

HEAD OFFICE

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



LOCAL OFFICE

CROWN HOUSE HOME GARDENS
DARTFORD
KENT
DA1 1DZ

**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 : MS A AFSANA

**APPEAL SITE : 40 ROYAL LANE
UXBRIDGE UB7 8DL**

OUR REF : B201/2019

LPA REF : 10789/APP/2019/1414

DATE : 25TH AUGUST 2019

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1.0 INTRODUCTION

1.1 The London Borough of Hillingdon refused planning permission at 40 Royal Lane Uxbridge Yiewsley UB7 8DL for the erection of two storey attached 1-bed dwelling with associated parking and amenity space on 25th June 2019, application Ref: 10789/APP/2019/1414, for the following reasons:

- 1. The proposed attached house by reason of its position on this open prominent corner site would reduce the visual openness and result in the closing of an important gap, characteristic to the area, which currently exists at this road junction, giving rise to a cramped form of development. The proposal would therefore be detrimental to the character and visual amenities of the street scene and the wider area, 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 Supplementary Planning Documents HDAS: Residential Layouts and HDAS: Residential Extensions..**
- 2. The proposed dwellinghouse, by virtue of its overall size, scale, bulk, height, siting and proximity, would be detrimental to the amenities of the adjoining occupiers at 2A and 2 Birch Avenue by reason of over dominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore the proposal would be contrary to policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's Supplementary Planning Documents HDAS: Residential Layouts and HDAS: Residential Extensions.**
- 3. The proposed dwellinghouse, by reason of the siting and position of the proposed first floor rear windows, would result in the direct overlooking of the adjoining properties at 2A, 2, 4 and 6 Birch Avenue causing an unacceptable loss of their privacy. The proposal is therefore contrary to Policies BE19 and BE24 of the**

Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's Supplementary Planning Documents HDAS: Residential Layouts and HDAS: Residential Extensions.

- 4. In the absence of a tree survey or arboricultural impact assessment, the applicant has failed to demonstrate that existing trees which contribute to the character of the area will be unaffected by the development and has not made provision for their long term retention/or justified their removal. The proposal is therefore contrary Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).**
- 5. The proposal has not demonstrated that sufficient off street parking/manoeuvring/access arrangements would be provided, and therefore the development is considered to result in substandard car parking provision to the Council's approved car parking standard, leading to on-street parking/queuing to the detriment of public and highway safety and contrary to Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning HDAS Guide: Residential Layouts.**

2.0 THE SITE LOCATION AND DESCRIPTION

- 2.1 The appellant site relates to a two storey end of terrace located on the south east side of Royal Lane at its junction with Birch Avenue. The property benefits from a corner plot with a forecourt and a rear 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 and the square on the photo shows the site of the proposed development





3.0 THE APPEAL PROPOSAL

- 3.1 The appellant seeks planning permission to erect a two storey one-bed attached dwelling with associated parking and amenity space.
- 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 in 2019 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 recent proposal which is the subject of this appeal is considered a revised proposal following a previous refusal planning ref: 10789/APP/2018/4145 on 25/02/1981 for a two storey two bedroom attached dwelling at 40 Royal Lane

This recent proposal has been revised and downsized from the previous submission from two bedrooms to one bedroom 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 the character and visual amenities of the street scene and the wider area,

- 3- Impact on the amenities of the adjoining occupiers at 2A and 2 Birch Avenue by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook.
- 4- Impact on the amenities of adjoining properties at 2A, 2, 4 and 6 Birch Avenue by reason of the siting and position of the proposed first floor rear windows, would result in the direct overlooking of the causing an unacceptable loss of their privacy.
- 5- Impact on trees
- 6- Impact on parking, highway and safety

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 supported by 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 propose to extend the property in order to improve the health and living conditions of his family, the proposal will put the land into effective use as advised by paragraph 117 and 118 that LPA should promote an effective use of land in meeting the needs of housing. The Appellant has acting within the remit of planning law.

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

5.4 **Reasons for refusal 1: Impact on the character and visual amenities of the street scene and the wider 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 proposal 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 proposal 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.

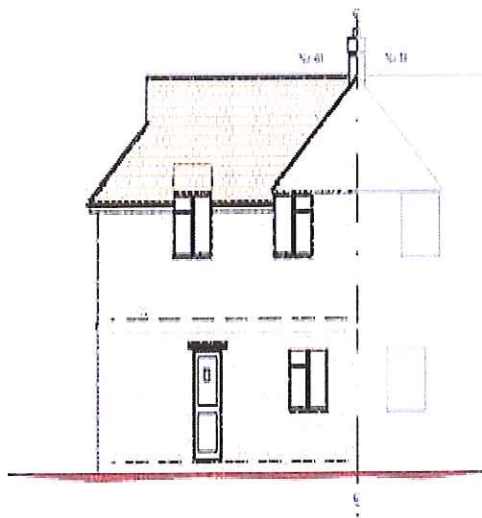
This advice distinguishes good design from poor design and encourages LPAs to approve development with good design, this view is supported by the following Policy:

- 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.

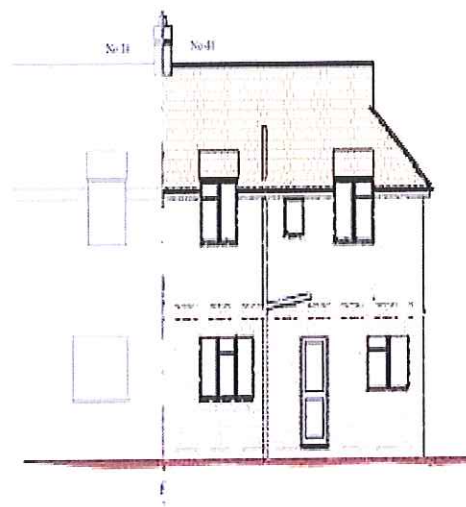
- 5.6 The appeal proposal provides a two storey 1 bedroom attached dwelling on the flank elevation of the host dwelling. The design of the proposal would have a similar design, same ridge height, the materials will matched the

host dwelling. The proposal by virtue of its size and height would appear congruous. The proposal would mimic the host dwelling in terms of architectural features, the fenestrations and openings would be symmetric, the proposal has been design to create a terrace effect that will not break the continuous roll of terrace. The size of the proposal has drastically been downsized from two bedrooms to one bedroom to ensure that the proposal do not appear massive, dominant and overbearing and most importantly that the proposal retain a reasonable open space at this prominent corner of the street.

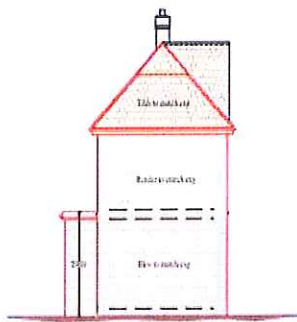
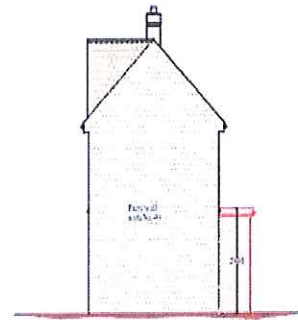
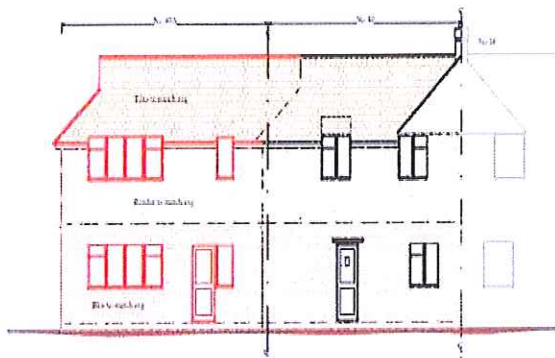
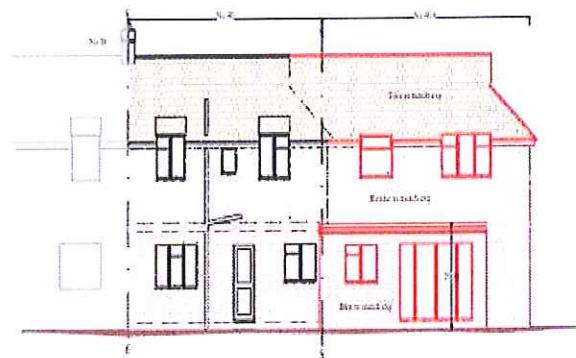
These measures would ensure that the proposal appear symmetric and complementary to the host property and moreover that the proposal respect the character and appearance and the visual amenities of the street scene and the wider area in accordance with Policy BE1 BE13, BE15, BE19 and BE22



EXISTING FRONT ELEVATIONS



EXISTING REAR ELEVATION

PROPOSED SIDE ELEVATIONPROPOSED SIDE ELEVATIONPROPOSED FRONT ELEVATIONSPROPOSED REAR ELEVATION

The drawing shows that the proposal will be symmetrical, sympathetic and congruent to the host property. The proposal would retain a reasonable open space at this prominent corner of the street

5.7 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);**

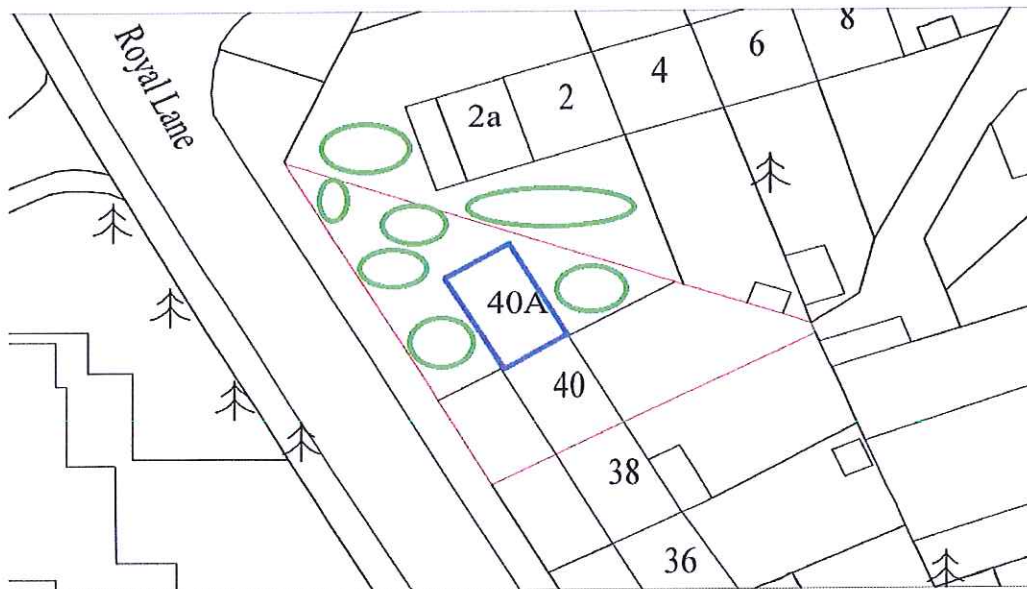
d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

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.

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 would positively responds to the local context; and would contribute to the established 'sense of place' within the wider area. Therefore, it is considered that the proposed development would be congruent with the existing pattern of development in the area.

- 5.8 The LPA claimed that the proposed development by reason of its size would be prominent in this open position and 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 two storey, one bedroom flat that would be complimentary to existing form of development in the area. The proposal will not encroached the building line and will retain a reasonable open space and set back to ensure that visual amenities of the street scene are not affected and that the proposal does not result to a cramped form of development nor result to overdevelopment of the site.



The green circles on the block plan shows open spaces and set backs therefore the proposal would not result in closing down the visual gap nor cramped form of development nor overdevelopment of the site

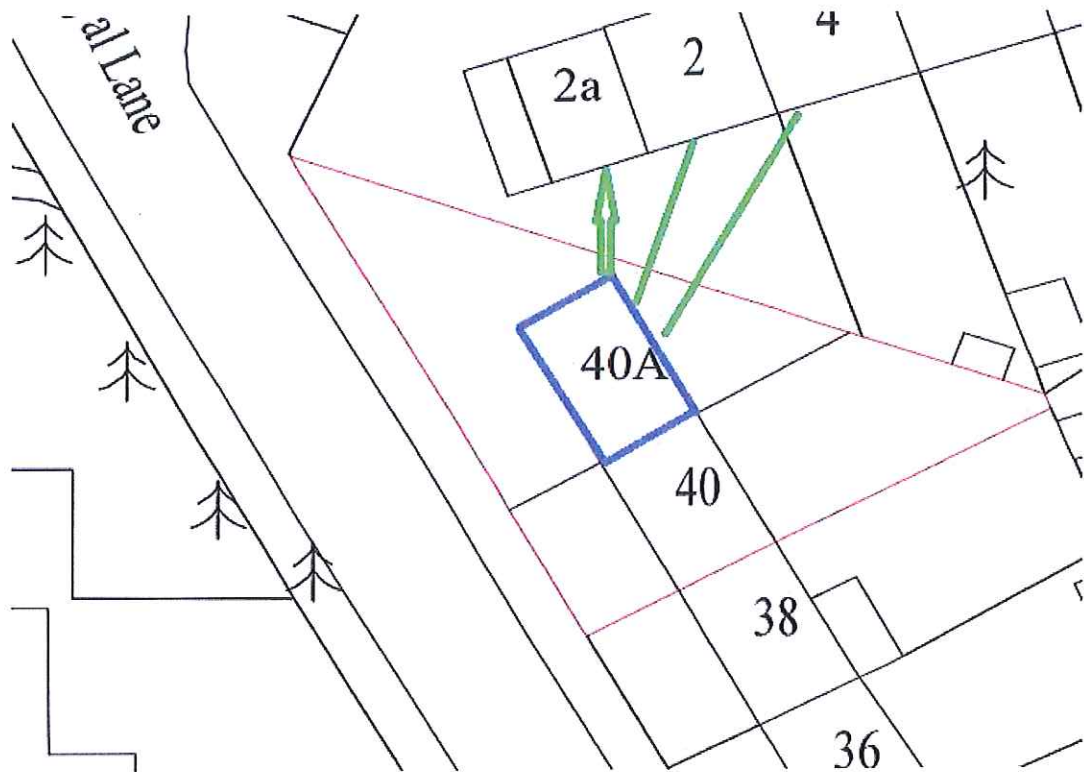
The development in the view of this appeal, would respect the streetscape value of the existing layout, the special local and architectural townscape in accordance with Policy BE1 of the Unitary Development Plan. The proposal is seen as enhancement the street scene.

5.9 Reasons for refusal 2: Impact on the amenities of the adjoining occupiers at 2A and 2 Birch Avenue by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook

The Council claimed that the proposal will have a harmful impact on adjoining occupiers at 2A and 2 Birch Avenue. This appeal argues that the proposed development would provide a relatively good standard of accommodation that will be neighbourly friendly.

It is not considered that the proposed development would not have any detrimental impact on adjoining occupiers' nos. 2A and 2 Birch Avenue due to the separation distance between the proposed and adjoining occupiers , the development respect or maintained front, side and rear set back or building lines. It is considered that no unacceptable level of visual intrusion, loss of light, loss of outlook, overdominance and overshadowing will occur as a result of this development

- 5.10 The development has acceptable or reasonable setback/distances from neighbouring properties and therefore no significant impact would occur. The proposed development is oriented as back to back development and relates well to the adjoining dwelling. The set back or distance from the rear window of the proposed development to the adjoining rear window is more than 10m apart. The setback or distance between the proposed development and adjoining property nos. 2A and 2 Birch Avenue would mitigate any harmful impact such as overlooking, loss of privacy, sense of enclosure and overbearing.



The arrow and green lines on the block plan shows the setbacks and separation between the proposal and adjoining properties. The setbacks will mitigate impacts on the adjoining properties.

- 5.11 It is the view of this appeal that every development in a suburban setting would pose a degree of dominance, overshadowing, visual intrusion, loss of light and loss of outlook, what matters is the degree of the impact. In this particular development, the degree of harm on the adjoining neighbouring properties will be very minimal.

If the Council has strong concerns that the proposed development will pose a significant harm of overlooking or loss of privacy to adjoining properties, then a condition to limit the windows to frosty glass should be imposed as advice by paragraph 54 of NPPF 2019 which highlights 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.

- 5.12 **Reasons for refusal 3: Impact on the amenities of adjoining properties at 2A, 2, 4 and 6 Birch Avenue by reason of the siting and position of the proposed first floor rear windows, would result in the direct overlooking of the causing an unacceptable loss of their privacy.**

This appeal refute the claim that the proposed development have an impact on the amenities of adjoining properties at 2A, 2, 4 and 6 Birch by reason of the siting positioning of the rear window.

This appeal argues that developments that are oriented back to back in rolls of terraces in an urban setting which would have an acceptable level of overlooking.

This appeal further contest that the proposed development by nature of its position, setbacks and separating gaps would not have a harmful impact on adjoining properties nos. 2A, 2, 4 and 6 Birch Avenue. This appeal acknowledge that there will be a slight degree of overlooking on nos. 2A but argues that the amount of overlooking is considered acceptable.

- 5.13 While this appeal concludes that the level of overlooking will be acceptable but if the Council has strong concerns that the position of the window on

the first floor rear elevation will pose a significant harm of overlooking or loss of privacy to adjoining properties, then a condition to restrict the window to non-opening frosty glass or change the position should be imposed as advice by paragraph 54 of NPPF 2019 which highlights 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.

5.14 Reasons for refusal 4: Impact on trees

In the absence of a tree survey or arboricultural impact assessment, the applicant has failed to demonstrate that existing trees which contribute to the character of 5.10 5 the area will be unaffected by the development and has not made provision for their long term retention/or justified their removal. The proposal is therefore contrary Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

5.15 The Appellant grounds of appeal is that the proposal would not affect the trees nor detract from the character and appearance and the visual amenities of the street scene on the account that most of the vegetation and trees that maybe affected or removed would be replanted so as to maintain the character and appearance and the visual amenities of the street scene.

5.16 It is noted that the Council failed to request tree survey or arboricultural impact assessment from the Appellant and the Council has not indicated whether these trees are protected species or they have TPO (Tree Preservation Order) or not. In this case if the Council has great concern about the welfare of the trees they should have request for a detail arboricultural impact assessment report otherwise impose a condition to protect the trees as advised by paragraph 54 of NPPF 2019 which highlights 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.

5.17 Reasons for refusal 5: The proposal has not demonstrated that sufficient off street parking/manoeuvring/access arrangements would be provided, and therefore the development is considered to result in substandard car parking provision to the Council's approved car parking standard, leading to on-street parking/queuing to the detriment of public and highway safety and contrary to Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning HDAS Guide: Residential Layouts

The Council claimed that the proposal has not demonstrated that sufficient off street parking/manoeuvring/access arrangements have been provided.

The claim is unfounded, the site characteristics shows that the street on which the development is sited has unrestricted on onstreet parking.

5.18 Moreover, it is the view of this appeal that if the Council had serious concerns about parking, highway and safety then full detail parking analysis should have been requested from the Appellant during the processing of the application or the Council could have dealt with the issue by means of a condition as advised by Paragraph 54 of NPPF 2019 which advise 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.

The proposed development would not have a detrimental impact on highway and safety and parking in the immediate surrounding.

Summary

The proposed development in the view of this appeal would not have an impact on the character and appearance of the street scene nor the wider 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

It is noted that most of the issues and concerns raised by the Council as reasons for refusal could have been dealt with by means of conditions. In view of that, the planning Inspector is requested to grant planning permission with conditions

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 existing development in the area continued on following pages.....





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

Example A-

Planning ref: 50259/APP/2018/3943

Address: 18 ROYAL LANE YIEWSLEY

Description: Single storey side/rear extension and first floor rear extension

Decision: Approved

Date: 02-01-19

Example B-

Planning ref: 69064/APP/2014/3273

Address: GROVE LODGE ROYAL LANE HILLINGDON UB8 3QR

Description: Single storey, 3-bed detached dwelling including a rear dormer and two side rooflights, installation of vehicular crossover to front with associated parking and amenity space involving demolition of existing bungalow

Decision: Approved

Date: 17-11-14

Example C

Planning ref: 16951/APP/2015/3756

Address: 33 ROYAL LANE YIEWSLEY WEST DRAYTON UB7 8DW

Description: Single storey side/rear extension (Resubmission)

Decision: Approved

Date: 23-11-15

6.3 Example of similar development that was refused planning permission but allowed at appeal.

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".

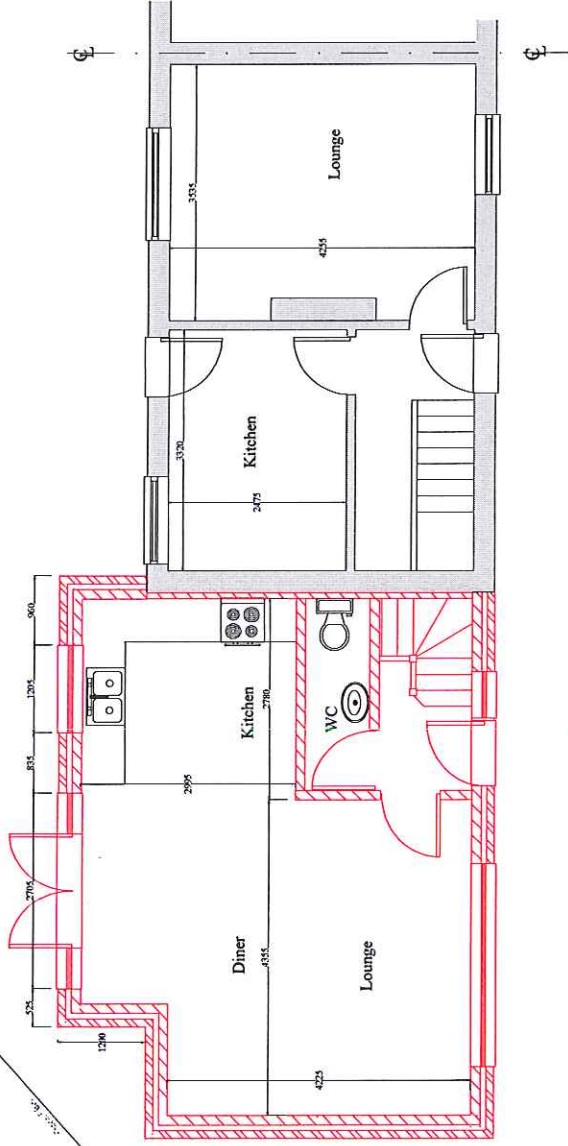
7.0 CONCLUSIONS

- 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

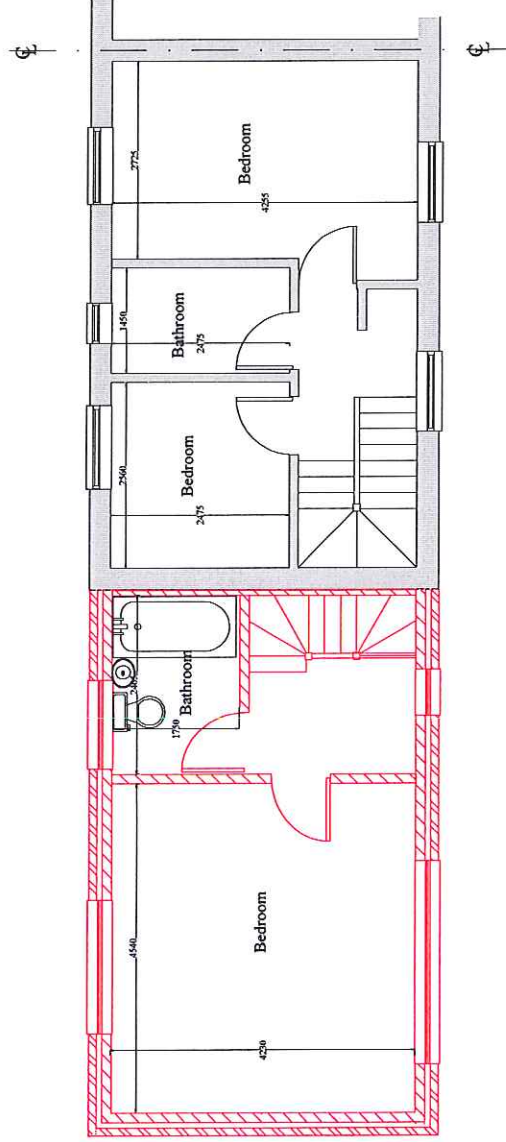
scene and wider area. Consequently, the proposal would not conflict with the NPPF, policies of the London Plan, and The London Borough of Hillingdon Unitary Development Plan.

- 7.3 It is the view of this appeal that every development in a suburban setting would pose a degree of dominance, overshadowing, visual intrusion, loss of light and loss of outlook, what matters is the degree of the impact. In this particular development, the degree of harm on the adjoining neighbouring properties will be very minimal.
- 7.4 The proposed development by nature of its position, setbacks and separating gaps would not have a harmful impact on adjoining properties nos. 2A, 2, 4 and 6 Birch Avenue.
- 7.5 The proposed development would not have a detrimental impact on parking, highway and safety, the site street on which the proposal forms part of has no restricted parking.
- 7.6 In these circumstances, the Inspector is respectfully requested to uphold the appeal and grant planning permission.

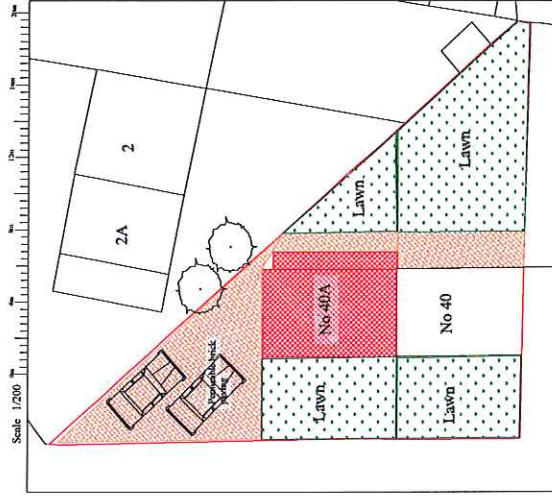
Appendix A



PROPOSED GROUND FLOOR PLAN

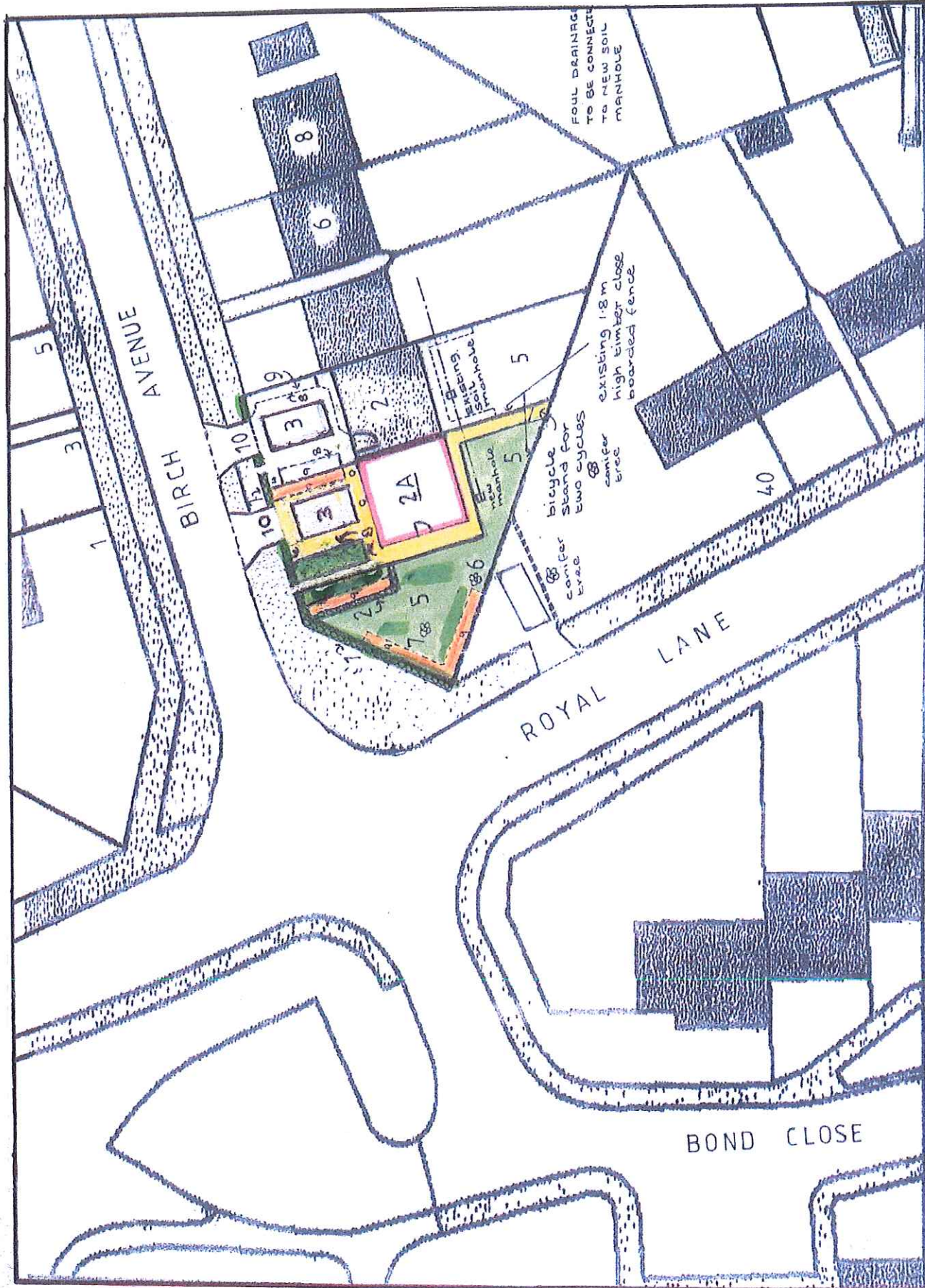


PROPOSED FIRST FLOOR PLAN



PROPOSED SITE PLAN (1/200)

Notes:		1 Refer notes on Drawing No P/4001	
Scale	1:50,200	Drawn	03/04/19
Drawing: 40 Royal Lane, West Drayton, UB7 8DL			
Project: Proposed Attached Dwelling House			
Scale	1:50,200	Drawn	P/4002
Date	Oct 2018	Rev	A
Drawn	MK	Size	A2



LAND ADJOINING 2 BIRCH AVENUE, YIEWSLEY UB7 8DD
 location plan
 1:250
 dwn no 213
 revision 'B'
 N

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

Application for Planning Permission.
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	40
Suffix	
Property name	
Address line 1	Royal Lane
Address line 2	
Address line 3	
Town/city	Uxbridge
Postcode	UB7 8DL

Description of site location must be completed if postcode is not known:

Easting (x)	506615
Northing (y)	181227
Description	

2. Applicant Details

Title	Ms
First name	A
Surname	Afsana
Company name	
Address line 1	40, Royal Lane
Address line 2	
Address line 3	
Town/city	Uxbridge
Country	

2. Applicant Details

Postcode	UB7 8DL
Primary number	07852193005
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	Mohinder
Surname	Kalsi
Company name	Line Design Ltd
Address line 1	Suite 141 Rye House
Address line 2	
Address line 3	161 High Street
Town/city	Ruistlip
Country	
Postcode	HA4 8JY
Primary number	07904579357
Secondary number	
Fax number	
Email	linedesignltd@mail.com

4. Site Area

What is the measurement of the site area?
(numeric characters only).

Unit

5. Description of the Proposal

Please describe details of the proposed development or works including any change of use.

If you are applying for Technical Details Consent on a site that has been granted Permission In Principle, please include the relevant details in the description below.

Has the work or change of use already started?

☐ Yes ☒ No

6. Existing Use

Please describe the current use of the site

Single family dwelling house

Is the site currently vacant?

☐ Yes ☒ No

Does the proposal involve any of the following? If Yes, you will need to submit an appropriate contamination assessment with your application.

Land which is known to be contaminated

☐ Yes ☒ No

Land where contamination is suspected for all or part of the site

☐ Yes ☒ No

A proposed use that would be particularly vulnerable to the presence of contamination

☐ Yes ☒ No

7. 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):	Ground floor height face bricks and first floor height rendered.
Description of proposed materials and finishes:	Ground floor height face bricks and first floor height rendered, all to match existing.

Roof	
Description of existing materials and finishes (optional):	Plain tiles
Description of proposed materials and finishes:	Plain tiles to match existing

Windows	
Description of existing materials and finishes (optional):	Double glazed white frame
Description of proposed materials and finishes:	Double glazed white frame to match existing

Doors	
Description of existing materials and finishes (optional):	Double glazed white frame
Description of proposed materials and finishes:	Double glazed white frame to match existing

Boundary treatments (e.g. fences, walls)	
Description of existing materials and finishes (optional):	Wood post and panel
Description of proposed materials and finishes:	Wood post and panel to match existing

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

Drawings, design statement and CIL report

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

- Is a new or altered vehicular 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
- Are there any new public roads to be provided within the site? ☐ Yes ☒ No
- Are there any new public rights of way to be provided within or adjacent to the site? ☐ Yes ☒ No
- Do the proposals require any diversions/extinguishments and/or creation of rights of way? ☐ Yes ☒ No

9. Vehicle Parking

Is vehicle parking relevant to this proposal? ☒ Yes ☐ No

Please provide information on the existing and proposed number of on-site parking spaces

Type of vehicle	Existing number of spaces	Total proposed (including spaces retained)	Difference in spaces
Cars	0	2	2

10. Trees and Hedges

Are there trees or hedges on the proposed development site? ☐ Yes ☒ No

And/or: Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character? ☐ Yes ☒ No

If Yes to either or both of the above, you may need to provide a full tree survey, at the discretion of your local planning authority. If a tree survey is required, this and the accompanying plan should be submitted alongside your application. Your local planning authority should make clear on its website what the survey should contain, in accordance with the current 'BS5837: Trees in relation to design, demolition and construction - Recommendations'.

11. Assessment of Flood Risk

Is the site within an area at risk of flooding? (Refer to the Environment Agency's Flood Map showing flood zones 2 and 3 and consult Environment Agency standing advice and your local planning authority requirements for information as necessary.) ☐ Yes ☒ No

If Yes, you will need to submit a Flood Risk Assessment to consider the risk to the proposed site.

Is your proposal within 20 metres of a watercourse (e.g. river, stream or beck)? ☐ Yes ☒ No

Will the proposal increase the flood risk elsewhere? ☐ Yes ☒ No

How will surface water be disposed of?

☒ Sustainable drainage system

☐ Existing water course

☐ Soakaway

☐ Main sewer

☐ Pond/lake

12. Biodiversity and Geological Conservation

Is there a reasonable likelihood of the following being affected adversely or conserved and enhanced within the application site, or on land adjacent to or near the application site?

To assist in answering this question correctly, please refer to the help text which provides guidance on determining if any important biodiversity or

12. Biodiversity and Geological Conservation

geological conservation features may be present or nearby; and whether they are likely to be affected by the proposals.

a) Protected and priority species:

- ☐ Yes, on the development site
☐ Yes, on land adjacent to or near the proposed development
☒ No

b) Designated sites, important habitats or other biodiversity features:

- ☐ Yes, on the development site
☐ Yes, on land adjacent to or near the proposed development
☒ No

c) Features of geological conservation importance:

- ☐ Yes, on the development site
☐ Yes, on land adjacent to or near the proposed development
☒ No

13. Foul Sewage

Please state how foul sewage is to be disposed of:

- ☒ Mains Sewer
☐ Septic Tank
☐ Package Treatment plant
☐ Cess Pit
☐ Other
☐ Unknown

Are you proposing to connect to the existing drainage system?

☐ Yes ☒ No ☐ Unknown

If Yes, please include the details of the existing system on the application drawings. Please state the plan(s)/drawing(s) references.

Connection into existing drain on site

14. Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste?

☐ Yes ☒ No

Have arrangements been made for the separate storage and collection of recyclable waste?

☐ Yes ☒ No

15. Trade Effluent

Does the proposal involve the need to dispose of trade effluents or trade waste?

☐ Yes ☒ No

16. Residential/Dwelling Units

Due to changes in the information requirements for this question that are not currently available on the system, if you need to supply details of Residential/Dwelling Units for your application please follow these steps:

1. Answer 'No' to the question below;
2. Download and complete this supplementary information template (PDF);
3. Upload it as a supporting document on this application, using the 'Supplementary information template' document type.

This will provide the local authority with the required information to validate and determine your application.

Does your proposal include the gain, loss or change of use of residential units?

☒ Yes ☐ No

Please select the proposed housing categories that are relevant to your proposal.

- ☒ Market
☐ Social
☐ Intermediate
☐ Key Worker

Add 'Market' residential units

16. Residential/Dwelling Units

Market: Proposed Housing						
	Number of bedrooms					
	1	2	3	4+	Unknown	Total
Houses	1	0	1	0	0	2
Total	1	0	1	0	0	2

Please select the existing housing categories that are relevant to your proposal.

- ☒ Market
☐ Social
☐ Intermediate
☐ Key Worker

Add 'Market' residential units

Market: Existing Housing						
	Number of bedrooms					
	1	2	3	4+	Unknown	Total
Houses	0	0	1	0	0	1
Total	0	0	1	0	0	1

Total proposed residential units

1

Total existing residential units

1

17. All Types of Development: Non-Residential Floorspace

Does your proposal involve the loss, gain or change of use of non-residential floorspace?

☐ Yes ☒ No

18. Employment

Will the proposed development require the employment of any staff?

☐ Yes ☒ No

19. Hours of Opening

Are Hours of Opening relevant to this proposal?

☐ Yes ☒ No

20. Industrial or Commercial Processes and Machinery

Please describe the activities and processes which would be carried out on the site and the end products including plant, ventilation or air conditioning. Please include the type of machinery which may be installed on site:

NA

Is the proposal for a waste management development?

☐ Yes ☒ No

If this is a landfill application you will need to provide further information before your application can be determined. Your waste planning authority should make it clear what information it requires on its website

21. Hazardous Substances

Does the proposal involve the use or storage of any hazardous substances?

☐ Yes ☒ No

22. 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

23. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

☐ Yes ☒ No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title
First name
Surname
Reference

Date (Must be pre-application submission)

Details of the pre-application advice received

24. 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?

25. 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

25. Ownership Certificates and Agricultural Land Declaration

Title	Ms
First name	A
Surname	Afsana
Declaration date (DD/MM/YYYY)	27/04/2019

☒ Declaration made

26. 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)	27/04/2019
----------------------------------	------------

Design and Access Statement

**To support a planning application for attached self contained house
on Land at Side of 40 Royal Lane, West Drayton, UB7 8DL**

This is a re-application after first refusal.

**This application takes into account the planning officers comments in the refusal
notice and here this re-planning application taking these comments into account.**

Introduction

This application relates to attached house at side of 40 Royal Lane, West Drayton, UB7 8DL. This Design and Access Statement forms one of the supporting documents for the detailed planning application and should be read in conjunction with the proposed plans.

Layout

The site, 40 Royal Lane, is located within a predominately residential area consisting of semi-detached and terraced properties. The property is located close to Hillingdon Hospital, main Uxbridge Road and Motorway (M4).

The properties along Royal Lane and adjoining streets are on large plots. No 40 Royal Lane on the left hand side approaching from Hillingdon Hospital. All the properties on the street are of standard brick construction and tiled pitched roof.

A number of properties have been extended, with substantial double storey side and rear extensions and No 2 Birch Avenue was granted planning for what is applied here.

Scale and Sitting

The Property is an end of terraced house, with a large front and rear garden and the ground fairly level from the back garden towards the front garden.

The property is West facing with access off Royal Lane to the front garden. The property is divided by wooden panel fencing to the neighbouring properties.

Total Plot Area	Existing House Foot Print	Proposed Plot Area for No 40 Royal Lane		Proposed Plot Area for No 40A Royal Lane	
		Site Area	House Foot Print	Site Area	House Foot Print
302m2	36m2	142.8m2	36m2	159.2m2	43.5m2

Appearance

The property known as 40 Royal Lane and adjoining properties are all of a standard brick construction and pitched tiled roof, with own drives and ample parking space to the front garden. They vary in external appearance from rendering to brick facing.

The existing external walls are solid 225mm thick brick face walls and the roofing tiles are plain Redland tiles on rafters.

Sustainability

One of the primary aims of the proposed development is to be one of the more sustainable buildings in the area. The use of high quality energy efficient materials and products is the most important factor.

- The fenestration will be detailed to reduce the loss of energy.
- The external fabric of the building envelope will surpass the appropriate U-value, in step with the Part L of the Building Regulations designed to reduce Carbon Emissions.
- Condensing Boilers with low N₂O (Nitrous Oxide) emission rates will be specified.
- Low energy AAA rated appliances will be specified and installed.
- Low flush/ dual flush WC cisterns and spray taps will be specified.
- Water Butts will harvest rainwater for use in washing cars and watering plants etc.
- Low energy lighting fittings are proposed to be fitted throughout.
- Certified timber will be used.

Design

- A new house is proposed on the land at the side of No. 40 Royal Lane
- The main entrance is proposed from the front of the proposed house
- The new residential unit will be a two storey house with 1 bedrooms and 1 Reception room.
- The ground floor of the proposed residential unit will encompass; the kitchen, living/dining and the hall area housing the staircase leading to the first floor.
- The new house will have 1 bedrooms as well as a bathroom on the first floor.

- The new house will have tiled pitched roof and facing brick walls all to match existing.
- The elevations represent a well balanced composition of form and proportion with an adequate palette of materials appropriate for the building use and location.
- The proposed building is keeping with the character of the street.
- The design reflects and improves the site and its surroundings and serves to create a sense of character.
- The floor areas of the proposed house meet the council's minimum floor area requirements and all the rooms' sizes exceed the council's minimum space standards.
- A front and rear gardens are proposed for the new house, which are also Significantly more than the requirement of the council.
- Bins are also provided at the front of the drive for ease of use.

Energy Efficiencies

- Lighting- Throughout the scheme natural lighting will be optimised. Approved Document L1A requires three in four light fittings (75%) to be dedicated low energy fittings. The development will exceed this and all light fittings will be of a dedicated energy efficient type.
- Boiler Space heating and hot water demand will be provided to the residential units by natural gas fired combination boilers. The SAPs have been modelled on using an Ideal Logic Code boiler with an efficiency of 89.00%.

Air Leaks

- The Building Regulations set a minimum standard for air permeability of 10 m³ of air per hour per m² of envelope area, at 50Pa. Air tightness standards at this site will be constructed to the 'Accredited Construction Details' as compiled by Department of Communities and Local Government (DCLG). These will average a 50% improvement over Building Regulations and will achieve a permeability of 5.0 m³/hr/m².

Access

The proposed house will have access from royal Lane. The site in question is connected to main roads and public transport.

There are a number of bus stops within walking distance from Royal Lane, with buses going to Heathrow, Hayes, Feltham, Hounslow, Uxbridge and Stains.

Pedestrian

The main pedestrian access will be via Royal Lane.

The main entrance door of the house will also be provided with disabled access.

Landscaping

The landscaped front garden will be permeable paving and garden will be laid in lawn with edge plantation.

Appendix A

SuDS

The British Geology Survey indicates that the underlying bedrock below the site and surrounding area consists of London Clay Formation. London Clay Formation consists of clay, silt and sand. Sedimentary Bedrock formed approximately 34 to 56 million years ago in the Palaeogene Period.

- Permeable paving will be provided on hard standing areas.
- 2Nos Rain water collection butts will be provided refer photo below
- Soakway will be constructed to take overflow from rainwater butts

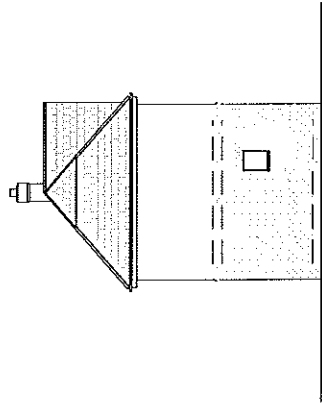


Appendix B

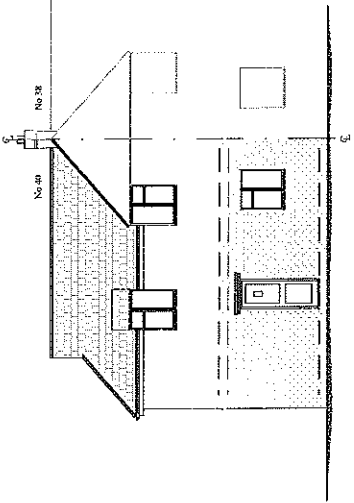
Drainage

1 Existing Drainage

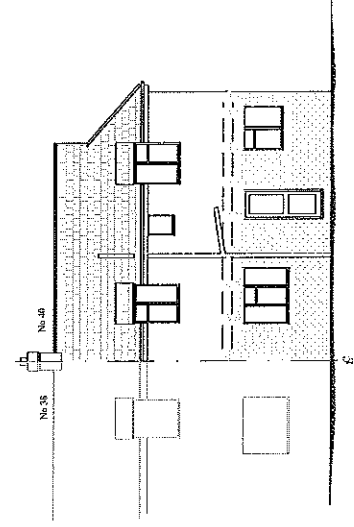
Thames Water have a network of sewers in the area and a 225mm diameter sewer runs in Royal Lane. There is also a 225mm diameter surface water sewer.



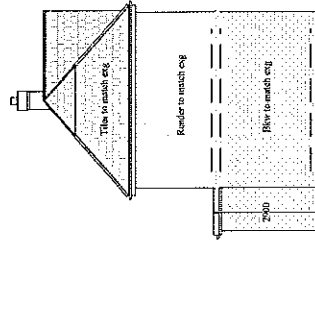
EXISTING SIDE ELEVATION



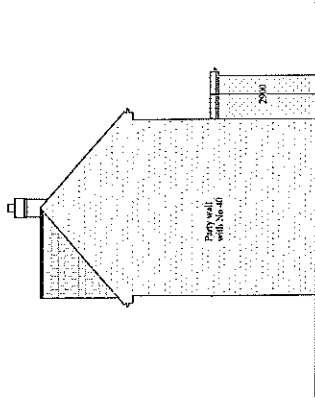
EXISTING FRONT ELEVATIONS



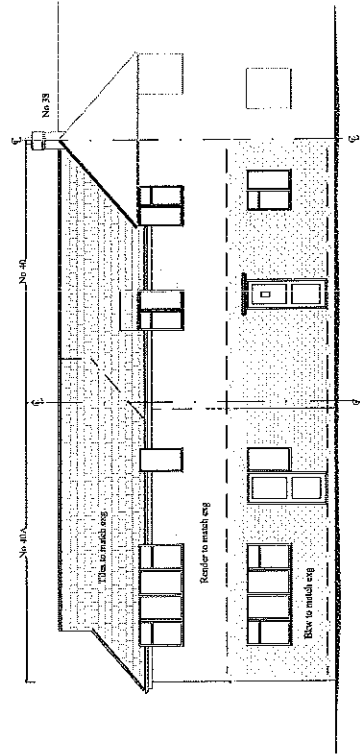
EXISTING REAR ELEVATION



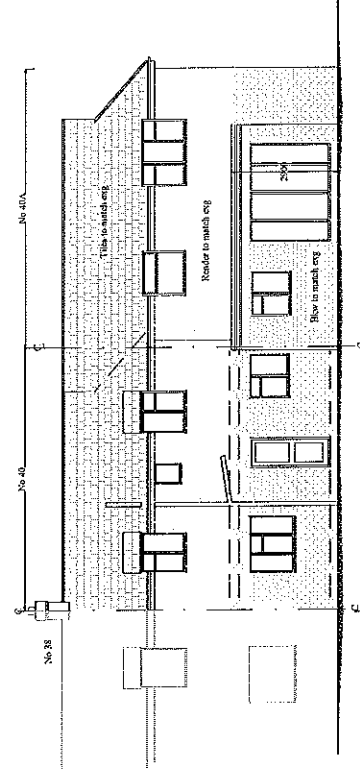
PROPOSED SIDE ELEVATION



PROPOSED SIDE ELEVATION

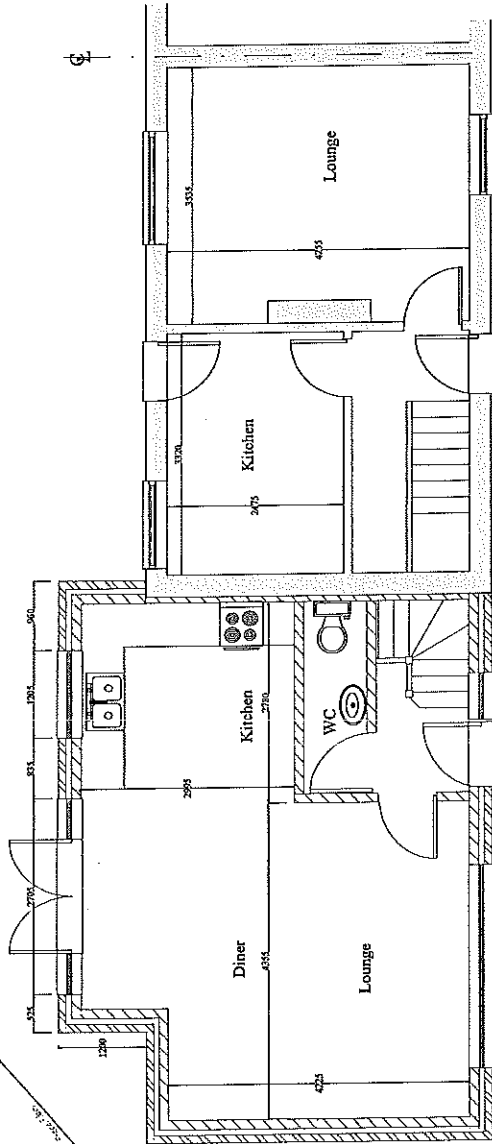


PROPOSED FRONT ELEVATIONS

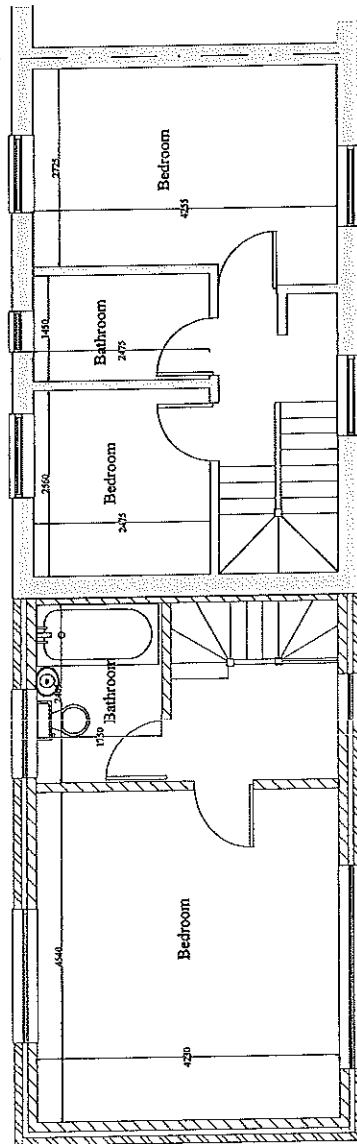


PROPOSED REAR ELEVATION

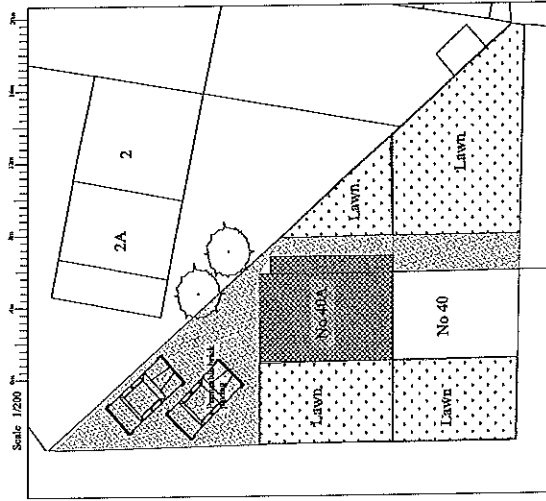
Name: 1 Refer note on Drawings No P/4001		Drawing: 40 Royal Lane, West Drayton, UB7 8DL	
Issue: 1	Revision:	Date: 03/04/19	
Project: Proposed Attached Dwelling House		Scale: 1/100	Drw No: P/4003
Date: Oct 2018	Rev: A	Drawn: MK	Size: A2



PROPOSED GROUND FLOOR PLAN

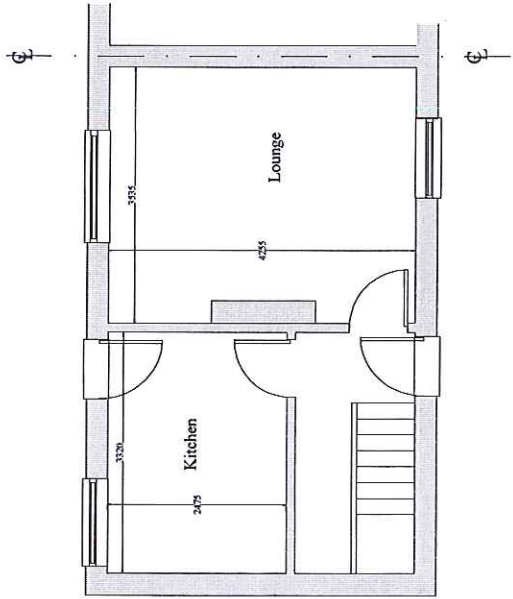


PROPOSED FIRST FLOOR PLAN

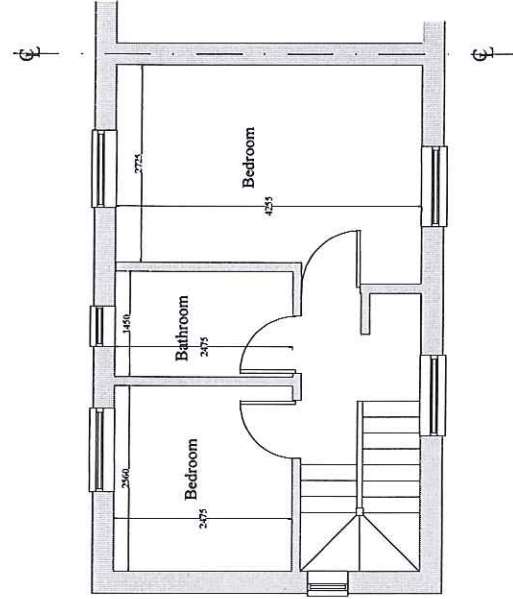


PROPOSED SITE PLAN (1/200)

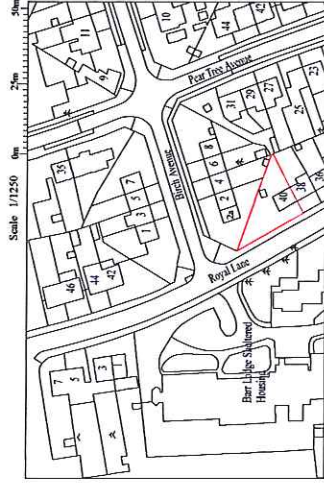
Notes:		1 Refer to Drawing No P4001	
Drawn	Checked	DMS: CH0410	
Drawing: 40 Royal Lane, West Drayton, UB7 8DL			
Project: Proposed Attached Dwelling House			
Scale	1/50/200	Drw No	P/4002
Date	Oct 2018	Rev	A
Drawn	MK	Size	A2
The above drawing is for information only.		L. J. Jones, Designer, Ltd.	



EXISTING GROUND FLOOR PLAN



EXISTING FIRST FLOOR PLAN



LOCATION PLAN



EXISTING BLOCK PLAN



PROPOSED BLOCK PLAN

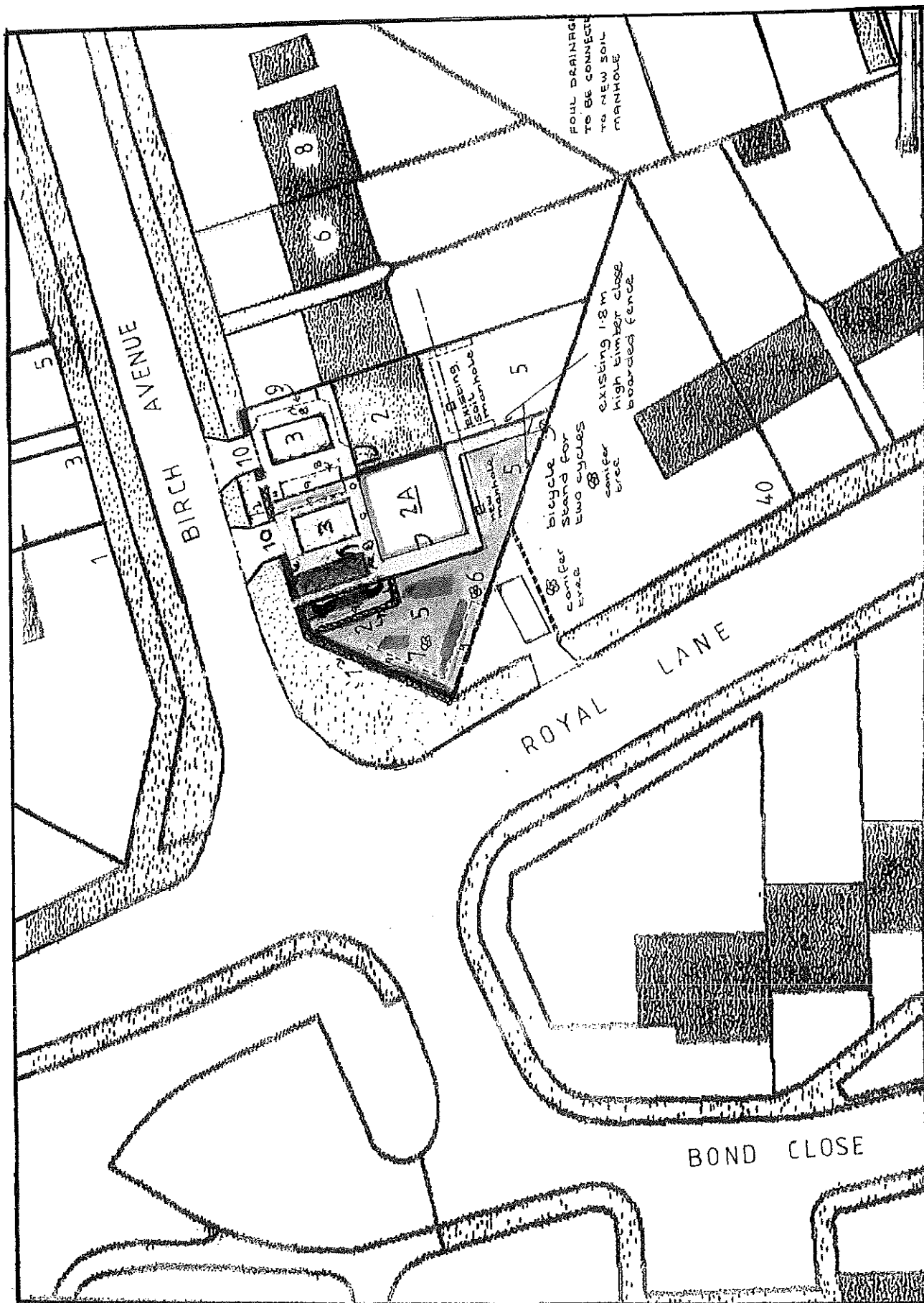
- Notes:
- 1 This drawing is a copy right of Lane Design Ltd
 - 2 All dimensions must be checked before
 - 3 Do not scale of the drawing
 - 4 This drawing may not be copied without prior
 - 5 All building works to comply with building
 - 6 regulations
 - 7 Contractor to check all specifications and
 - 8 Refer to structural, mechanical, electrical
 - 9 Applications and design instructions
 - 10 Front and rear path to have level access

Issue: 1 Planning Date: 03/04/19

Drawing: 40 Royal Lane,
West Drayton,
UB7 8DL

Project: Proposed Attached
Dwelling House

Scale	1/50	Draw No	P/4001
Date	Oct 2018	Rev	A
Drawn	MK	Size	A2



Location plan
 1: 250
 dwg no 213

Revision 'B'

LAND ADJOINING 2 BIRCH AVENUE, VIEWSLEY UB7 8DD

Appendix C



Mr Mohinder Kalsi
Suite 141 Rye House
161 High Street
Ruislip
HA4 8JY

Application Ref:
10789/APP/2019/1414

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:

Two storey attached 1-bed dwelling with associated parking and amenity space

Location of development: 40 Royal Lane Yiewsley

Date of application: 01 May 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: 25 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: 10789/APP/2019/1414

SCHEDULE OF REASONS

- 1 · The proposed attached house by reason of its position on this open prominent corner site would reduce the visual openness and result in the closing of an important gap, characteristic to the area, which currently exists at this road junction, giving rise to a cramped form of development. The proposal would therefore be detrimental to the character and visual amenities of the street scene and the wider area, 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 Supplementary Planning Documents HDAS: Residential Layouts and HDAS: Residential Extensions.
- 2 · The proposed dwellinghouse, by virtue of its overall size, scale, bulk, height, siting and proximity, would be detrimental to the amenities of the adjoining occupiers at 2A and 2 Birch Avenue by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore the proposal would be contrary to policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's Supplementary Planning Documents HDAS: Residential Layouts and HDAS: Residential Extensions.
- 3 · The proposed dwellinghouse, by reason of the siting and position of the proposed first floor rear windows, would result in the direct overlooking of the adjoining properties at 2A, 2, 4 and 6 Birch Avenue causing an unacceptable loss of their privacy. The proposal is therefore contrary to Policies BE19 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's Supplementary Planning Documents HDAS: Residential Layouts and HDAS: Residential Extensions.
- 4 · In the absence of a tree survey or arboricultural impact assessment, the applicant has failed to demonstrate that existing trees which contribute to the character of the area will be unaffected by the development and has not made provision for their long term retention/or justified their removal. The proposal is therefore contrary Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).
- 5 · The proposal has not demonstrated that sufficient off street parking/manoeuvring/access arrangements would be provided, and therefore the development is considered to result in substandard car parking provision to the Council's approved car parking standard, leading to on-street parking/queuing to the detriment of public and highway safety and contrary to Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning HDAS Guide: Residential Layouts.

INFORMATIVES:

- 1 · The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies,

SCHEDULE OF REASONS

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 guidance.

Part 1 Policies:

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

Part 2 Policies

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
DMH 4	Residential Conversions and Redevelopment
DMHB 11	Design of New Development
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMHD 1	Alterations and Extensions to Residential Dwellings
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential

SCHEDULE OF REASONS

LPP 3.5	(2016) Quality and design of housing developments
LPP 7.4	(2016) Local character
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places

- 3 . This is a reminder that Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), should an application for appeal be allowed, the proposed development would be deemed as 'chargeable development' and therefore liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This would be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. For more information on CIL matters please visit the planning portal page at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil
- 4 . In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service. We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

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.: 10789/APP/2019/1414

SCHEDULE OF PLANS

P/4003 Rev. A - received 27 Apr 2019

P/4002 Rev. A - received 27 Apr 2019

P/4001 Rev. A - received 27 Apr 2019

Design and Access Statement - received 27 Apr 2019

RIGHTS OF APPLICANTS AGGRIEVED BY DECISION OF LOCAL PLANNING AUTHORITY

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

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 8424). Appeal forms can be downloaded from the Planning Inspectorate's website at <http://.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 an 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 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 officer 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 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

