THE APPELLANT**

APPELLANT : MR EDWIN YOUNIS

**APPEAL SITE : 360 BATH ROAD
HARMONDSWORTH UB7 0DH**

OUR REF : B172/2019

LPA REF : 13135/APP/2019/1336

DATE : 1ST AUGUST 2019

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1.0 INTRODUCTION

1.1 The London Borough of Hillingdon refused planning permission at 360 Bath Road, Harmondsworth UB7 0DH for the erection of Single storey front/side/rear extension on 17 March 2019, application Ref: 13135/APP/2019/1336, for the following reasons:

- 1. The proposed extension by reason of its size, scale, bulk, depth, width, proximity to the side boundary and projection forward of the return building line along Pinglestone Close, in this open prominent position, would result in the closing of an important gap characteristic to the area, resulting in a cramped appearance. The proposal would therefore represent an overdevelopment of the site to the detriment of the visual amenities of the street scene and the character and appearance of the surrounding area. The proposed development is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions. Planning Document HDAS: Residential Extensions.**
- 2. The proposed front extension, by virtue of its size, scale, bulk and forward projection at ground floor level would result in an incongruous addition which would be detrimental to the architectural composition of the original dwelling, to the character, appearance and symmetry of the small terrace of houses of which it forms a part and to the visual amenities of the street scene and the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the**

adopted Supplementary Planning Document HDAS: Residential Extensions..

2.0 THE SITE LOCATION AND DESCRIPTION

- 2.1 The appellant site relates to a two storey end of terrace dwelling situated on the southern side of Bath road at the corner with Pinglestone Close. The property is finished in timber cladding and PVC windows and doors. The property benefits from a corner plot which lies with a front garden.
- 2.2 The area is residential in character and appearance and the site lies within the Developed Area as identified within the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).
- 2.3 The property is not listed, nor does it form part of a Conservation Area or other special designations.



The arrow on the photo shows the site of the proposed development

3.0 THE APPEAL PROPOSAL

- 3.1 The appellant seeks planning permission for the erection of Single storey front/side/rear extension. The proposed extension would measure 3270 mm in width at the front, would extend 10975mm in depth on the side ground 3520mm at the rear. It would be finished in materials to match the host dwelling.
- 3.2 Copies of the planning application forms submitted to the Council are enclosed in Appendix B. The existing and proposed layout plans, are illustrated on drawings attached. The photographs of the site are enclosed in Appendix D.

4.0 POLICY CONSIDERATIONS

- 4.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 gives priority to the provisions of development plans in determining planning applications and appeals as well as all other material considerations.
- 4.2 The Planning law requires **that applications for planning permission be determined in accordance with the development plan**, unless material considerations indicate otherwise. **The revised National Planning Policy Framework which came into force on 24 July 2018 must be taken into account in preparing the development plan, and is a material consideration in planning decisions.** Planning policies and decisions must also reflect relevant international obligations and statutory requirements.
- 4.3 Advice in Paragraph 117 highlights that Planning policies and decisions should **promote an effective use of land in meeting the need for homes and other uses**, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively

assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield'.

4.4 Advice in Paragraph 118 requires that Planning policies and decisions should:

a) **encourage multiple benefits from both urban and rural land**, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;

b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;

c) **give substantial weight to the value of using suitable brownfield land within settlements** for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;

d) **promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing** where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)⁴⁵; and

e) support opportunities to **use the airspace above existing residential and commercial premises for new homes**. In particular, they should **allow upward extensions** where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.

- 4.5 Underlining these principles is advice in paragraph 124 of the revised NPPF 2018 which underscores that "The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. **Good design is a key aspect of sustainable development**, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process".
- 4.6 Advice in paragraph 127 of NPPF states that Planning policies and decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, **while not preventing or discouraging appropriate innovation or change (such as increased densities)**;
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - e) **optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development** (including green and other public space) and support local facilities and transport networks.
- 4.7 Advice in Paragraph 38 of NPPF highlights that Local planning authorities should approach decisions on proposed development in a **positive and creative way**. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the

economic, social and environmental conditions of the area. **Decision-makers at every level should seek to approve applications for sustainable development where possible.**

- 4.8 Advice in Paragraph 54 of NPPF underscores that, Local planning authorities should consider whether otherwise **unacceptable development could be made acceptable through the use of conditions or planning obligations**. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

4.9 **The London Plan**

- Policy 7.4- Local Character
- Policy 7.6- Architecture

4.10 **Hillingdon Unitary Development Plan Saved Policies (September 2007)**

(As incorporated into the Hillingdon Local Plan (2012) set out below;

Including Supplementary Planning Guidance

BE1 (2012) Built Environment

BE13 New development must harmonise with the existing street scene

BE15 Alterations and extensions to existing buildings

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

BE21 Siting, bulk and proximity of new buildings/extensions

HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement,

Supplementary Planning Document, adopted December 2008

5.0 THE PLANNING CONSIDERATIONS

5.1 This section considers the planning issues relating to this planning application and demonstrates – with reference to relevant Development Plan policies and other material considerations - that permission should be granted.

- Under the provisions of S.38 (6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine planning applications in accordance with the policies of the Development Plan, provided they are up to date and relevant, unless material considerations indicate otherwise.

- The relevant policies quoted in the decision notice in relation to the Development Plan provide only general guidance; each case is to be judged on its own individual merits, having regard to the circumstances at the site and the design of the proposal.

Main planning consideration

This development is considered a revised proposal following a two storey side extension and single storey rear extension that was granted planning approval on 05/05/1981 .Planning ref:13135/A/81/0429.

The recent proposal has been revised and downsized from the previous submission and therefore due consideration is to be given to it.

5.2 In refusing the application, the council raised the following main issues which will be discussed accordingly:

1- Principle of the development

2- Impact on visual amenities of the street scene and the character and appearance of the surrounding area

- 3- Impact on the character of the original dwelling and visual amenities of the street scene and the surrounding area

5.3 **Principle of the development**

Although the refusal did not raise an issue with the principle of the development, it is the view of this appeal that the principle of the development be taken into consideration.

The principle of the development is enshrined in the Paragraph 117 and 118 of the revised NPPF 2018 which advice that Planning policies and decisions should **promote an effective use of land in meeting the need for homes and other uses**, while safeguarding and improving the environment and ensuring safe and healthy living conditions; and that Planning policies and decisions should encourage multiple benefits from both urban and rural land.

In this case the Appellant benefits from a corner plot and as a result of growing family and immobility due to illness, the Appellant opts to extend the property in order to improve the health and living conditions of his family, the move proposal will put the land into effective use as advised by paragraph 117 and 118 and is putting the land to effective use. National Planning Policy Framework a NPPF 2019.

The principle of development is a material consideration in this case and it should be given weight.

5.4 **Reasons for refusal 1: Design considerations (impact on visual amenities of the street scene and the character and appearance of the surrounding area).**

The main material consideration in this appeal case is whether the proposal would have a detrimental impact on the character and appearance of the area and visual amenities of the street scene or not.

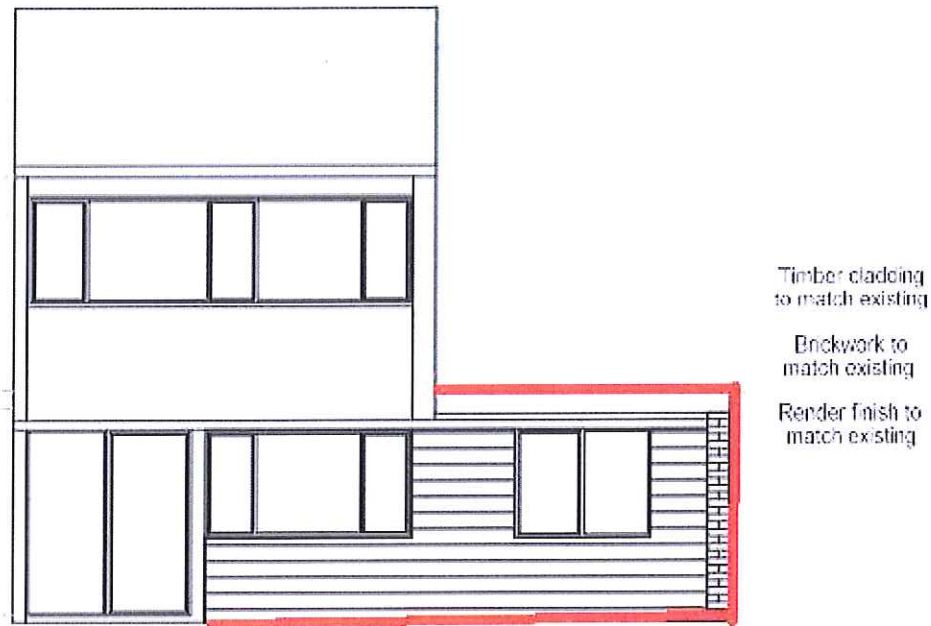
It is the appellant grounds of appeal that the proposed extension would not have a detrimental impact on the visual amenities of the street scene nor

would it have a harmful impact on the character and appearance of the area.

The design of the extension is consider an enhancement and improvement of this prominent corner of the street scene, the development indisputably accords with the underlining principles and advice in paragraph 124 of the NPPF which underscores that "The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. **Good design is a key aspect of sustainable development**, creates better places in which to live and work and helps make development acceptable to communities.

This advice distinguishes good design from poor design and encourages LPAs to approve development with good design, this view is supported by the following Policy:

- 5.5 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. Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires that new development should harmonised with the character and appearance of the existing street scene and surrounding area and the scale, form, architectural composition and proportions of the original building.



The proposal would appear subordinate, complement the host property and respect the character and appearance of the surrounding area and the street scene

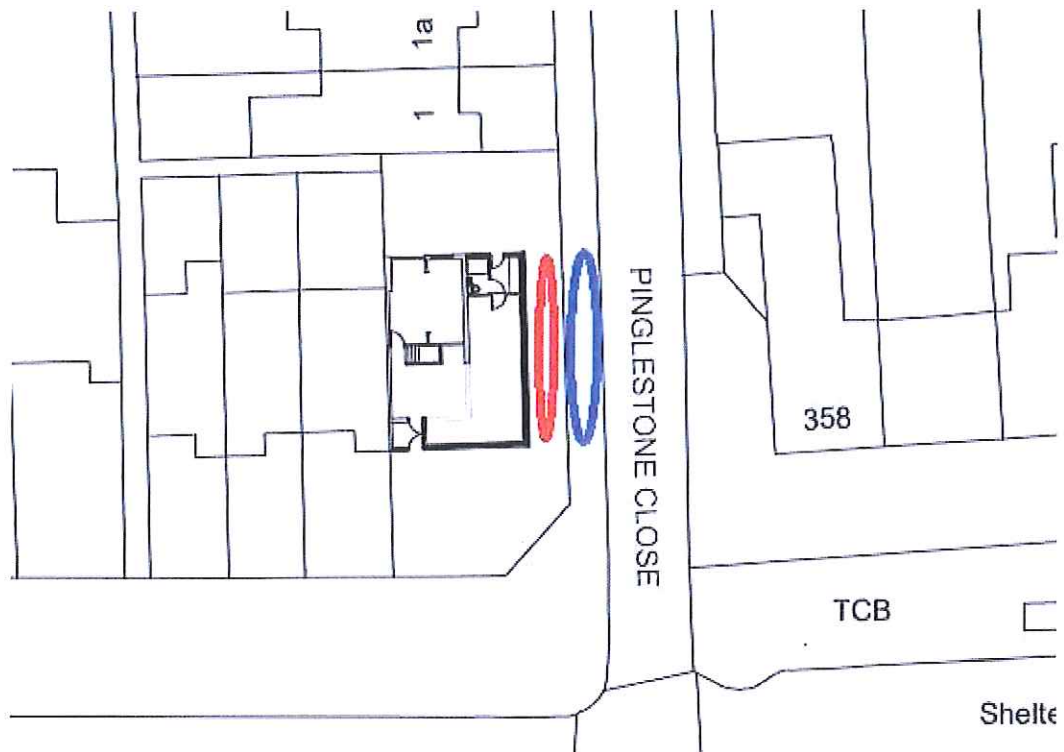
- 5.6 The appeal proposal provides a single storey wraparound extension sited on the eastern flank elevation of the host dwelling. The single storey front and side extension would appear subordinate and congruous by virtue of its siting. The proposal would level with the front porch, it will would have a setback of more than 1m from the side boundary. The proposal would substantially be set below the main roof ridge, to prevent a terrace effect, and would thus not appear dominate or compete with the main house.

These measures would ensure that the scale of the extension would appear subordinate, complement the host property and respect the character and appearance of the surrounding area in accordance with Policy BE1 BE13, BE15, BE19 and BE22

- . The development would provide a high standard of design and seeks to seamlessly blend in with the character of the host dwelling particularly the roof profile , form and urban grain prevalent in the immediate locality. The development understands and positively responds to the local context; and would contribute to the established 'sense of place' within the surrounding area. Therefore, it is considered that the proposed development would be congruent with the existing pattern of development in the area.

- 5.7 The LPA claimed that the proposed development by reason of its size and close proximity to the side boundary, forward project of the building line along Pinglestone Close, would be prominent in this open position, would result in the closing of an important gap characteristic to the area, result in a cramped appearance and represent an overdevelopment of the site detriment to the visual amenities of the street scene and the character and appearance of the surrounding area.

The claim is unfounded as the proposal is a single storey and would appear as a subservient and subordinate form of addition that would not be dominant or compete with the host building.



The proposal is a single storey flat roof and would be set back from the side boundary by at least 1m and shown in red circle and there is a seperating gap between the extension and the Pinglestone Close shown in blue circle

The development in the view of this appeal, would respect the streetscape value of the existing layout, the special local and architectural townscape in accordance with Policy BE1 of the Unitary Development Plan. The proposal is seen as enhancement the street scene.

The proposed extension would have a reasonable set back from the side boundary and would not encroached the building line, therefore the claim that the proposal would be proximity to the boundary is unfounded.

- 6.8 The claim that the development would result to cramped and overdevelopment of the site is unfounded. The proposal has adequate set back and reasonable gap extension, however, the size of the extension in comparison with the size of the building and the plot size ration would not result to overdevelopment of the site

5.9 **Reasons for refusal 2: Impact on the character of the original dwelling and visual amenities of the street scene and the surrounding area.**

The Council claimed that the development would have an impact on the character of the original dwelling and visual amenities of the street scene and the surrounding area.

This appeal argues in strong terms that the proposed development would not be detrimental to the character of the original property on the account of the following:

Guidance on HDAS: Residential Extensions paragraph 3.3 states that single storey rear extensions proposed on semidetached properties with a plot measuring 5 m or more should be no more than 3.6 m deep. Likewise paragraph 3.7 states that such extensions should be no more than 3.0 m in height with a flat roof. However if a pitched roof is to be erected, the

highest part of the extension must not exceed 3.4 m. This is to ensure that the extension appears subordinate to the main house.

5.6 **Impact on the character of the original dwelling**

The proposed extension in terms of design would have a flat roof and would not exceed 3.0m by height, the siting, size, scale and bulk of the proposed development in comparison with the size of the original building and the size of the garden when view from the rear elevation is considered proportionate in terms of mass and bulk. The size of the development as illustrated would appear subordinate, sympathetic and congruous to the original building and therefore the proposal would not have detrimental impact on the character and appearance of the host property.

The proposal due to its height and flat roof nature would not be over dominant, visually intrusive nor would it constitute an unneighbourly form of development that would have a negative impact on the character of the original house.



PROPOSED FRONT / REAR & SIDE ELEVATIONS
Scale 1:100

The size of the proposed extension as illustrated would appear subordinate, sympathetic and congruous to the original building when view from the rear and side elevation.

5.7 Impact on the character, appearance and visual amenities of the street scene and the surrounding area

The refusal raised concern about the character, appearance and visual amenities of the street scene and the surrounding area. The location and siting of the proposed extension is at the rear of the property, the proposal even though would be visible from the street scene, it is considered that it would respect the character of the area.

The view of this prominent corner of the street is shadowed by trees and hedges and therefore the proposal would therefore not reduce the openness of the area.



The photo shows that the site of the proposed development is shadowed by trees and hedges and therefore the proposal would therefore not reduced the openness of the area.

The London Plan Policies 7.4 and 7.6 require developments to have regard to their settings and to be sympathetic to their form, scale, location, public realm, streetscape, materials and architectural details.

The proposed development is not in a conservation area nor the property of any listed value. In addition to that, the area is littered by rear developments of various shape and sizes, therefore the proposal would not have a detrimental impact on the street scene nor the character of the wider area.

The proposed development in the view of this appeal would not have an impact on the character of the original dwelling nor the area, the proposal would instead enhance and improve the street scene and the character of the area in compliance to BE1, BE13, BE15 and HDAS

6.0 APPEAL PRECEDENT

6.1 Each appeal should be determined on its own merits and the similar appeal precedent enclosed in our Appendix E is offered as material considerations in the instant case.

6.2 Examples of similar development in the area

MR EDWIN YOUNIS

360 BATH ROAD HARMONDSWORTH UB7 0DH



Examples of similar development that planning permission has been granted in the area:

Example A-

Planning ref: 22267/APP/2006/3222

Address: 16 PINGLESTONE CLOSE HARMONDSWORTH

Description: ERECTION OF A SINGLE STOREY SIDE AND REAR EXTENSION (INVOLVING THE DEMOLITION OF EXISTING SINGLE STOREY REAR EXTENSION AND DETACHED GARAGE).

Decision: Approved

Date: 09-01-07

Example B-

Planning ref: 31503/APP/2003/1224

Address: 42 PINGLESTONE CLOSE HARMONDSWORTH

Description: ERECTION OF A PART TWO STOREY, PART SINGLE STOREY REAR EXTENSION AND A FRONT PORCH

Decision: Approved

Date: 14-07-03

Document A

A similar development that was allowed at appeal.

Appeal Ref: APP/R5510/D/16/3149460

Address: 35 The Rise Hillingdon, UB10 0JL

The Inspector in a similar case allowed the appeal on the following considerations:

"The scheme would be set down from the host's ridge line, and it would have a similar hipped roof form. Whilst the proposed ground floor would be flush with much of the adjoining front wall, so is the single storey side projection it would replace, and it would be set back from the property's two storey bay window. Consequently the bay window on this property, and on its attached neighbour at no. 37, would remain the building's dominant feature. The lean-to

roof which would link the scheme's ground and first floor elements would be modestly proportioned and would reflect the angle of the existing roof slopes. It would not add significant bulk. Given the scheme's width, which would be under half the width of the host property's retained front elevation, its set down, and its m set back at first floor, the proposal would appear subordinate to the original dwelling.

At paragraph 5.6 the Hillingdon Design and Accessibility Statement: Residential Extensions Supplementary Planning Document 2008 ('SPD') states that on Semi-detached houses ground and first floor side extensions should be set back by 1m from the host building's front building line. The scheme would comply with that at first floor. Whilst it would not at ground floor, neither does the existing single storey side projection, and for the reasons above, it would comply with the SPD's broad objective of ensuring that extensions achieve a subordinate appearance to the existing house.

No. 37 does not have a two storey side extension and, to a degree, this scheme would therefore unbalance the symmetry of the pair. However, its subordinate appearance, similar roof form and the use of matching materials would significantly limit that effect. Consequently the scheme would not harm the character and appearance of the host dwelling or the area.

For those reasons the proposed development would not conflict with policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies 2012, or with policies BE13, BE15 and BE19 of the Hillingdon Unitary Development Plan 1998.

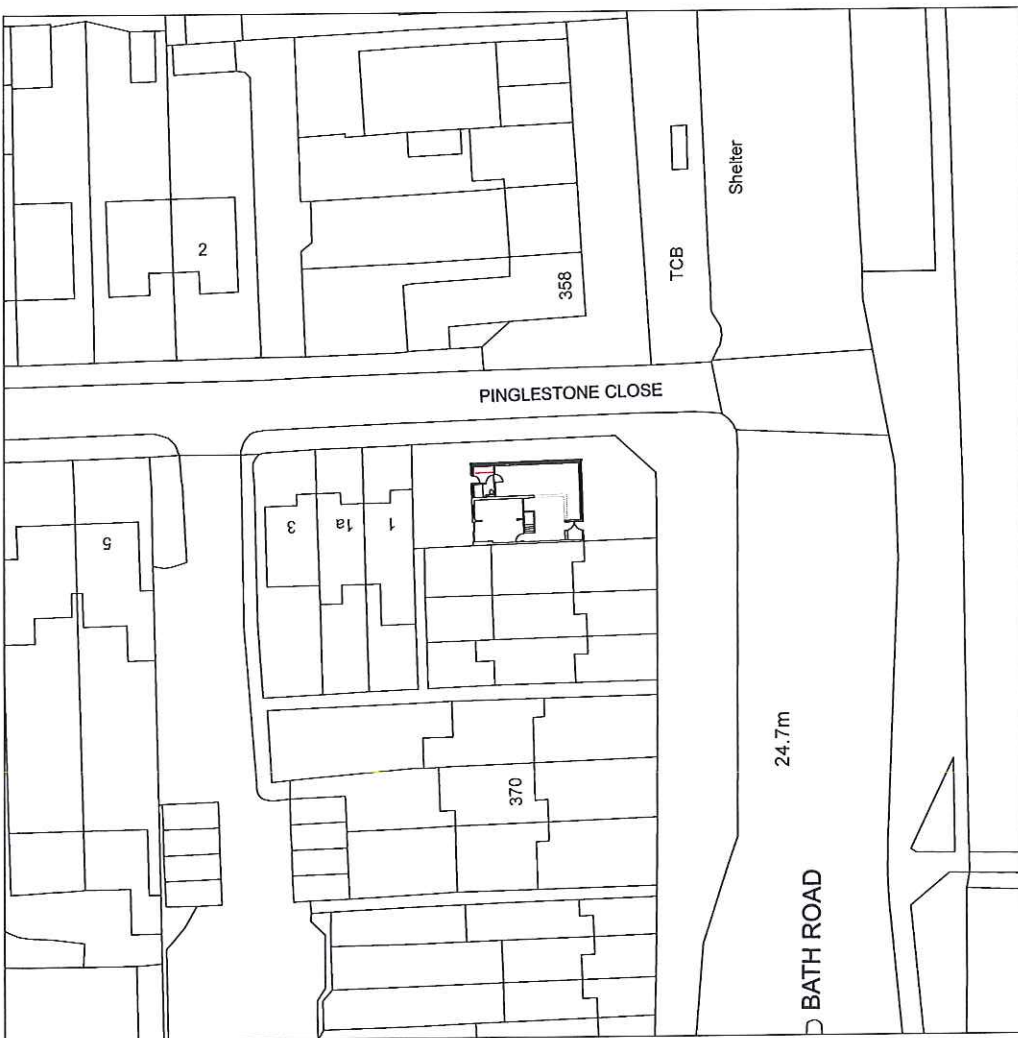
Amongst other things, and in broad terms, those policies require schemes to achieve a high quality design with regard to the local area, including its character and distinctiveness; and to harmonise with the scale, form, composition and proportions of the original

building. It would also accord with the National Planning Policy Framework ('Framework') requirement for good design as a key aspect of sustainable development, and with the broad thrust of the SPD. The appeal will therefore be allowed”.

7.0 CONCLUSIONS

- 7.1 Taking into account the above, it is considered that the proposals would not harm any interests of acknowledged importance. The proposed development would be visually congruous and would not harm the character and appearance of the area nor the visual amenities of the street scene.
- 7.2 The proposed extension would not unduly detract from the amenities of the area. The design and layout is a well thought-out, creative and appropriate design solution, specific to this particular appeal premises. The proposal would not detract from the visual amenities, the character of the street scene and wider area. Consequently, the proposal would not conflict with the NPPF, policies of the London Plan, and The London Borough of Hillingdon Unitary Development Plan.
- 7.3 The main material consideration in this particularly case is whether or not the development would have a detrimental impact on the main dwelling, visual amenities, the character and appearance of the area or not. In the light of this appeal, the development is considered as an improvement and enhancement of the street scene.
- 7.4 In these circumstances, the Inspector is respectfully requested to uphold the appeal and grant planning permission.

Appendix A



Application: HPA – GF front / rear & side extensions			
Client:	Edwin Youngs	Date:	06 th Sept 2018
Site:	350 Bath Road, West Chaylen, Uffr ODH	Drawn By:	Gurpreet Bhatia
Scale:	Refer to Drawing @ A3	Draw No.:	ASB238A – 04

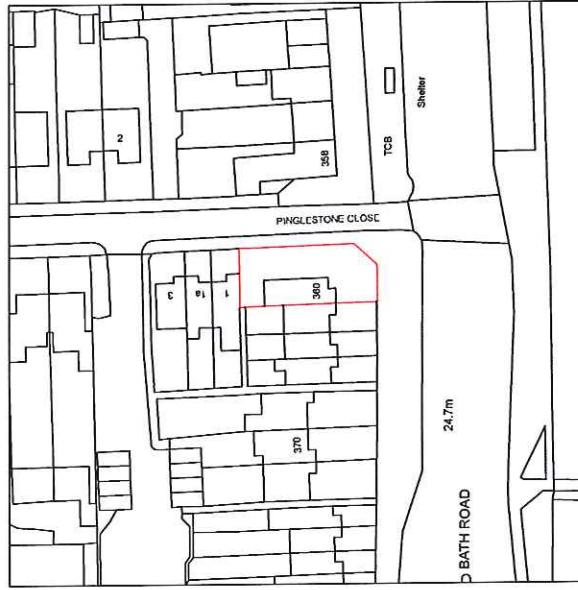
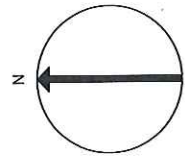
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BLOCK PLAN
SCALE 1:500



LOCATION PLAN
SCALE 1:1250

Appendix B



London Borough of Hillingdon, Residents Services, 3N Civic Centre, High Street, Uxbridge, Middlesex UB8 1UW
Tel: 01895 250230 Web: www.hillingdon.gov.uk

Householder Application for Planning Permission for works or extension to a dwelling.
Town and Country Planning Act 1990

Publication of applications on planning authority websites.

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

1. Site Address

Number	360
Suffix	
Property name	
Address line 1	Bath Road
Address line 2	
Address line 3	
Town/city	Heathrow
Postcode	UB7 0DH
Description of site location must be completed if postcode is not known:	
Easting (x)	505996
Northing (y)	176990
Description	

2. Applicant Details

Title	Mr
First name	Edwin
Surname	Younis
Company name	
Address line 1	360, Bath Road
Address line 2	
Address line 3	
Town/city	Heathrow
Country	

2. Applicant Details

Postcode	UB7 0DH
Primary number	
Secondary number	
Fax number	
Email address	

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

3. Agent Details

Title	Mr
First name	Gurprit
Surname	Benning
Company name	ASB Property Consultants Limited
Address line 1	ASB PROPERTY CONSULTANTS
Address line 2	Exchange House
Address line 3	494 Midsummer Boulevard
Town/city	Milton Keynes
Country	
Postcode	MK9 2EA
Primary number	08081391383
Secondary number	
Fax number	
Email	asb@gtdesignzLtd.com

4. Description of Proposed Works

Please describe the proposed works:

GF front / rear & side extensions

Has the work already been started without consent?

☐ Yes ☒ No

5. Materials

Does the proposed development require any materials to be used?

☒ Yes ☐ No

Please provide a description of existing and proposed materials and finishes to be used (including type, colour and name for each material):

Walls	
Description of existing materials and finishes (optional):	Refer to plans
Description of proposed materials and finishes:	Refer to plans

5. Materials

Roof	
Description of existing materials and finishes (optional):	Refer to plans
Description of proposed materials and finishes:	Refer to plans

Are you supplying additional information on submitted plans, drawings or a design and access statement? ☒ Yes ☐ No

If Yes, please state references for the plans, drawings and/or design and access statement

ASB628A – 01,02,03,04

6. Trees and Hedges

Are there any trees or hedges on your own property or on adjoining properties which are within falling distance of your proposed development? ☐ Yes ☒ No

Will any trees or hedges need to be removed or pruned in order to carry out your proposal? ☐ Yes ☒ No

7. Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered vehicle access proposed to or from the public highway? ☐ Yes ☒ No

Is a new or altered pedestrian access proposed to or from the public highway? ☐ Yes ☒ No

Do the proposals require any diversions, extinguishment and/or creation of public rights of way? ☐ Yes ☒ No

8. Parking

Will the proposed works affect existing car parking arrangements? ☐ Yes ☒ No

9. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land? ☒ Yes ☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ☐ The agent
☒ The applicant
☐ Other person

10. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? ☐ Yes ☒ No

11. Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent. ☐ Yes ☒ No

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

12. Ownership Certificates and Agricultural Land Declaration

CERTIFICATE OF OWNERSHIP - CERTIFICATE A - Town and Country Planning (Development Management Procedure) (England) Order 2015 Certificate under Article 14

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

* 'owner' is a person with a freehold interest or leasehold interest with at least 7 years left to run. ** 'agricultural holding' has the meaning given by reference to the definition of 'agricultural tenant' in section 65(8) of the Act.

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

Person role

☐ The applicant

☒ The agent

Title

First name

Surname

Declaration date (DD/MM/YYYY)

☒ Declaration made

13. Declaration

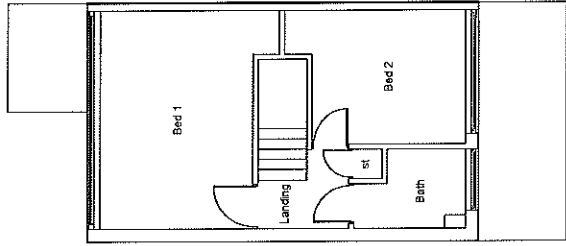
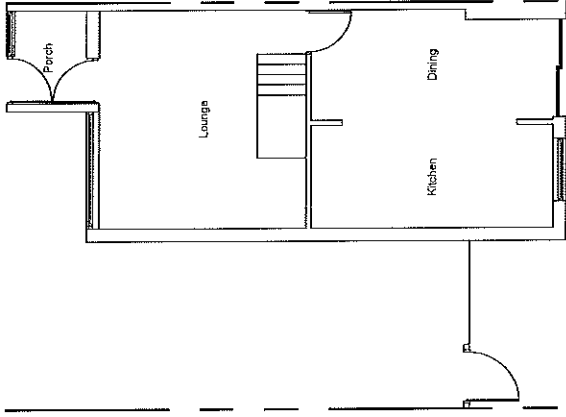
I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them. ☒

Date (cannot be pre-application)

Metres



SCALE 1:100



REMARKS:

Where building is to be demolished the adjacent owner is to be informed under the terms of the Party Wall Act 1996 and its provisions followed. Where building over boundaries the adjacent owner is to be served notice under section 85 of the Town & Country Planning Act 1990.

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Application:
HFA – GF front / rear & side extensions

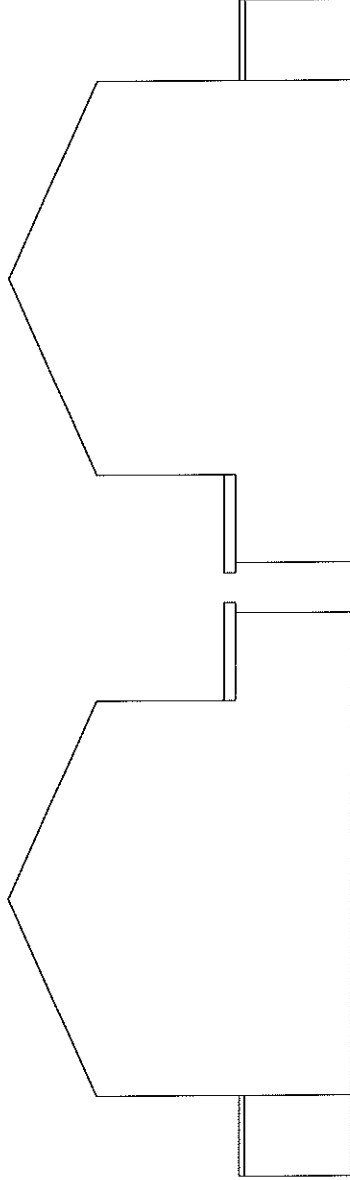
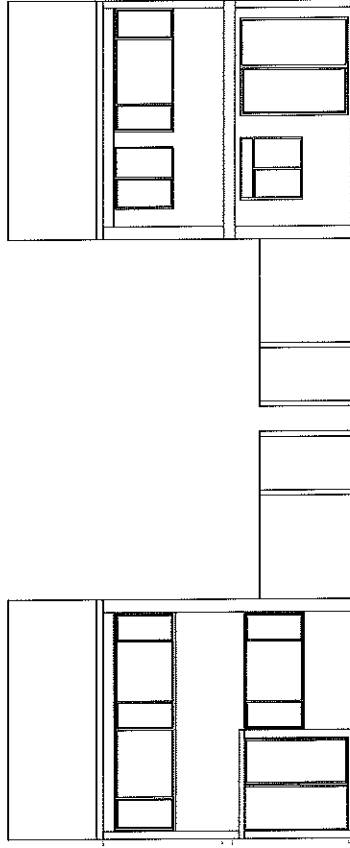
Client:	Edwin Younis	Date:	08 th Sept 2018
Site:	360 Bath Road, West Drayton, UB7 0DH	Drawn By:	Carole Belling
Scale:	Refer to Drawings @ A3	Drawn No:	ASB2018-01

ASB PROPERTY CONSULTANTS LTD
Planning consultants and Surveyors

Exchange House 484
Midsummer Boulevard
Leamington Spa
CV32 3BA
Tel: 0121 502 3330 / 07854 361 934
Email: asb@asbconsultants.com

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EXISTING GF & FF LAYOUT
Scale 1:100



EXISTING FRONT / REAR & SIDE ELEVATIONS
Scale 1:100

Metres

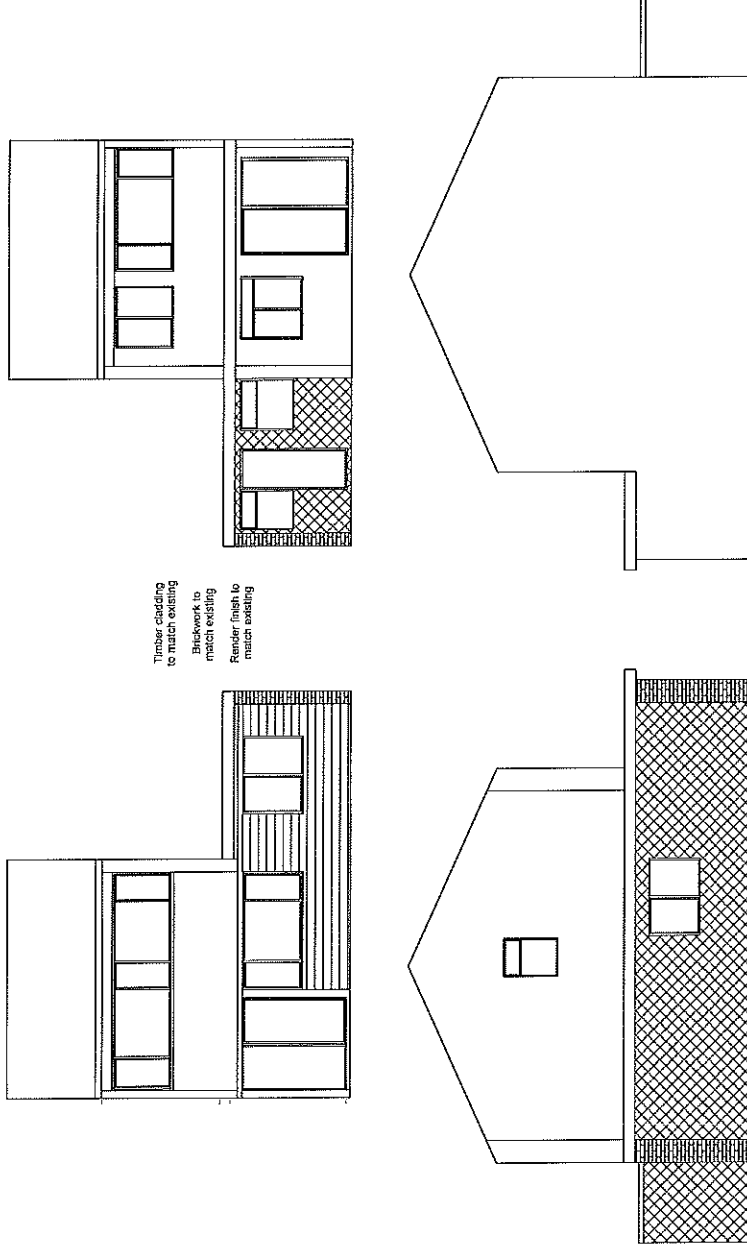


SCALE 1 : 100

REMARKS:

Where building to the boundaries the adjacent owner is to be informed under the terms of the Party Wall Act 1996 and its provisions followed. Where building over boundaries the adjacent owner is to be served notice under section 65 of the Town & Country Planning Act 1990.

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Timber cladding
to match existing
Blackwork to
match existing
Render finish to
match existing

PROPOSED FRONT / REAR & SIDE ELEVATIONS
Scale 1:100

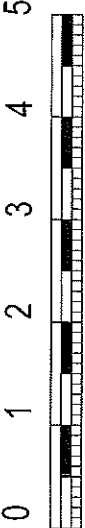
Application: H/A - GF front / rear & side extensions			
Client:	Elwyn Younli	Date:	08 th Sept 2018
Site:	365 Bath Road, West Droyon, Lifford QOH	Drawn By:	Corpus Banning
Scale:	Refer to Drawing 00.43	Drawn By:	ASB/STB - 03

ASB PROPERTY CONSULTANTS LTD
Planning consultants and Surveyors

Exchange House 494
Midsummer Boulevard
Oxford Business Park
MKS 2EA
Tel: 0121 522 3398 / 07664 351 894
Email: asb@asbproperty.co.uk

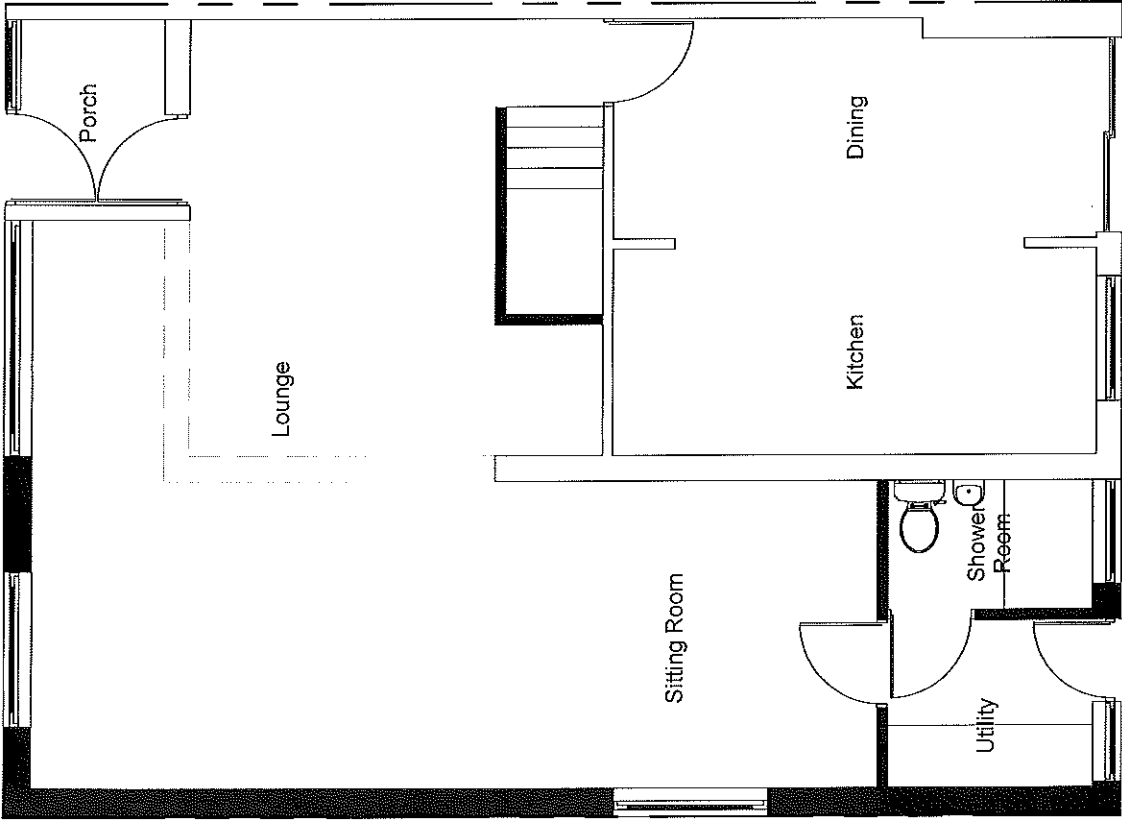
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Metres



SCALE 1 : 50

3520 mm



10975 mm

3270 mm

PROPOSED GF LAYOUT

Scale 1:50

REMARKS

Where building to the boundaries the adjacent owner is to be informed under the terms of the Party Wall Act 1996 and its provisions followed. Where building over boundaries the adjacent owner is to be served notice under section 65 of the Town & Country Planning Act 1990.

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HPA - GF front / rear & side extensions

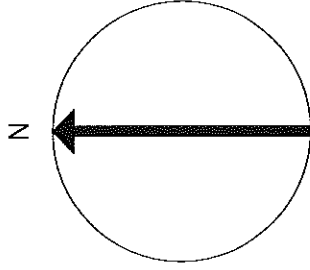
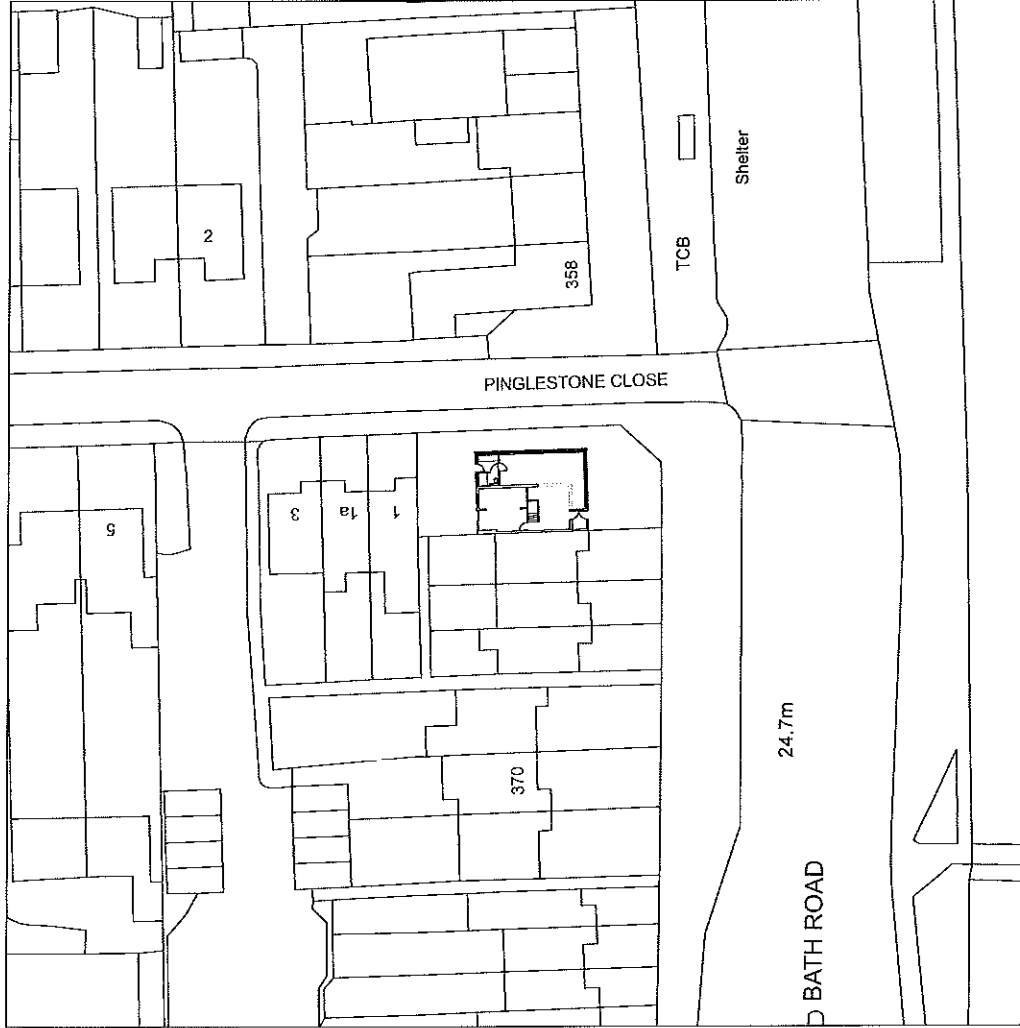
Client: Edwin Young Date: 06th Sept 2018
Site: 380 Bath Road, West Dryden, Uffr. RDH Drawn By: Gump Building
Scale: Refer to Drawing @ A3 Day 150: ASB28A - 02

ASB PROPERTY CONSULTANTS LTD

Planning consultants and Surveyors

Exchange House 454
Medunmar Boulevard
Claremont, Western Cape 7708
Tel: 021 559 3335 / 07654 351 934
Email: info@asbpc.co.za
VAT No: 458525673

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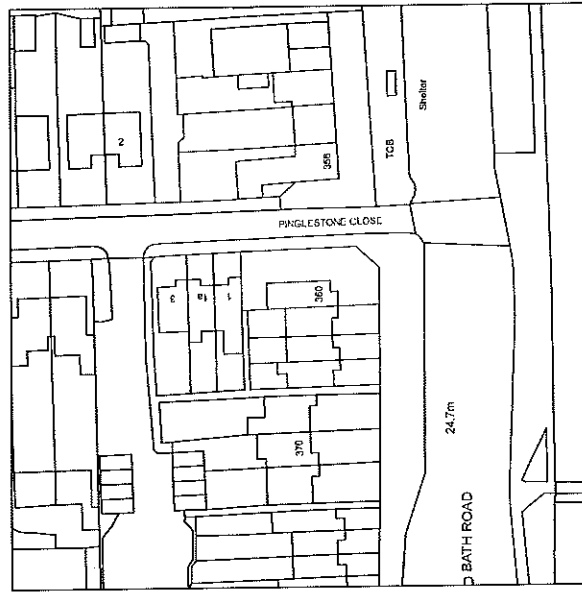
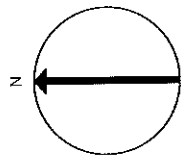


Application: HPA - GF front / rear & side extensions			
Client:	Edwin Youngs	Date:	08 Sept 2018
Site:	360 Bath Road, West Daylen, UB7 0PH	Drawn By:	Gurpa Barning
Scale:	Refer to Drawing @ A3	Dwg No:	ASB23A-04

ASB PROPERTY CONSULTANTS LTD
Planning Consultants and Surveyors
 Exchange House 404
 Midland Road
 Central Milton Keynes MK9 2EA
 Tel: 0121 502 3339 / 07954 351 934
 Email: asb@asbpc.co.uk

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BLOCK PLAN
SCALE 1:500



LOCATION PLAN
SCALE 1:1250

Appendix C



Mr Gurprit Benning
Asb Property Consultants
Exchange House
494 Midsummer Boulevard Milton
Keynes

Application Ref: 13135/APP/2019/1336

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

REFUSAL OF PLANNING PERMISSION

The Council of the London Borough of Hillingdon as the Local Planning Authority within the meaning of the above Act and associated Orders **REFUSES** permission for the following:-

Description of development:

Single storey front/side/rear extension

Location of development: 360 Bath Road, Harmondsworth

Date of application: 17 April 2019

Plan Numbers: See attached Schedule of plans

Permission is refused for the reason(s) listed on the attached schedule:-

Head of Planning, Transportation and Regeneration

Date: 10 June 2019

- NOTES:
- (i) Please also see the informatives included in the Schedule of Reasons.
 - (ii) Should you wish to appeal against this decision please read the attached sheet which explains the procedure.

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

REFUSAL OF PLANNING PERMISSION

Application Ref: 13135/APP/2019/1336

SCHEDULE OF REASONS

- 1 · The proposed extension by reason of its size, scale, bulk, depth, width, proximity to the side boundary and projection forward of the return building line along Pinglestone Close, in this open prominent position, would result in the closing of an important gap characteristic to the area, resulting in a cramped appearance. The proposal would therefore represent an overdevelopment of the site to the detriment of the visual amenities of the street scene and the character and appearance of the surrounding area. The proposed development is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.
- 2 · The proposed front extension, by virtue of its size, scale, bulk and forward projection at ground floor level would result in an incongruous addition which would be detrimental to the architectural composition of the original dwelling, to the character, appearance and symmetry of the small terrace of houses of which it forms a part and to the visual amenities of the street scene and the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

INFORMATIVES:

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

We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

SCHEDULE OF REASONS

Standard Informatives

- 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 The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The spatial development strategy for London consolidated with alterations since 2011 (2016) and national

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
DMHD 1	Alterations and Extensions to Residential Dwellings
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2016) Quality and design of housing developments

SCHEDULE OF REASONS

guidance.

END OF SCHEDULE

Address:

Residents Services
London Borough of Hillingdon
3 North Civic Centre, High Street, Uxbridge UB8 1UW
Tel: 01895 250230
www.hillingdon.gov.uk

REFUSAL OF PLANNING PERMISSION

Application Ref.No.: 13135/APP/2019/1336

SCHEDULE OF PLANS

ASB628A-03 - received 17 Apr 2019

ASB628A-02 - received 17 Apr 2019

ASB628A-01 - received 17 Apr 2019

Location Plan (1:1250) - received 17 Apr 2019

ASB628A-04 - received 17 Apr 2019

RIGHTS OF APPLICANTS AGGRIEVED BY DECISION OF LOCAL PLANNING AUTHORITY

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Appeals to the Secretary of State

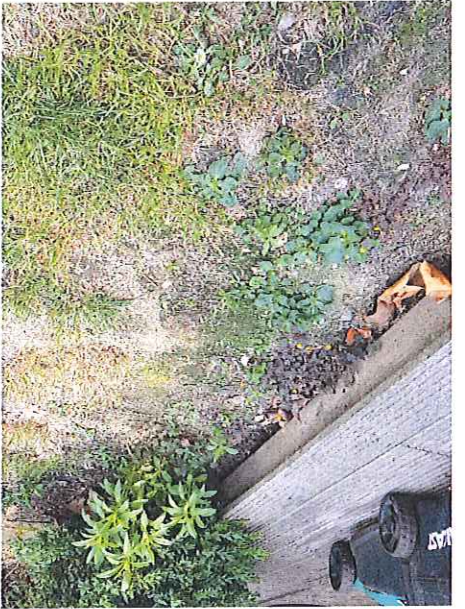
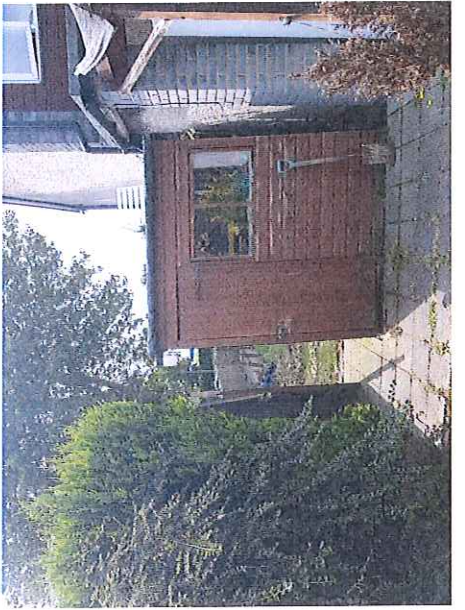
- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the office of the First Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- As this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.planningportal.gov.uk/pcs.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances, which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

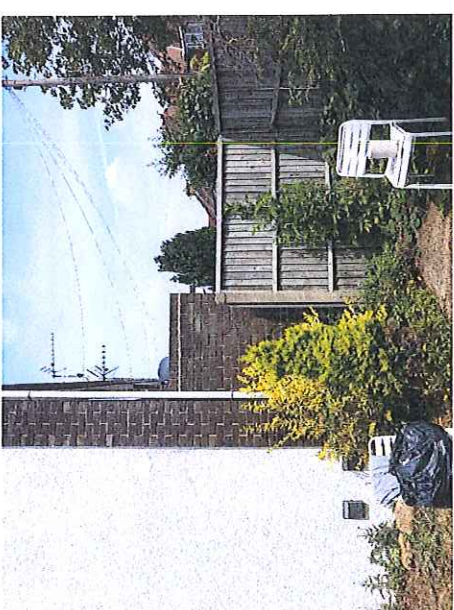
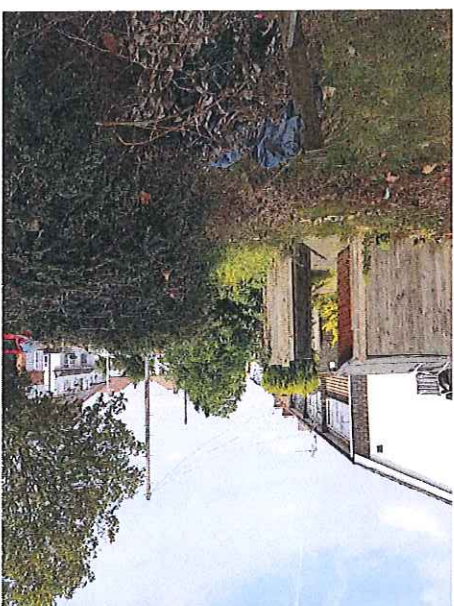
Purchase Notices.

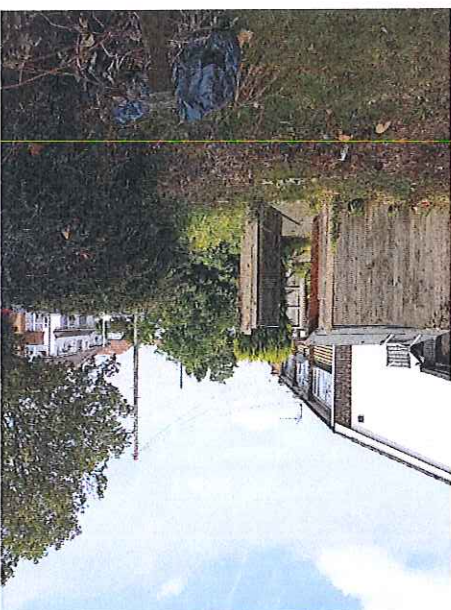
- If either the local planning authority or the office of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Appendix D

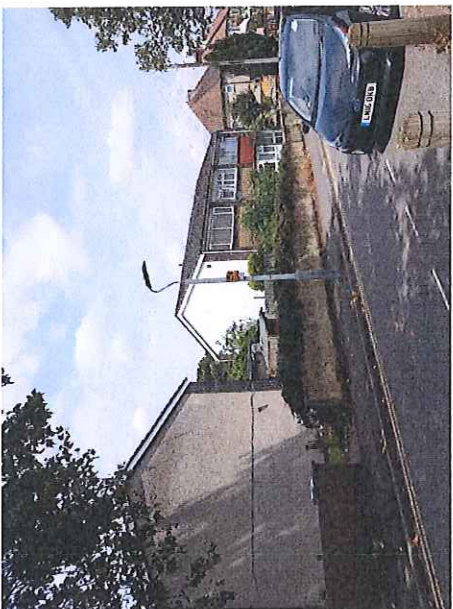
















Appendix E

APPEAL PRECEDENT

Example A



*Planning and Transportation Group
Civic Centre, High Street, Uxbridge
Middlesex UB8 1UW*

Tel: 01895 250400 / 250401

Fax: 01895 277086

Web: www.hillingdon.gov.uk

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
GRANT OF PLANNING PERMISSION**

H Singh
375 Hanworth Road
Hounslow
Middlesex
TW4 5LF

Application Ref: 22267/APP/2006/3222

The Council of the London Borough of Hillingdon as the Local Planning Authority within the meaning of the above Act and associated Orders **GRANTS** permission for the following:-

Description of development:

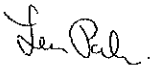
ERECTION OF A SINGLE STOREY SIDE AND REAR EXTENSION (INVOLVING THE DEMOLITION OF EXISTING SINGLE STOREY REAR EXTENSION AND DETACHED GARAGE).

Location of development: 16 Pinglestone Close, Harmondsworth

Date of application: 14 November 2006

Plan Numbers: See attached Schedule of plans

Permission is subject to the condition(s) listed on the attached schedule:-

Signed:..... 

**CORPORATE DIRECTOR OF PLANNING & COMMUNITY
SERVICE**

Date: 9 January 2007

- NOTES:
- (i) Please also see the informatives included in the Schedule of Conditions.
 - (ii) Should you wish to appeal against any of the conditions please read the attached sheet which explains the procedure.
 - (iii) This decision does not convey any approval or consent which may be required under any by-laws, building regulations or under any Act other than the Town and Country Planning Act 1990 (as amended).

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

GRANT OF PLANNING PERMISSION

Application Ref: 22267/APP/2006/3222

SCHEDULE OF CONDITIONS

- 1 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 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy BE15 of the Hillingdon Unitary Development Plan.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (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 walls or roof slopes of the development hereby approved facing No.14 Pinglestone Close.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan.

INFORMATIVES:

- 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 The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Unitary Development Plan set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

BE13 - Design of new development
BE15 - Design of new development
BE19 - Amenity and Character
BE20 - Sunlight and Daylight
BE21 - Residential Amenity
BE23 - Amenity Space Retained
BE24 - Privacy
AM14 - Parking Standards

SCHEDULE OF CONDITIONS

Supplementary Planning Document "Residential Extensions".
Council's Interim Car Parking Standards (December 2001)

- 3 . You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.
- 4 . You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.
- 5 . Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).
- 6 . You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).
- 7 . The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
carry out work to an existing party wall;
build on the boundary with a neighbouring property;
in some circumstances, carry out groundworks within 6 metres of an adjoining building.
Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall

SCHEDULE OF CONDITIONS

Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Planning and Transportation Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

- 8 . Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

- 9 . 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 should only be carried out between the hours of 08.00 hours 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 or Bank Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

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

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 277401) 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.

- 10 . To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO₂) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.
- 11 . You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).
- 12 . Written notification of the intended start of works shall be sent to Planning and Transportation Group, London Borough of Hillingdon, Civic Centre, High Street,

Application Ref: 22267/APP/2006/3222

SCHEDULE OF CONDITIONS

Uxbridge, UB8 1UW at least seven days before the works hereby approved are commenced.

END OF SCHEDULE

GRANT OF PLANNING PERMISSION

Application Ref.No.: 22267/APP/2006/3222

SCHEDULE OF PLANS

Drawing Number: DP/06/200, 1:200 Block plan and 1:1250 Ordnance Survey plan,
received 14th November 2006.

**RIGHTS OF APPLICANTS AGGRIEVED BY DECISION
OF LOCAL PLANNING AUTHORITY**

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the office of the First Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Planning Inspectorate at Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel. 0117 372 8428). Appeal forms can be downloaded from the Planning Inspectorate's website at <http://www.planning-inspectorate.gov.uk>.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances, which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices.

- If either the local planning authority or the office of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Site Map 1:1250

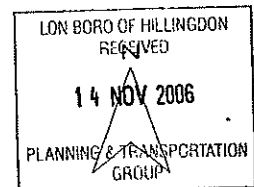
MAPPING FOR PLANNING
AND BUILDING CONTROL
APPLICATIONS

NOT TO BE REPRODUCED

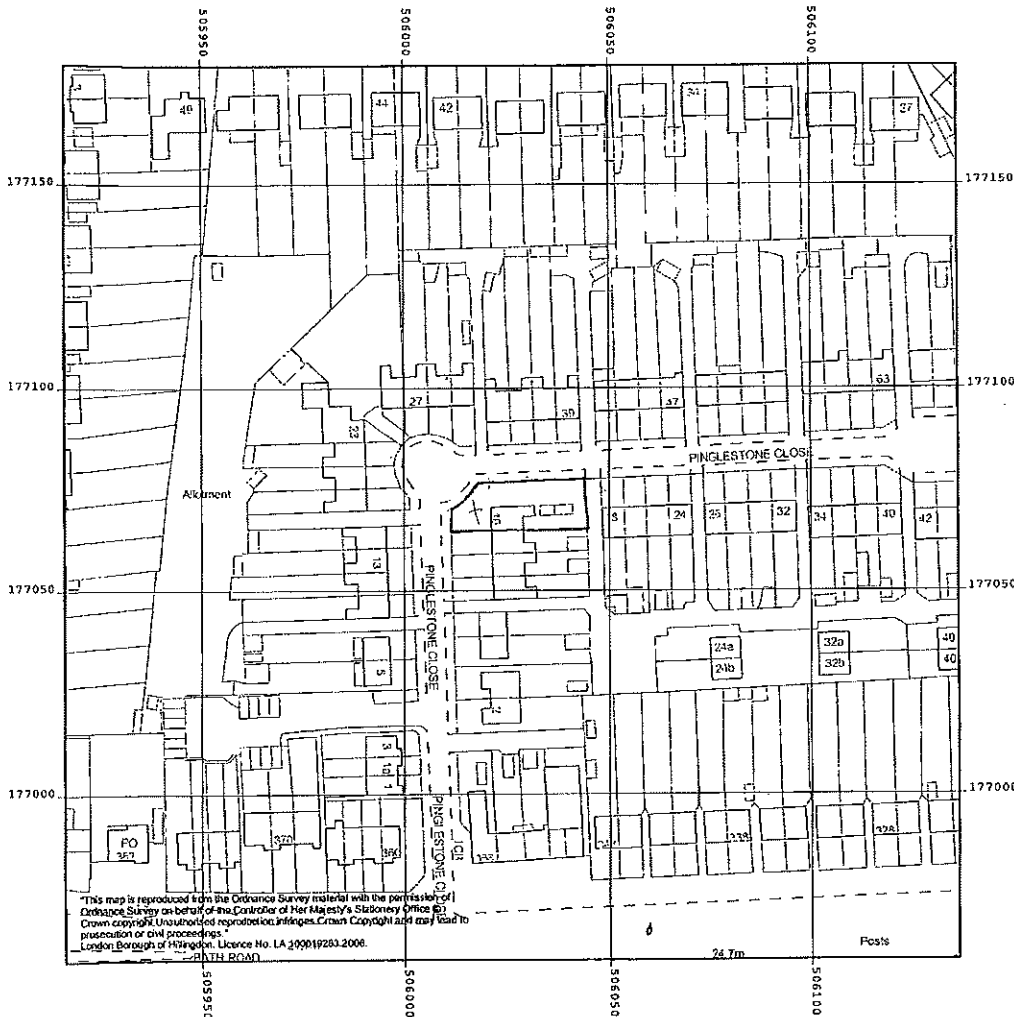
London Borough of Hillingdon
Building Control Services
Civic Centre
High Street
Uxbridge
Middx UB8 1UW
Tel: 01895-250804/5/6/7/8

Search Conducted For:

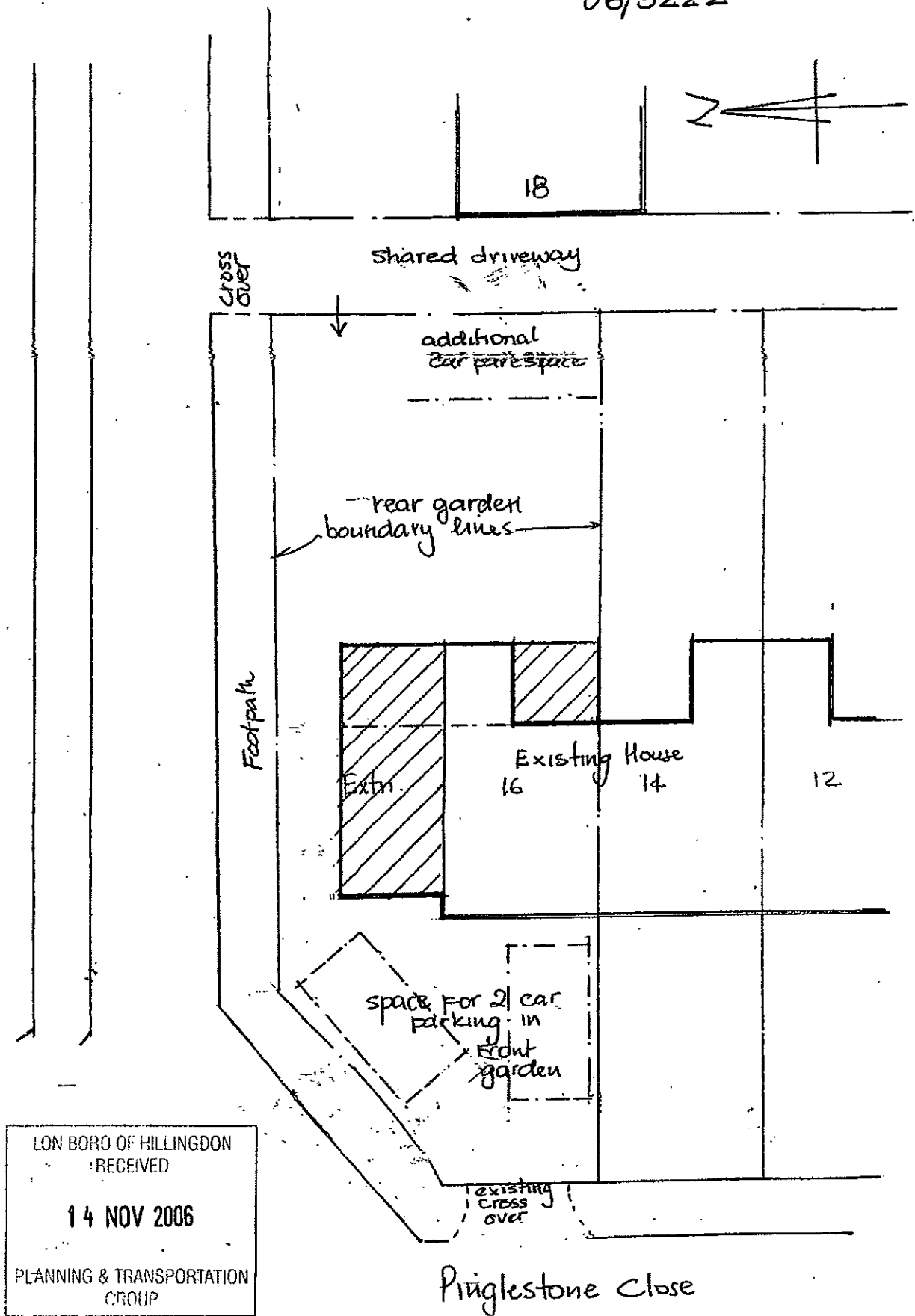
16 PINGLESTONE CLOSE
HARMONDSWORTH
UB7 0DL



06/3222



06/3222

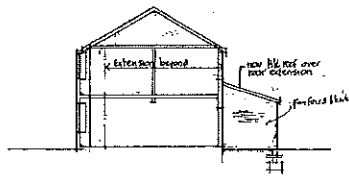


LON BORO OF HILLINGDON
RECEIVED

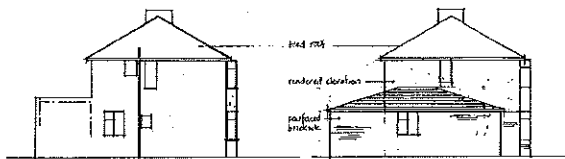
14 NOV 2006

PLANNING & TRANSPORTATION
GROUP

BLOCK PLAN: 16 PINGLESTONE CLOSE 1:200



SECTION X-X

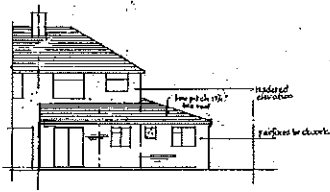


EXISTING SIDE ELEVATION

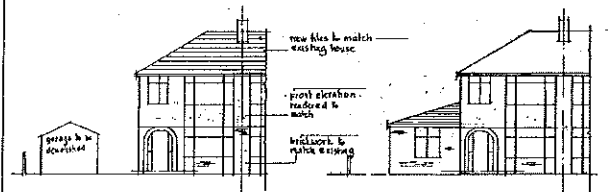
PROPOSED SIDE ELEVATION



EXISTING REAR ELEVATION

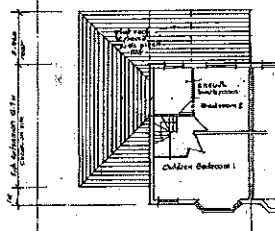


PROPOSED REAR ELEVATION

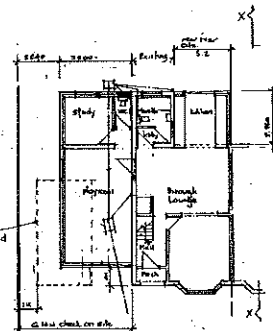


EXISTING FRONT ELEVATION

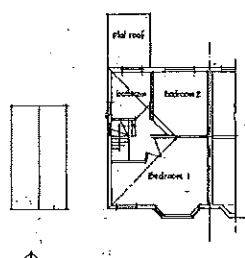
PROPOSED FRONT ELEVATION



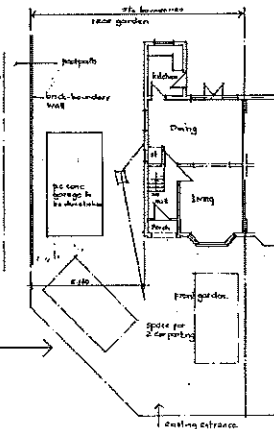
PROPOSED FIRST FLOOR LAYOUT



PROPOSED GROUND FLOOR LAYOUT



EXISTING FIRST FLOOR LAYOUT
EXISTING GROUND FLOOR LAYOUT



NOTES

Check all dimensions on site. Rectify any discrepancies at once.
All work shall be to Town Planning & Building Control approvals.

DATE OF REVISION
11 NOV 2015
REVISION DESCRIPTION
REV

DATE OF REVISION
11 NOV 2015
REVISION DESCRIPTION
REV

04/322.2

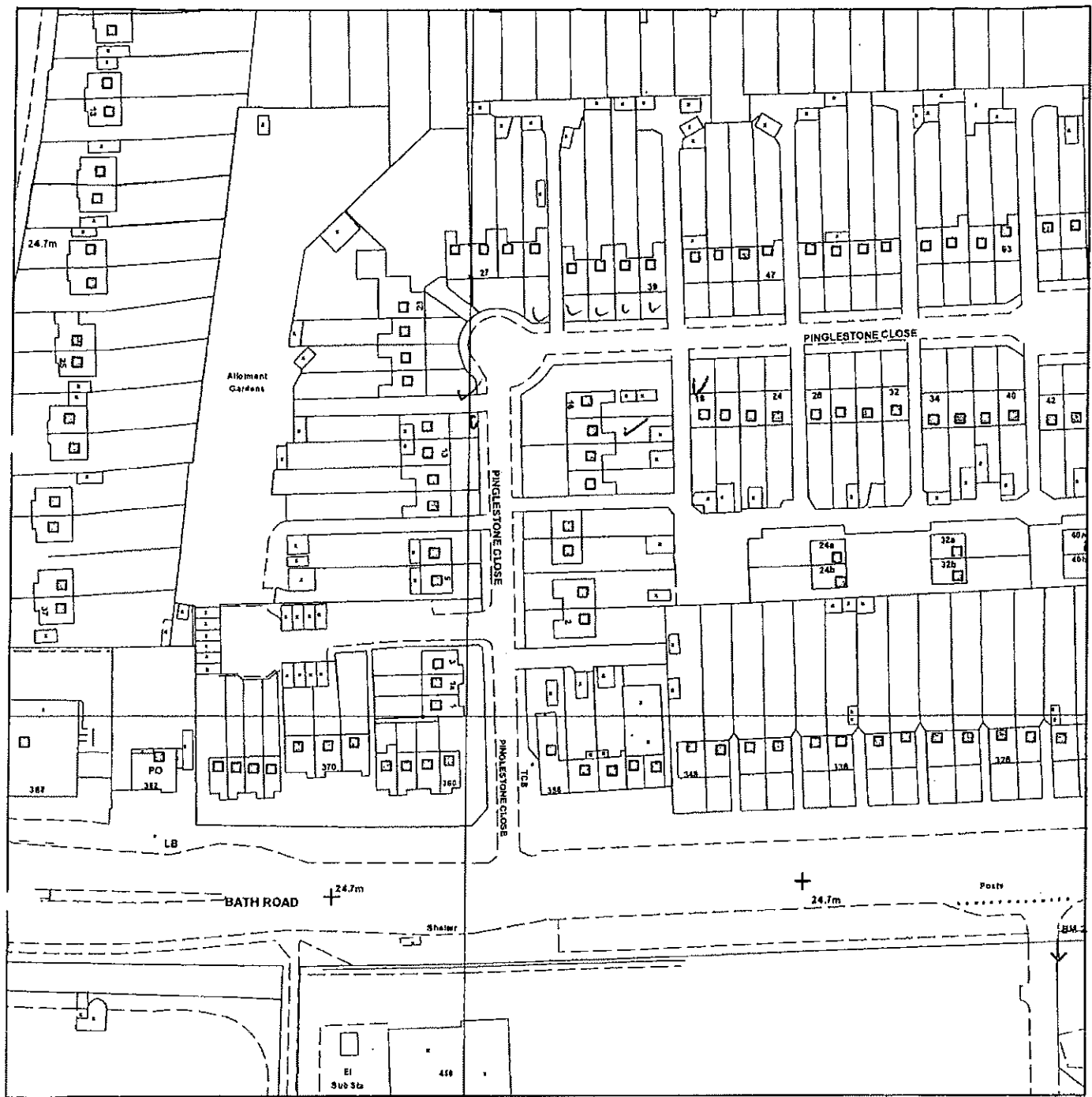
REVISIONS

PROPOSED SINGLE STOREY SIDE, SINGLE STOREY REAR EXTNS

AT
16 PINGLESTONE CRESCENT
HARMONDSWORTH UESTDL
for: DIPAK PATEL ESQ.

MR. DIPAK PATEL
16 Pinglestone Crescent
Harmondsworth
UB7 0OL
Tel: 0791 539 1264

Scale: 1:100 Date: Nov 06
DLS DP/06/100



APPEAL PRECEDENT

Example B



Putting our residents first

≡ Planning

Planning and building control

[View Documents](#)[Enter Comment](#)[Back to Search page](#)

Reference	31503/APP/2003/1224
Status	Approval
Proposal	ERECTION OF A PART TWO STOREY, PART SINGLE STOREY REAR EXTENSION AND A FRONT PORCH
Location	42 PINGLESTONE CLOSE HARMONDSWORTH
Ward	HEATHROW VILLAGES
Case Officer	Barbara A Overwater
Received	19-05-03
Validated	19-05-03
Decision By	14-07-03
Neighbours	Consultation Started : , Comments Due :
Site Notice	Posted : 22-05-03, Displayed Until : 19-06-03
Decided	25-06-03
Agent	Mr S S Chana 294 London Road Langley Slough Berkshire SL3 7HU

APPEAL PRECEDENT

Allowed at Appeal



Appeal Decision

Site visit made on 27 June 2016

by Chris Couper BA (Hons) DiP TP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30 June 2016

Appeal Ref: APP/R5510/D/16/3149460

35 The Rise, Hillingdon, Middlesex UB10 0JL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Charles Debono against the decision of the Council of the London Borough of Hillingdon.
 - The application ref: 53952/APP/2015/4745, dated 29 December 2015, was refused by notice dated 22 February 2016.
 - The development proposed is described as a 'part single storey and part two storey front and side extension (amended scheme following refusal of planning permission 53952/APP/2015/3563)'.
-

Decision

1. The appeal is allowed and planning permission is granted for a part single storey and a part two storey front and side extension at 35 The Rise, Hillingdon, Middlesex UB10 0JL in accordance with the terms of the application, Ref 53952/APP/2015/4745, dated 29 December 2015, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: drawing nos. 1530/02A and 1530/03A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building.

Procedural Matter

2. The planning history of the appeal site forms no part of this proposal. The reference to it in the description of the development on the application form is therefore superfluous and I have omitted it from my formal decision above.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property and the area.

Reasons

4. No. 35 forms one half of a semi-detached, hipped roofed pair of dwellings. Elsewhere on The Rise there is a mixture of predominantly semi-detached and detached houses, often in a similar style, and many with two storey front bay windows. Some also have single or two storey side extensions, and I observed instances, such as at no. 30, where parts of extensions are flush with the building's front face.
5. Although it would be two storey, the scheme would be set down from the host's ridge line, and it would have a similar hipped roof form. Whilst the proposed ground floor would be flush with much of the adjoining front wall, so is the single storey side projection it would replace, and it would be set back from the property's two storey bay window. Consequently the bay window on this property, and on its attached neighbour at no. 37, would remain the building's dominant feature. The lean-to roof which would link the scheme's ground and first floor elements would be modestly proportioned and would reflect the angle of the existing roof slopes. It would not add significant bulk. Given the scheme's width, which would be under half the width of the host property's retained front elevation, its set down, and its 1m set back at first floor, the proposal would appear subordinate to the original dwelling.
6. At paragraph 5.6 the Hillingdon Design and Accessibility Statement: Residential Extensions Supplementary Planning Document 2008 ('SPD') states that on semi-detached houses ground and first floor side extensions should be set back 1m from the host building's front building line. The scheme would comply with that at first floor. Whilst it would not at ground floor, neither does the existing single storey side projection, and for the reasons above, it would comply with the SPD's broad objective of ensuring that extensions achieve a subordinate appearance to the existing house.
7. No. 37 does not have a two storey side extension and, to a degree, this scheme would therefore unbalance the symmetry of the pair. However, its subordinate appearance, similar roof form and the use of matching materials would significantly limit that effect. Consequently the scheme would not harm the character and appearance of the host dwelling or the area.
8. For those reasons the proposed development would not conflict with policy BE1 of the Hillingdon Local Plan: Part 1 – Strategic Policies 2012, or with policies BE13, BE15 and BE19 of the Hillingdon Unitary Development Plan 1998. Amongst other things, and in broad terms, those policies require schemes to achieve a high quality design with regard to the local area, including its character and distinctiveness; and to harmonise with the scale, form, composition and proportions of the original building. It would also accord with the National Planning Policy Framework ('Framework') requirement for good design as a key aspect of sustainable development, and with the broad thrust of the SPD. The appeal will therefore be allowed.

Conditions and conclusion

9. Turning to the matter of conditions, I have considered those suggested by the Council against the tests in the Framework. In addition to the standard time limit condition, for the avoidance of doubt and in the interests of proper planning, I have imposed a condition requiring that the development be carried

out in accordance with the approved plans. In the interests of the character and appearance of the area, a condition requiring that the extension be faced with matching materials is also necessary. For the above reasons, and having regard to all other matters raised, the appeal is allowed.

Chris Couper

INSPECTOR



Mr Clive Baldwin
Clarks Barn
Bassetsbury Lane
High Wycombe, Bucks HP11 1QX

Application Ref: 53952/APP/2015/4745

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

REFUSAL OF PLANNING PERMISSION

The Council of the London Borough of Hillingdon as the Local Planning Authority within the meaning of the above Act and associated Orders **REFUSES** permission for the following:-

Description of development:

Part two storey, part single storey side extension and porch to front

Location of development: 35 The Rise, Hillingdon

Date of application: 30 December 2015

Plan Numbers: See attached Schedule of plans

Permission is refused for the reason(s) listed on the attached schedule:-

Head of Planning and Enforcement

Date: 22 February 2016

NOTES: (i) Please also see the informatives included in the Schedule of Reasons.

(ii) Should you wish to appeal against this decision please read the attached sheet which explains the procedure.

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

REFUSAL OF PLANNING PERMISSION

Application Ref: 53952/APP/2015/4745

SCHEDULE OF REASONS

- 1 . The proposed two storey side extension, by virtue of its siting, size, scale and design, including the lack of a set back from the front at all levels, would fail to appear as a subordinate addition and would thus be detrimental to the appearance of the original dwelling, the symmetry of the pair of semi-detached dwellings of which it forms a part, the visual amenities of the street scene and the character and appearance of the wider area. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

INFORMATIVES:

- 1 . On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.
- 2 . In dealing with the application the Council has implemented the requirements in the National Planning Policy Framework to work with the applicant in a positive and proactive way. However, the Council has however been unable to seek solutions to issues arising from the application as the principal of the proposal is contrary to the Council's statutory policies and negotiation could not overcome the reasons for refusal.

SCHEDULE OF REASONS

Standard Informatives

- 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 The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

Part 1 Policies:

Part 2 Policies:

AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
OE1	Protection of the character and amenities of surrounding properties and the local area
NPPF	National Planning Policy Framework
LPP 3.5	(2015) Quality and design of housing developments

END OF SCHEDULE

Address:

Residents Services
London Borough of Hillingdon
3 North Civic Centre, High Street, Uxbridge UB8 1UW
Tel: 01895 250230
www.hillingdon.gov.uk

REFUSAL OF PLANNING PERMISSION

Application Ref.No.: 53952/APP/2015/4745

SCHEDULE OF PLANS

1530/02A - received 30 Dec 0015

1530/03A - received 30 Dec 0015

RIGHTS OF APPLICANTS AGGRIEVED BY DECISION OF LOCAL PLANNING AUTHORITY

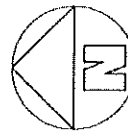
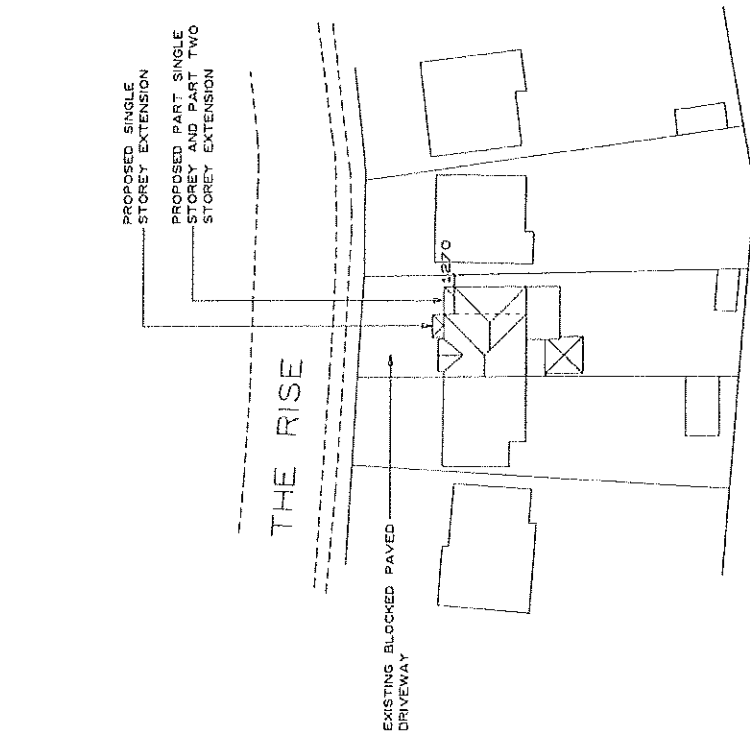
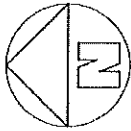
TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the office of the First Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- As this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.planningportal.gov.uk/pcs.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances, which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

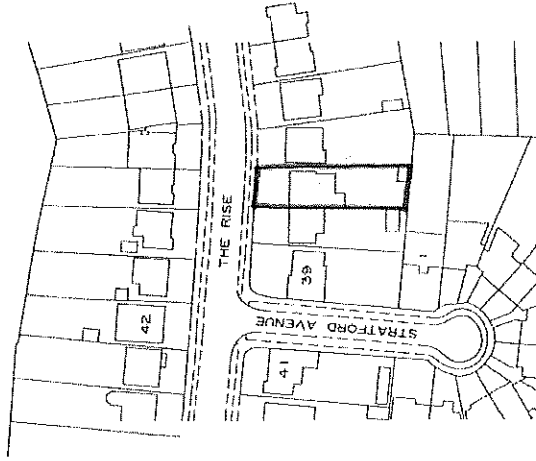
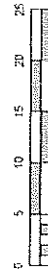
Purchase Notices.

- If either the local planning authority or the office of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.



SITE PLAN

SCALE 1:500



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LOCATION PLAN

SCALE 1:1250



Revisions

A. Proposal amended 20/11/15

CLIVE BALDWIN Building Design

Clarks Barn, Bassettbury Lane, High Wycombe, Bucks. HP11 10X.
Telephone: 01494 448348

**35 THE RISE
HILLINGDON**

Proposed extension

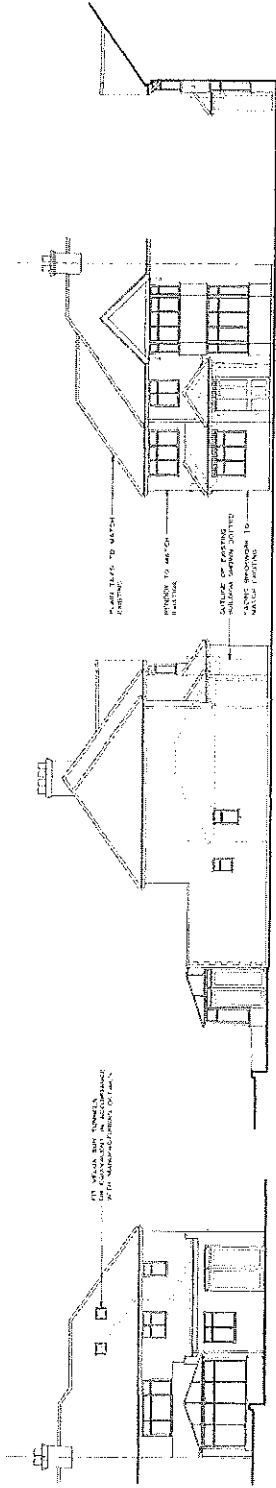
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1530/03A

Scale this drawing for planning purposes only.

All dimensions are to be checked on site and any discrepancies reported

Date: SEPTEMBER 2015



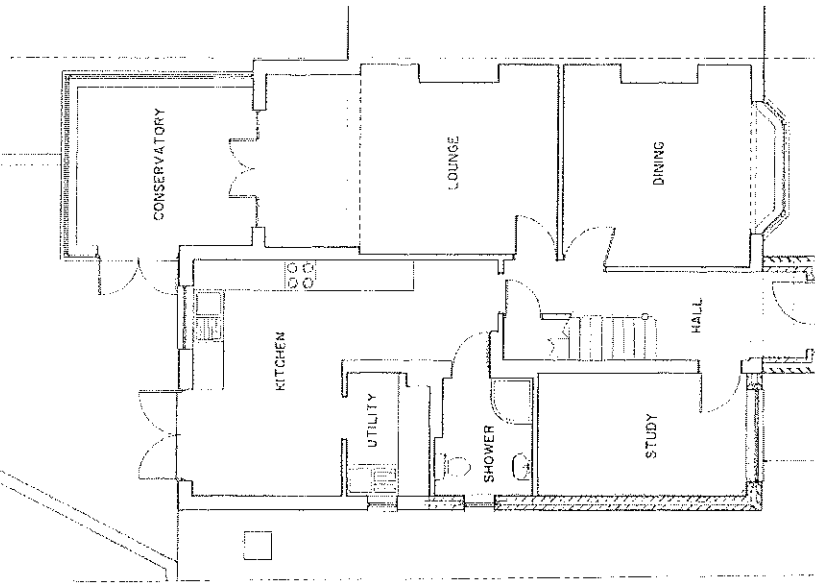
REAR L H SIDE FRONT R H SIDE

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0 1 2 3 4 5

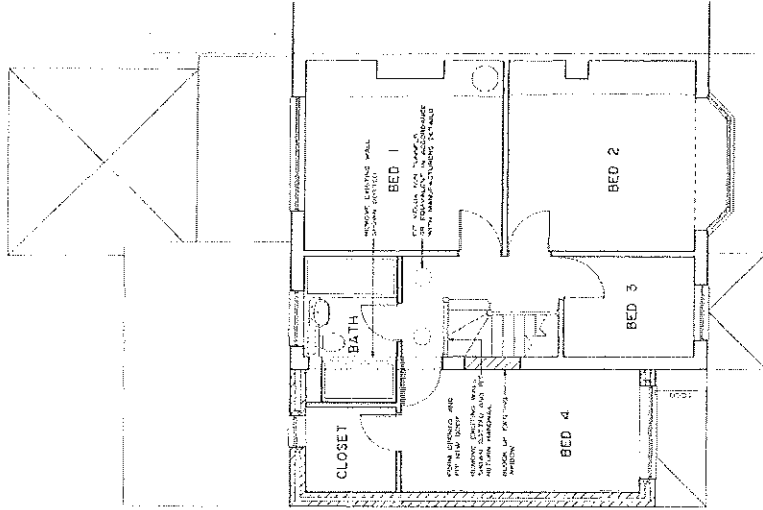
0 1 2 3 4 5

0 1 2 3 4 5



GROUND FLOOR

0 1 2 3 4 5



FIRST FLOOR

Revisions

A. Proposals amended 26/11/15

CLIVE BALDWIN *Building Design*

Corks Barn, Boreasbury Lane, High Wycombe, Bucks. HP11 1QX
Telephone: 01494 440349



35 THE RISE
HILLINGDON

Proposed extension

Scale: 1:50, 1:100 @ A1 Date: MAY 2015

1530/02A

Scale this drawing for Planning purposes only
All dimensions are to be checked on site and any discrepancies reported.