



549 Uxbridge Road

Daylight and Sunlight Assessment Report
20 February 2020





**MACH
GROUP**

549 UXBRIDGE ROAD

Daylight and Sunlight Assessment Report

MACH Acoustics Ltd

3rd Floor 4 York Court
Upper York Street
Bristol
BS2 8QF

Eagle House
163 City Road
London
EC1V 1NR

0117 944 1388
info@machacoustics.com
www.machacoustics.com

Consultants

AR	Andrew Rickard	andrew@machacoustics.com
CB	Claire Bye	claire@machacoustics.com
JM	Jon Maguire	jon@machacoustics.com
JC	Josh Childs	josh@machacoustics.com
KE	Kyle Edwards	kyle@machacoustics.com
MR	Max Reynolds	max@machacoustics.com
PJ	Phil Jordan	phil@machacoustics.com
RP	Rory Peliza	rory@machacoustics.com
S	Sujtesh	suj@machacoustics.com
SH	Stefan Haman	stefan@machacoustics.com
SD	Stefan Davies	stefan.d@machacoustics.com
YW	Hsuan-Yang Wang	yang@machacoustics.com
ZN	Ze Nunes	ze@machacoustics.com
ZE	Zeinab Elamin	zeinab@machacoustics.com
ZV	Zoe Vernon	zoe@machacoustics.com
CA	Claudia Agnoletto	claudia@machacoustics.com
TT	Tracy Toal	tracy@machacoustics.com
ZG	Zheng Ge	zheng@machacoustics.com

Finance / Business Managers

Revision	Description	Author	Issued by	Issue Date
00	First Issue	ZE	ZE	20/02/2020

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EXECUTIVE SUMMARY

MACH have carried out a daylight impact assessment at the proposed 549 Uxbridge Road. The assessment has been carried out as per the methodology provided within the BRE document "BR209 – Site Layout Planning for Sunlight and Daylight: A Guide to Good Practice (2011)".

To carry out the assessment, two daylight models have been carried out, as follows;

1. Assessment of existing daylight levels at nearby properties
2. Impact of the proposed development against the existing adjacent buildings.

The assessment has been carried out as per drawings provided by Raminder Purewal. The geometry and window locations at the adjacent existing developments have been assumed based on google maps along with drawings obtained from Hillingdon Planning Applications.

Note that as the assessment is based on number of assumptions for the existing buildings, this report is to demonstrate the potential impact of the site, rather than provide a definitive assessment.

From the assessment, the following has been determined;

- The proposed development is predicted to have a minor impact on all windows at the adjacent 551, 553, 555, and 557 Uxbridge Road Developments.
- The proposed development is likely to reduce daylight levels at only 4 openings at the adjacent 547 Uxbridge Road. Where 2 of those openings open towards non-sensitive spaces. Hence only 2 openings are seen to be affected by the proposed development.
- From the proposed elevations, it is predicted that BRE guidelines will not be achieved in 2 out of the 83 assessed openings which is only 2%. Not to mention that, one of these openings is a door and the other is a high-level window. Hence the impact of the proposed development on the adjacent dwellings is seen to be minimal.



Figure 0.1: Plan of the Assessed Existing Development and the Adjacent Existing Developments

1.0 INTRODUCTION

This report provides a daylight impact assessment in relation to the proposed 549 Uxbridge Road.

This document details the methodology and results of the daylight impact assessments, which have been carried out using 3D daylight modelling software.

2.0 PROPOSED DEVELOPMENT

It is understood that the proposed design will include the demolition of the existing 549 Uxbridge Road property and to build a 3 floors development with the inclusion of 5 residential flats. The figures below and opposite represent the plans and elevations of the existing and proposed development.

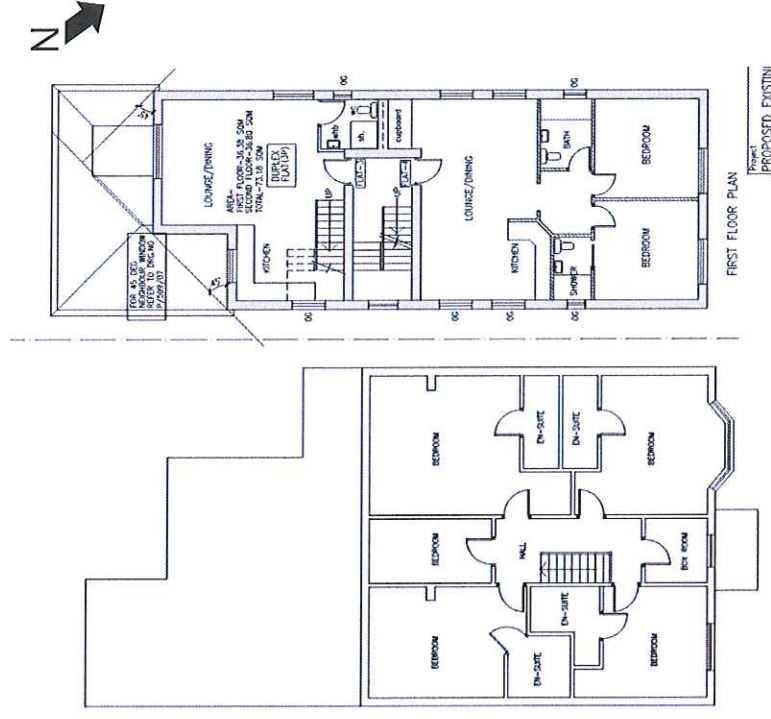


Figure 2.2: The Existing and Proposed First Floor Plan

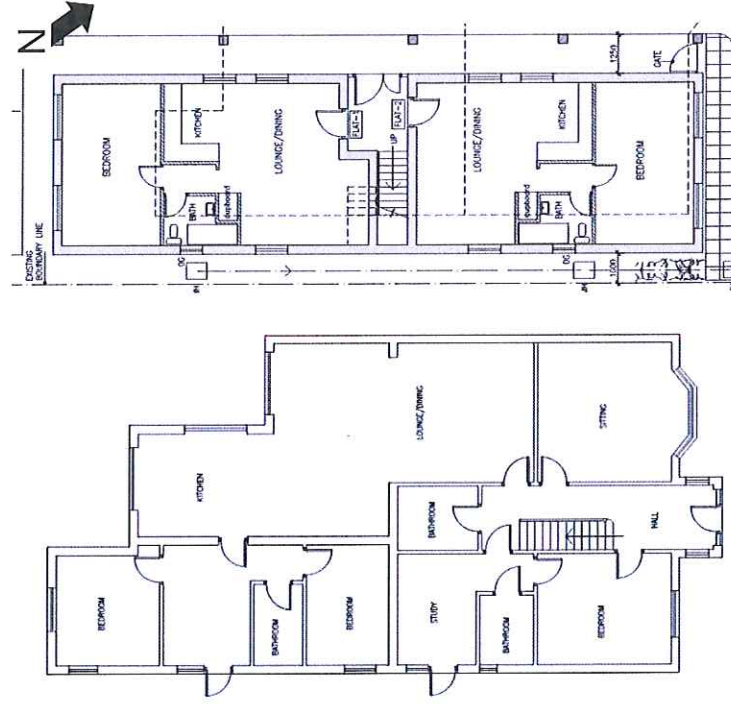
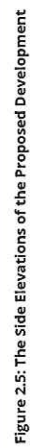


Figure 2.1: The Existing and Proposed Ground Floor Plan



3.0 ASSESSMENT METHODOLOGY

3.1 BRE BR209 – Site Layout Planning for Sunlight and Daylight: A Guide to Good Practice (2011)

3.1.1 Impact of Proposed Development on Existing Buildings

Two methods are seen to be the most robust method of determining whether daylight levels will be significantly impacted by a proposed development. The methods are based around the Vertical Sky Component (VSC) assessment methodology.

Vertical Sky Component Method

The VSC is a unit of measurement that represents the amount of available daylight from the sky, received at a particular window. It is measured on the outside face of the window. This unit is expressed as a percentage as it is the ratio between the amount of sky visible at the given reference point compared to the amount of light that would be available from a totally unobstructed hemisphere of sky. The maximum percentage value for a window with a completely unobstructed view through 90° in every direction is 40%.

In order to maintain good levels of daylight the BRE guidance recommend that the VSC of a window should be 27% or greater.

Where this level is not achieved, an additional assessment called the Comparison Method should be carried out.

Comparison Method

The comparison test considers the VSC results of the baseline condition and the VSC results of the Development in place.

BR209 states that where the predicted VSC at nearby dwellings is less than 27%, then a comparison with the existing situation should be analysed. If the VSC is less than 80% of its former value, occupants of the existing building will notice a reduction in the amount of daylight.

3.1.2 Sunlight Impact of Proposed Development on Existing Buildings

BR209 states that sunlight impact on nearby properties should be assessed if there is a living room with a window that faces 90° of due south. Where this is the case, a sunlight impact may occur if the centre of the window;

- Receives less than 25% of annual probable sunlight hours (APSH), or less than 5% of annual probable sunlight hours between 21 September and 21 March; and
- Receives less than 0.8 times its former sunlight hours during either period; and
- Has a reduction in sunlight over the whole year greater than 4% of annual probable sunlight hours.

3.1.3 Impact of Proposed Development on Adjoining Sites

BR209 provides advice on new developments next to adjoining development sites, so to ensure that any new building does not restrict the level of good quality available to the adjacent site.

Assessment methodology is provided for the 43° rule, which can be defined as the following:

- (a) *No new building, measured in a vertical section perpendicular to the boundary, from a point 1.6m above ground level, subtends an angle of more than 43° to the horizontal.*

BR209 states that the 43° rule should not be applied rigidly, as the level of impact is also determined by the width of the adjacent building, which the 43° rule does not take into account. Therefore, an additional assessment methodology is provided in BR209, which can also be applied to determine the level of daylight impact:

- (b) *If (a) is not satisfied, then all points 1.6m above the boundary line are within 4m (measured along the boundary) of a point which has a VSC (looking towards the new building) of 17% or more.*

3.1.4 Environmental Impact Assessment Methodology

Within Appendix H of the BRE Guide, advice is provided in how the guidelines can be applied as part of an Environmental Impact Assessment methodology, which is summarised in the table below.

Impact Category	Description
Negligible	• Loss of light is well within the guidelines, or • Only a small number of windows or limited area of open space are affected
Minor Adverse Impact	• The loss of light is only marginally outside the guidelines • An affected room has other sources of skylight or sunlight • The affected building or open space only has a low level requirement for skylight or sunlight • There are particular reasons why an alternative, less stringent, guideline should be applied
Major Adverse Impact	• A large number of windows or large area of open space are affected • The loss of light is substantially outside the guidelines • All the windows in a particular property are affected • The affected indoor or outdoor spaces have a particularly strong requirement for skylight or sunlight, e.g. a living room in a dwelling or a children's playground

Table 3.1: Impact categories for daylight sunlight impacts

4.0 NEAREST SENSITIVE PROPERTIES

The sensitive dwellings adjacent to the proposed development have been identified as the following:

1. 547 Uxbridge Road
2. 551 Uxbridge Road
3. 553 Uxbridge Road
4. 555 & 557 Uxbridge Road

The buildings identified above are seen to be the closest and thereby can be seen as a worst-case assessment in regard to daylight impact.

The site map below outlines the location of the existing development (in red) and the adjacent developments (in yellow).



Figure 4.1: Shows the Existing development and adjacent dwellings

It is understood that planning application has been approved for some modifications to the adjacent 551 and 553 Uxbridge Road. To ensure that any daylight impact does not occur within these properties, the approved modifications for the two dwellings have been included within the assessment. The figure below shows the latest drawings obtained from the planning portal.

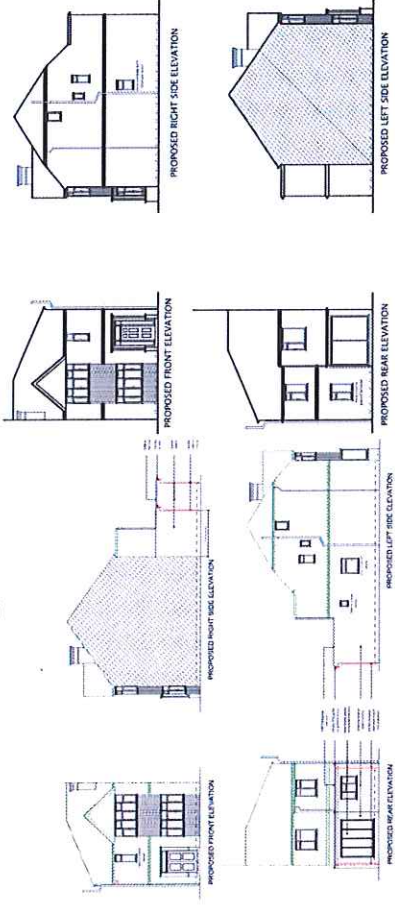


Figure 4.2: Shows Elevations of the Adjacent 551 Uxbridge Road (to the left) and 553 Uxbridge Road (to the right)

It is also important to note that windows in the adjacent 547 Uxbridge Road which are directly facing the proposed development have been based on the latest planning drawings. The figure below shows the latest drawings obtained from the planning portal.

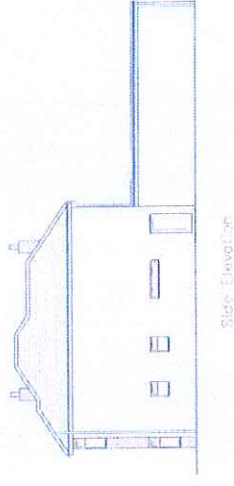


Figure 4.3: Shows Side Elevation of the Adjacent 547 Uxbridge Road

Note that clear photos could not be achieved for all the assessed dwellings as they are private residential dwellings, however photos have been assessed to a similar arrangement as shown in next pages.

4.1 Window Locations

For the purpose of assessment, windows on residential dwellings have been marked and would be referred later by the names given to windows. Some elevations of the residential dwellings have been omitted from the analysis as it is determined in terms of VSC the new development will have no effect on the windows located on these facades.

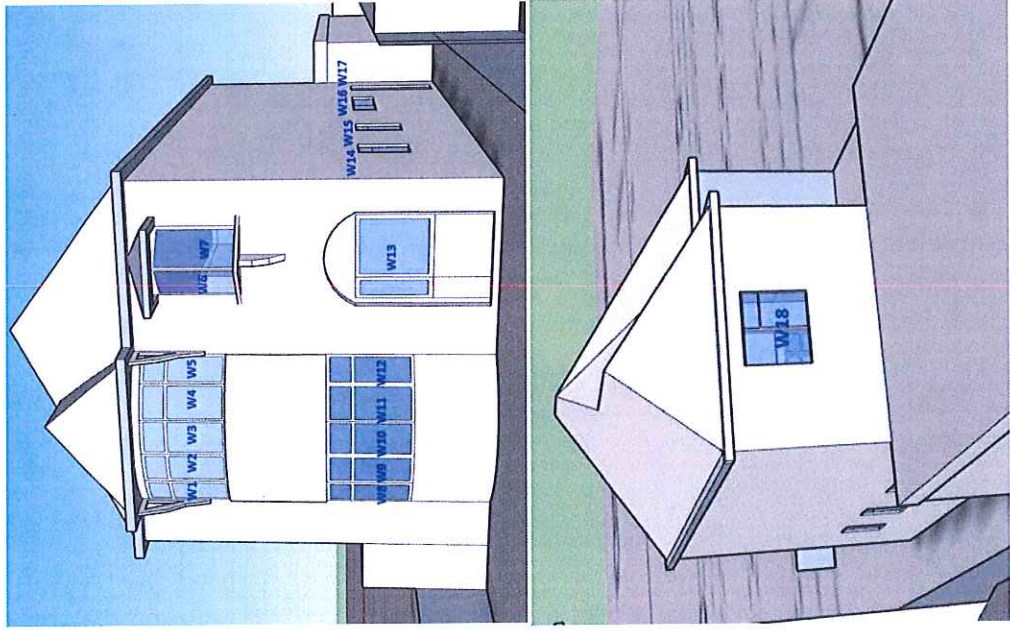


Figure 4.4: Assessed Windows at the Adjacent 547 Uxbridge Road

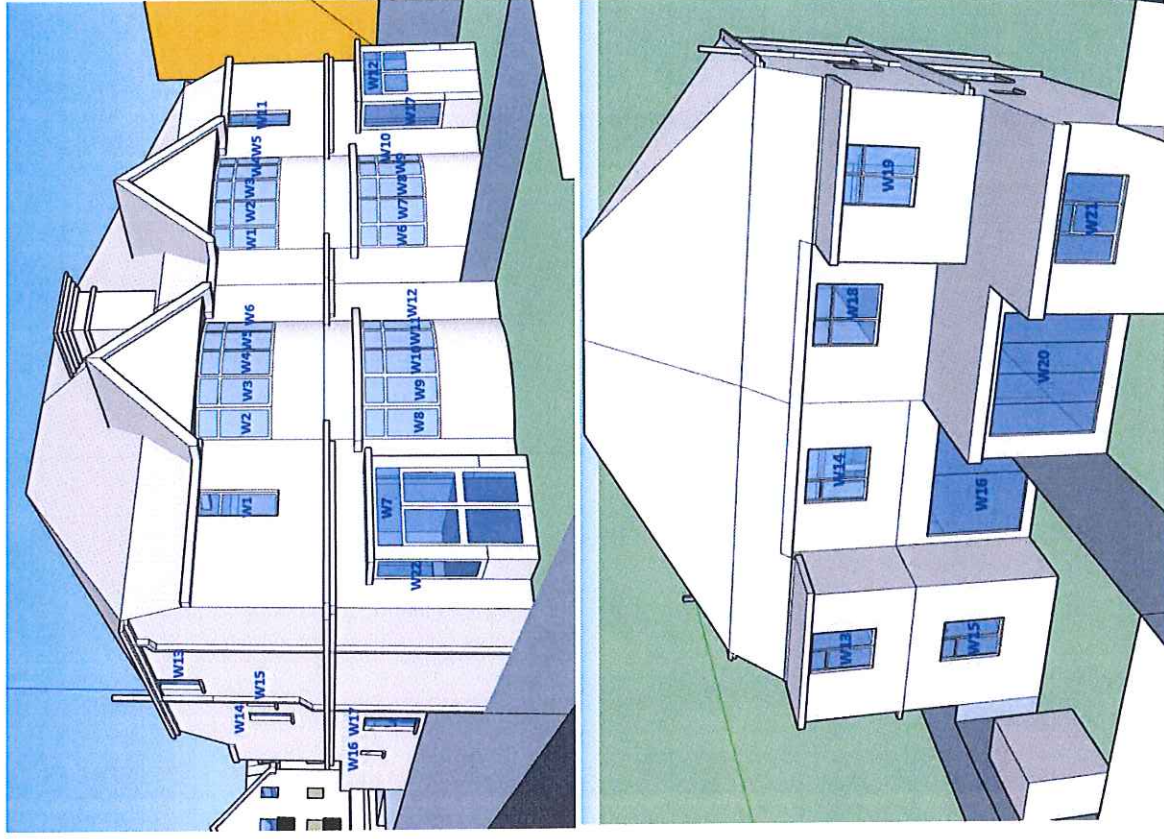


Figure 4.5: Assessed Windows at the Adjacent 551 and 553 Uxbridge Road



Figure 4.6: Assessed Windows at the Adjacent 555 and 557 Uxbridge Road

5.0 DAYLIGHT MODEL

Geometry for the existing and proposed development have been modelled as per drawings received from Raminder Purewal. The geometry and window locations at the adjacent existing developments have been assumed based on google maps along with drawings obtained from Hillingdon Planning Applications.

The images below and opposite provide screenshots of the daylight model built within the daylight modelling software.

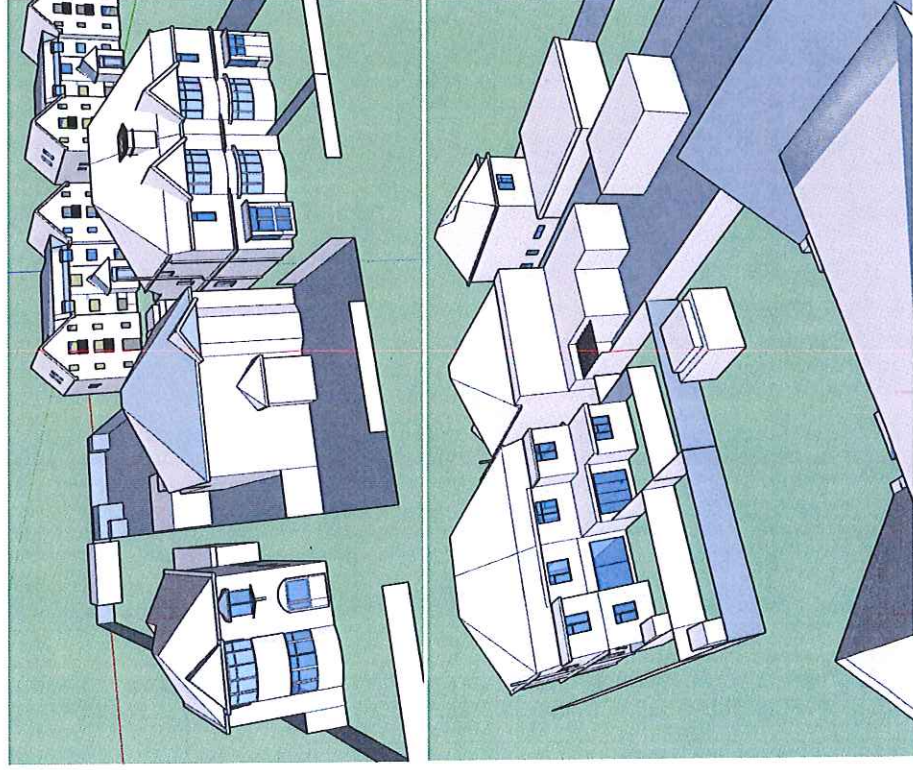


Figure 5.1: Daylight Model Screenshot of The Existing Development and Adjacent Dwellings

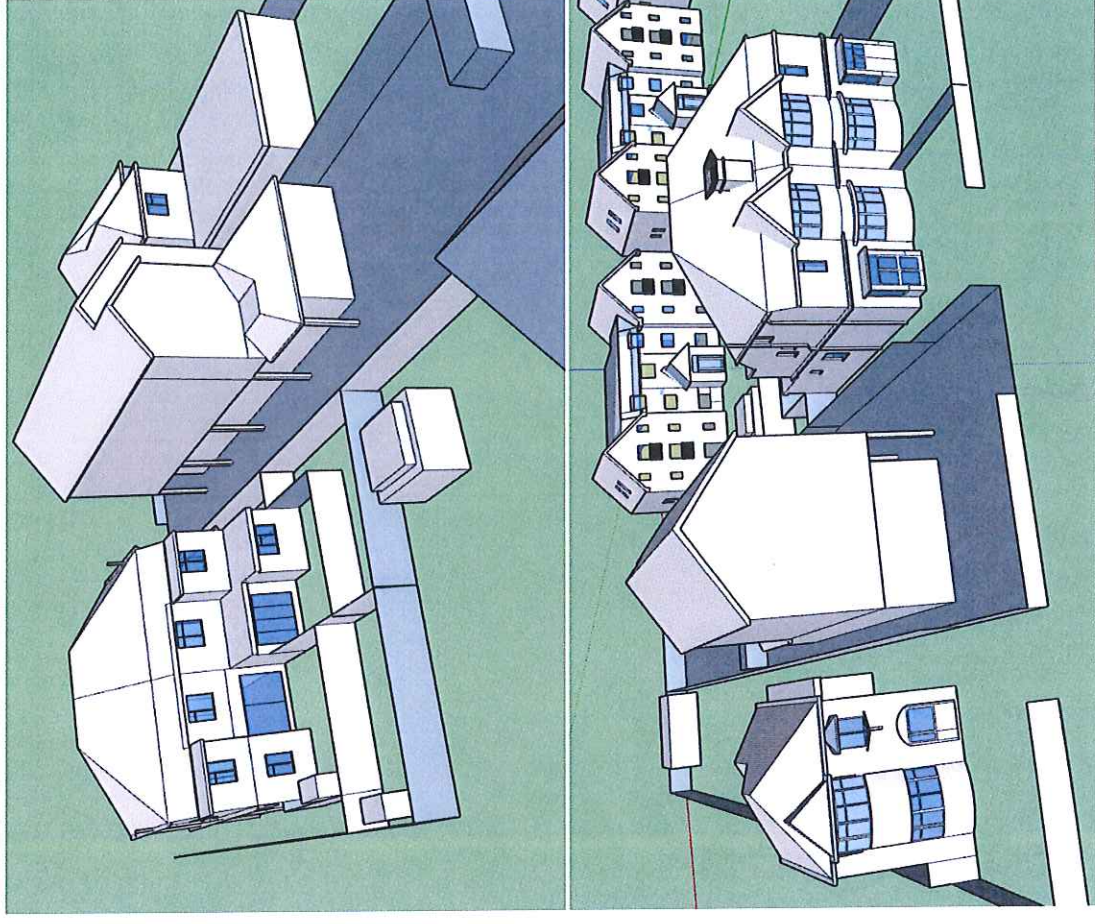


Figure 5.2: Daylight Model Screenshot of The Proposed Development and Adjacent Dwellings

6.0 DAYLIGHT AND SUNLIGHT IMPACT ASSESSMENT

Vertical Sky Component (VSC) and Annual Probable Sunlight Hour (APSH) predictions have been carried out for all adjacent dwellings before and after the proposed development, so to determine the level of impact.

6.1 VSC and APSH Results

As shown in the results table, all windows in 551, 553, 555, and 557 Uxbridge have passed the required BRE criteria in terms of their VSC and APSH levels.

A few windows directly opposite to the development in 547 Uxbridge are predicted to experience a change in VSC level below that recommended within BRE guidance. It is predicted that only 4 windows are shown to see a reduction in VSC level. 2 of these windows open towards non-sensitive spaces (toilet and communal space) hence only 2 openings are seen to be affected by the proposed development. Not to mention that, one of these openings is a door and the other is a high-level window. Hence the impact of the proposed development on the adjacent dwellings is seen to be minimal.

Block No.	Window Ref.	Orientation	Predicted VSC			Predicted APSH		
			Before	After	Change	Pass/Fail	Before	After
547 Uxbridge Road	W1	North East	34.73	34.73	100%	Pass	NA	NA
	W2	North East	37.32	37.32	100%	Pass	NA	NA
	W3	North East	38.37	38.32	100%	Pass	NA	NA
	W4	North East	36.78	36.56	99%	Pass	NA	NA
	W5	North East	32.57	32.43	100%	Pass	NA	NA
	W6	North East	27.45	27.45	100%	Pass	NA	NA
	W7	North East	29.98	27.17	91%	Pass	NA	NA
	W8	North East	38.30	38.30	100%	Pass	NA	NA
	W9	North East	39.30	39.30	100%	Pass	NA	NA
	W10	North East	39.25	39.18	100%	Pass	NA	NA
	W11	North East	38.35	37.98	99%	Pass	NA	NA
	W12	North East	36.17	35.39	98%	Pass	NA	NA
	W13	North East	37.54	37.47	100%	Pass	NA	NA
	W14	North West	19.43	8.09	42%	**	NA	NA
	W15	North West	17.98	5.97	33%	**	NA	NA
	W16	North West	20.44	4.82	24%	Fail	NA	NA
	W17	North West	19.52	3.85	20%	Fail	NA	NA
	W18	South West	36.72	34.24	93%	Pass	78	69
551 Uxbridge Road	W1	North East	33.95	33.95	100%	Pass	NA	NA
	W2	North East	31.62	31.61	100%	Pass	NA	NA
	W3	North East	36.30	36.28	100%	Pass	NA	NA
	W4	North East	38.25	38.25	100%	Pass	NA	NA
	W5	North East	35.88	35.88	100%	Pass	NA	NA
	W6	North East	30.54	30.54	100%	Pass	NA	NA

Block No.	Window Ref.	Orientation	Predicted VSC			Predicted APSH		
			Before	After	Change	Pass/Fail	Before	After
553 Uxbridge Road	W7	North East	39.23	39.22	100%	Pass	NA	NA
	W8	North East	31.56	31.56	100%	Pass	NA	NA
	W9	North East	36.48	36.48	100%	Pass	NA	NA
	W10	North East	37.88	37.88	100%	Pass	NA	NA
	W11	North East	37.19	37.19	100%	Pass	NA	NA
	W12	North East	34.88	34.88	100%	Pass	NA	NA
	W13	South East	24.14	19.07	80%	Pass	37	26
	W14	South East	18.24	18.39	101%	Pass	23	22
	W15	South East	16.73	16.79	100%	Pass	23	22
	W16	South East	4.62	7.66	166%	Pass	9	7
	W17	South East	4.72	12.63	267%	Pass	8	13
	W18	South West	31.10	31.10	100%	Pass	70	70
	W19	South West	36.10	33.27	92%	Pass	75	68
	W20	South West	30.24	30.22	100%	Pass	66	66
	W21	South West	31.23	28.78	92%	Pass	71	63
	W22	South West	23.20	22.94	99%	Pass	14	15
	W1	North East	27.73	27.73	100%	Pass	NA	NA
	W2	North East	35.84	35.84	100%	Pass	NA	NA
555 & 557 Uxbridge Road	W3	North East	38.23	38.23	100%	Pass	NA	NA
	W4	North East	37.58	37.58	100%	Pass	NA	NA
	W5	North East	31.55	31.55	100%	Pass	NA	NA
	W6	North East	34.99	34.99	100%	Pass	NA	NA
	W7	North East	37.20	37.20	100%	Pass	NA	NA
	W8	North East	37.87	37.87	100%	Pass	NA	NA
	W9	North East	36.21	36.21	100%	Pass	NA	NA
	W10	North East	31.30	31.30	100%	Pass	NA	NA
	W11	North East	33.95	33.95	100%	Pass	NA	NA
	W12	North East	35.96	35.96	100%	Pass	NA	NA
	W13	South West	34.85	34.68	100%	Pass	74	74
	W14	South West	32.87	31.99	97%	Pass	70	69
	W15	South West	34.13	33.82	99%	Pass	71	71
	W16	South West	23.66	23.66	100%	Pass	45	45
	W17	South East	17.73	17.73	100%	Pass	7	7
	W1	North East	28.85	28.43	99%	Pass	NA	NA
	W2	North East	36.60	36.17	99%	Pass	NA	NA
	W3	North East	28.76	28.35	99%	Pass	NA	NA
	W4	North East	35.20	34.82	99%	Pass	NA	NA
	W5	North East	36.60	36.23	99%	Pass	NA	NA
	W6	North East	35.39	35.06	99%	Pass	NA	NA

Block No.	Window Ref.	Orientation	Predicted VSC			Predicted APSH			
			Before	After	Change	Pass/Fail	Before	After	Change
	W7	North East	28.83	28.50	99%	Pass	NA	NA	NA
	W8	North East	36.25	35.93	99%	Pass	NA	NA	NA
	W9	North East	28.49	28.20	99%	Pass	NA	NA	NA
	W10	North East	33.81	33.35	99%	Pass	NA	NA	NA
	W11	North East	35.86	35.42	99%	Pass	NA	NA	NA
	W12	North East	33.66	33.23	99%	Pass	NA	NA	NA
	W13	North East	30.81	30.41	99%	Pass	NA	NA	NA
	W14	North East	31.11	30.74	99%	Pass	NA	NA	NA
	W15	North East	33.91	33.54	99%	Pass	NA	NA	NA
	W16	North East	35.55	35.17	99%	Pass	NA	NA	NA
	W17	North East	33.64	33.30	99%	Pass	NA	NA	NA
	W18	North East	31.55	31.00	98%	Pass	NA	NA	NA
	W19	North East	33.44	32.86	98%	Pass	NA	NA	NA
	W20	North East	31.74	31.23	98%	Pass	NA	NA	NA
	W21	North East	23.31	22.86	98%	Pass	NA	NA	NA
	W22	North East	34.28	33.78	99%	Pass	NA	NA	NA
	W23	North East	23.01	22.97	100%	Pass	NA	NA	NA
	W24	North East	32.22	31.79	99%	Pass	NA	NA	NA
	W25	North East	33.90	33.47	99%	Pass	NA	NA	NA
	W26	North East	31.96	31.56	99%	Pass	NA	NA	NA

***: these windows open to non-sensitive spaces, and hence the BRE criteria is not required

NA: These windows are facing North, hence, the APSH levels are not required

**: these windows open to non-sensitive spaces, and hence the BRE criteria is not required

NA: These windows are facing North, hence, the APSH levels are not required

Table 6.1: VSC and APSH predictions at the Adjacent Properties

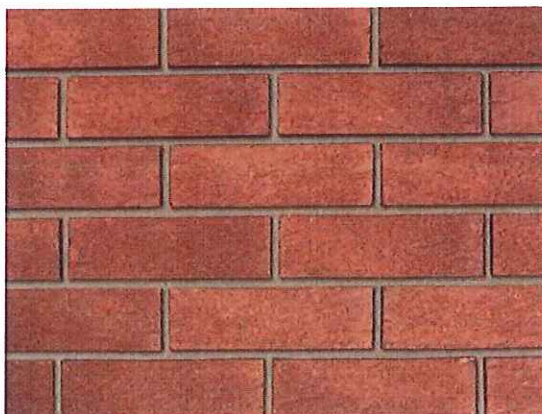
Appendix E

**MATERIALS SCHEDULE - For a Development of 5 Flats at
549 Uxbridge Road, Hayes UB4 8HP**

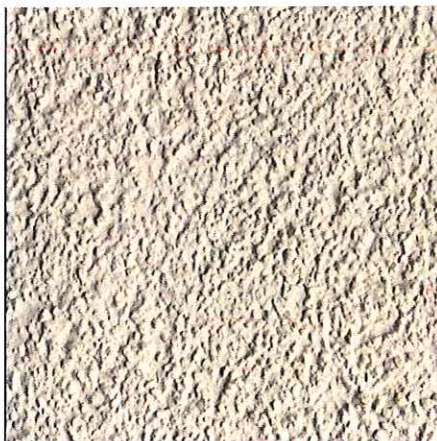
ROOF TILES - Redland 49 Grey Slate plain tiles



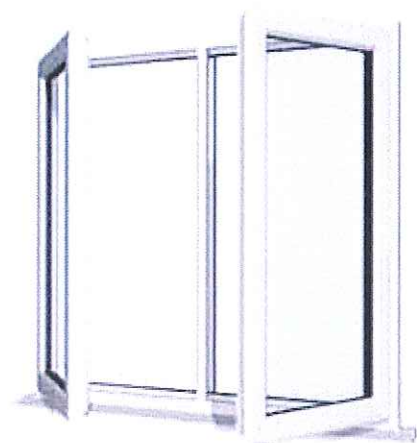
BRICKWORK FINISH - Ibstock Grampian



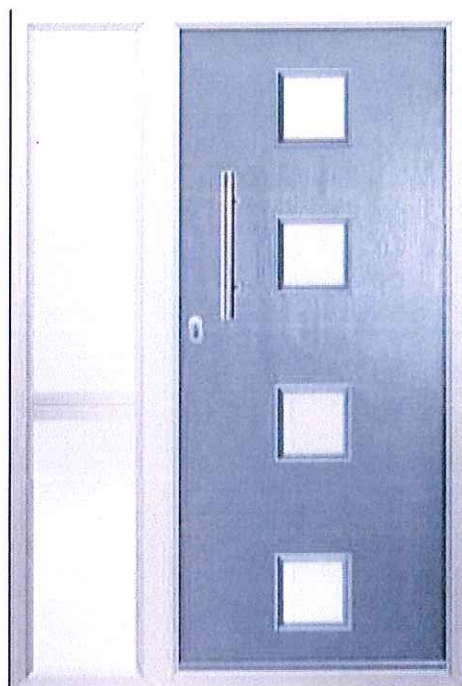
RENDERED FINISH - K REND SIL TC15 Biscuit



Windows - WHITE UPVC WINDOWS



Communal Entrance Door – Composite Material with Clear Glazed



Juliette BALCONY- Metal Juliette Balcony



Front Railing - Metal Grilled



Decorative Panel Cladding –Composite Exterior Wall Panel in Grey



Appendix F



Mr Rajinder Chana
5
Beverley Avenue
Hounslow
TW4 5HF

Application Ref: 57783/APP/2020/24

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:

Redevelopment of site to provide a part three storey, part two storey building composing of 3 x 1 bed flats and 2 x 2 bed flats with associated parking and amenity space involving the demolition of existing detached dwelling

Location of development: 549 Uxbridge Road Hayes

Date of application: 14 January 2020

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: 5 May 2020

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: 57783/APP/2020/24

SCHEDULE OF REASONS

- 1 . The proposed development by reason of its siting, size, scale, bulk, elongated depth and mixture of design styles would be detrimental to the character, appearance and 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 DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies 3.5 and 7.4 of the London Plan (2016) and the NPPF.
- 2 . The proposed development, by reason of the siting of flank habitable room windows, given their proximity to the side boundary and flank walls of adjoining properties, would result in the provision of habitable rooms with very limited levels of natural lighting and outlook that would result in a substandard form of living accommodation and reliance upon artificial means of lighting which would fail to satisfy sustainability and energy efficiency objectives and would be to the detriment of the amenity of future occupiers, contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policies 3.5 and 5.3 of the London Plan (March 2016) and the Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016).
- 3 . The proposed development, by virtue of the siting of the new driveway to the side of the building and the siting of the proposed parking spaces would result in unacceptable harm to the living conditions of future occupiers, by reason of noise and disturbance from vehicles arriving and departing at all times of the day/night, contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policy 3.5 of the London Plan (March 2016).

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 Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

Part 1 Policies:

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

Part 2 Policies

DMH 1	Safeguarding Existing Housing
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SCHEDULE OF REASONS

DMH 2	Housing Mix
DMH 4	Residential Conversions and Redevelopment
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 5.3	(2016) Sustainable design and construction
LPP 6.13	(2016) Parking
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 . On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2016). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

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.: 57783/APP/2020/24

SCHEDULE OF PLANS

P/599/03 Rev. D - received 25 Apr 2020
P/599/01 Rev. D - received 25 Apr 2020
P/599/04 Rev. D - received 25 Apr 2020
P/599/02 Rev. D - received 25 Apr 2020
Daylight and Sunlight Assessment Report - received 20 Feb 2020
Location Plan (1:1250) - received 06 Jan 2020
P/599/06 - received 06 Jan 2020
Design and Access Statement - received 06 Jan 2020
Materials Schedule - received 06 Jan 2020
P/599/05 Rev. A - received 05 Mar 2020

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 www.Planning-inspectorate.gov.uk

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal.

Further details are available at www.gov.uk/government/collections/casework-dealt-with-by-inquiries

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 G













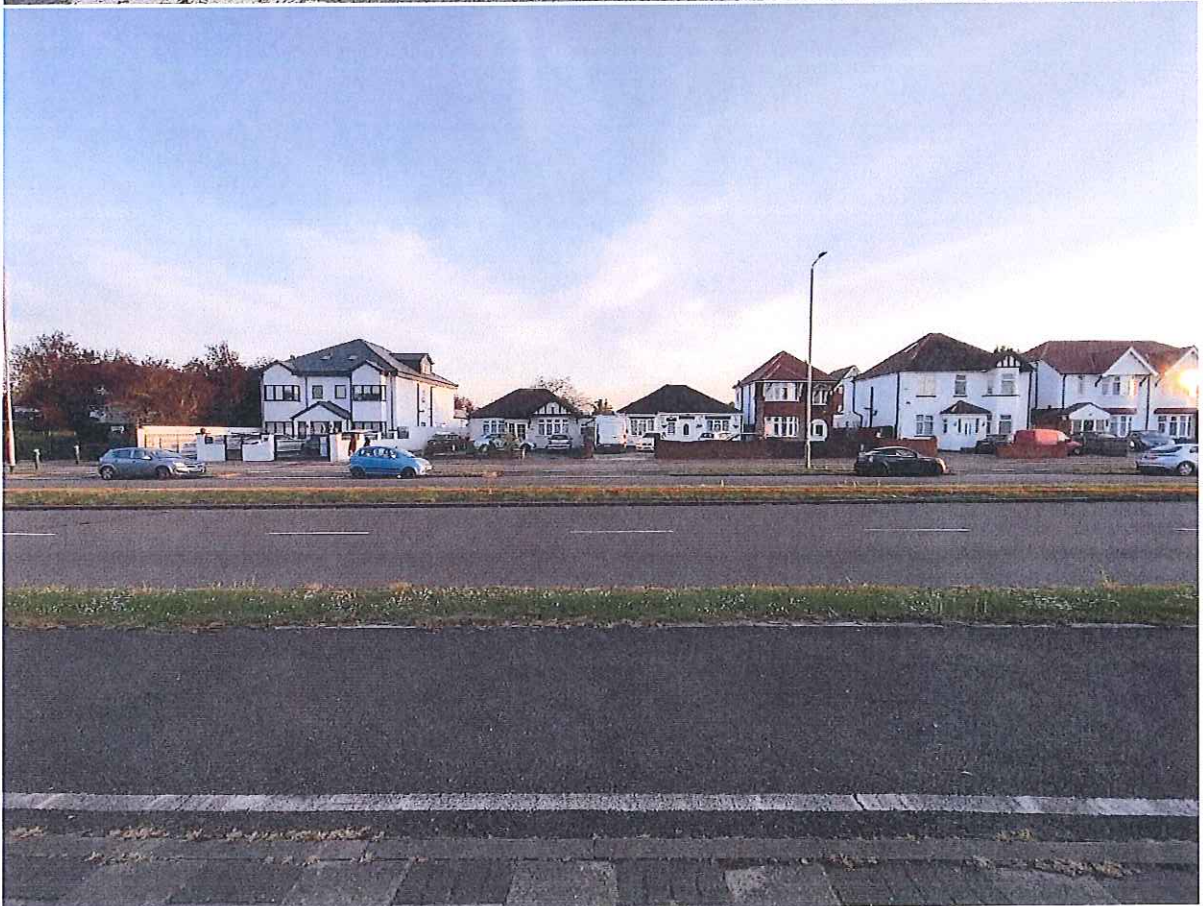












Appendix H

APPEAL PRECEDENT

Example 1



Mr Jim Bailey
Wharf House
Wharf Road
Guildford
Surrey GU1 4RP

Application Ref:
70895/APP/2015/4349

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

GRANT 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 **GRANTS** permission for the following:-

Description of development:

Erection of three storey building to create 6 x 2-bed and 3 x 1-bed self contained flats, with associated parking, cycle and bin stores, and landscaping involving demolition of existing builders yard.

Location of development: Land Rear Of Crescent Parade Uxbridge Road
Hillingdon

Date of application: 01 December 2015

Plan Numbers: See attached Schedule of plans

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

Head of Planning and Enforcement

Date: 19 April 2016

- 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: 70895/APP/2015/4349

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 development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 15-3378-10; 15-3378-11; 15-3378-12 and 15-3378-13 and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2015).

- 3 · No development shall take place until details of all materials and external surfaces, including details of balconies have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

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

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

- 4 · The flank wall windows shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

SCHEDULE OF CONDITIONS

- 5 · No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:
1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
 2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres.
- Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:
- 2.a There shall be no changes in ground levels;
 - 2.b No materials or plant shall be stored;
 - 2.c No buildings or temporary buildings shall be erected or stationed.
 - 2.d No materials or waste shall be burnt; and.
 - 2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

SCHEDULE OF CONDITIONS

- 6 · No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -
 1. Details of Soft Landscaping
 - 1.a Planting plans (at not less than a scale of 1:100),
 - 1.b Written specification of planting and cultivation works to be undertaken,
 - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
 2. Details of Hard Landscaping
 - 2.a Refuse Storage
 - 2.b Cycle Storage
 - 2.c Means of enclosure/boundary treatments
 - 2.d Car Parking Layouts
 - 2.e Hard Surfacing Materials
 - 2.f External Lighting
 - 2.g Other structures (such as play equipment and furniture)
 3. Details of Landscape Maintenance
 - 3.a Landscape Maintenance Schedule for a minimum period of 5 years.
 - 3.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.
 4. Schedule for Implementation
 5. Other
 - 5.a Existing and proposed functional services above and below ground
 - 5.b Proposed finishing levels or contours

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

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (2015).

SCHEDULE OF CONDITIONS

- 7 · Trees, hedges and shrubs shown to be retained on the approved plan(s) shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during (or after) construction, or is found to be seriously diseased or dying, another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' Remedial work should be carried out to BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

- 8 · No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Policy 5.15 of the London Plan and will:
- provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - include a timetable for its implementation; and
 - provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
- The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:
- provide details of water collection facilities to capture excess rainwater;
 - provide details of how rain and grey water will be recycled and reused in the development.
- Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

REASON

To ensure the development does not increase the risk of flooding in accordance with Policy OE8 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (2015) Policy 5.12.

SCHEDULE OF CONDITIONS

- 9 · Development shall not begin until a scheme for protecting the proposed development from road traffic noise has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the scheme shall be fully implemented before the development is occupied and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road traffic noise in accordance with policy OE5 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (2015) Policy 7.15.

- 10 · The development shall not begin until a scheme for the control of noise transmission between adjoining flats has been submitted to and approved in writing by the Local Planning authority. Thereafter the scheme shall be implemented and maintained in full compliance with the approved measures.

Reason: To ensure that the amenity of the occupiers of the proposed development is not adversely affected by noise in accordance with policy OE3 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (2015) Policy 7.15.

- 11 · The dwellings hereby approved shall be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

REASON:

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

- 12 · Prior to the commencement of any works details for the provision of one car park space to mobility standard and details for the proposed shared surface access works and the shared surface table should be submitted to and approved in writing by the Local Planning authority.

REASON:

To ensure that pedestrian and vehicular safety is not prejudiced in compliance with the requirements of Policy AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

SCHEDULE OF CONDITIONS

- 13 · No unit hereby approved shall be occupied until a parking allocation scheme has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the parking shall remain allocated for the use of the units in accordance with the approved scheme and remain under this allocation for the life of the development.

REASON:

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (2015).

- 14 · (i) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:
- (a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;
 - (b) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use.
 - (c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement.
- (ii) If during development or works contamination not addressed in the submitted remediation scheme is identified, an addendum to the remediation scheme must be agreed with the LPA prior to implementation; and
- (iii) All works which form part of the remediation scheme shall be completed and a verification report submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

REASON

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

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).

SCHEDULE OF CONDITIONS

- 2 - The decision to GRANT 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 (2015) and national guidance.

Part 1 Policies:

PT1.BE1	(2012) Built Environment
PT1.HE1	(2012) Heritage

Part 2 Policies

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE4	New development within or on the fringes of conservation areas
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.
H4	Mix of housing units
H8	Change of use from non-residential to residential
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE5	Siting of noise-sensitive developments
LPP 3.3	(2015) Increasing housing supply
LPP 3.5	(2015) Quality and design of housing developments
LPP 3.8	(2015) Housing Choice
LPP 5.13	(2015) Sustainable drainage
NPPF	National Planning Policy Framework
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

SCHEDULE OF CONDITIONS

- 3 . 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.

- 4 . The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

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).

- 5 . Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

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

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

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

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

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

END OF SCHEDULE

SCHEDULE OF CONDITIONS

Address:

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

GRANT OF PLANNING PERMISSION

Application Ref.No.: 70895/APP/2015/4349

SCHEDULE OF PLANS

Transport Statement - received 26 Nov 2015

Appendix B: Photos of Builders Yard - received 26 Nov 2015

Planning, Design and Access Statement - received 26 Nov 2015

Location Plan - received 26 Nov 2015

Tree Constraints Plan - received 26 Nov 2015

Arboricultural Survey - received 26 Nov 2015

Appendix A: Pre Application Drawings: Prelim 01 and Prelim 02 - received 26 Nov 2015

15-3378-10 - received 25 Feb 2016

15-3378-13 - received 25 Feb 2016

15-3378-12 - received 25 Feb 2016

15-3378-11 - received 25 Feb 2016

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This architectural drawing shows a three-story house with a gambrel roof. The house features a central entrance on the ground floor, flanked by windows. The second and third floors have multiple windows, some with shutters. The drawing is oriented vertically, with the roof at the top and the foundation at the bottom.

Architectural drawing of the exterior elevation of a building. The drawing is oriented vertically on the page. It shows a textured facade, possibly stone or brick, with four rectangular windows arranged in two rows of two. The building has a decorative base with a series of vertical lines. To the right of the building, there is a vertical line with a series of small circles, possibly representing a fence or a wall. The drawing is labeled with 'Elevation' and 'Drawing' on the right side.

ELEVATIONS

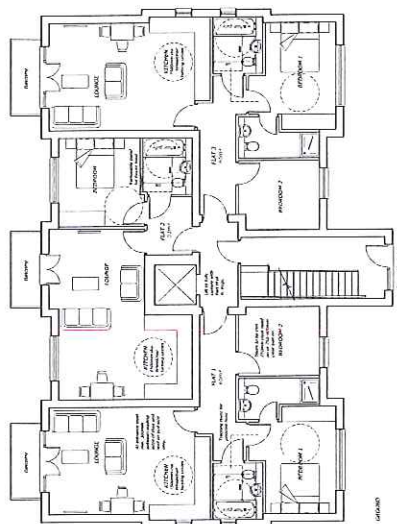


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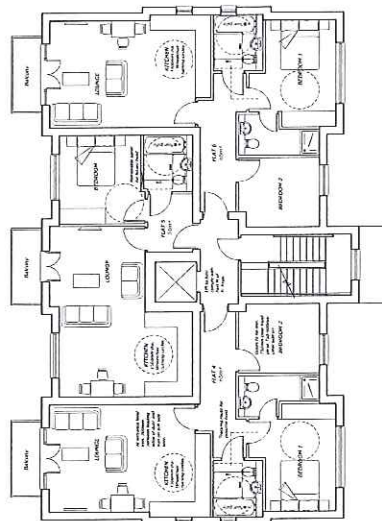
W J Macleod
ARCHITECT
270 West Street, Northbrook Heights, Hants
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Ordering Agency 15 / 3378 / 12	Expenditure
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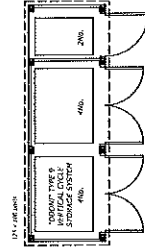
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80. <i>Streptococcus pneumoniae</i>	1.0	1.0
81. <i>Streptococcus pneumoniae</i>	1.0	1.0
82. <i>Streptococcus pneumoniae</i>	1.0	1.0
83. <i>Streptococcus pneumoniae</i>	1.0	1.0
84. <i>Streptococcus pneumoniae</i>	1.0	1.0
85. <i>Streptococcus pneumoniae</i>	1.0	1.0
86. <i>Streptococcus pneumoniae</i>	1.0	1.0
87. <i>Streptococcus pneumoniae</i>	1.0	1.0
88. <i>Streptococcus pneumoniae</i>	1.0	1.0
89. <i>Streptococcus pneumoniae</i>	1.0	1.0
90. <i>Streptococcus pneumoniae</i>	1.0	1.0

LAND r/o CRESCENT PARADE, UXBRIDGE ROAD,
HILLINGDON.

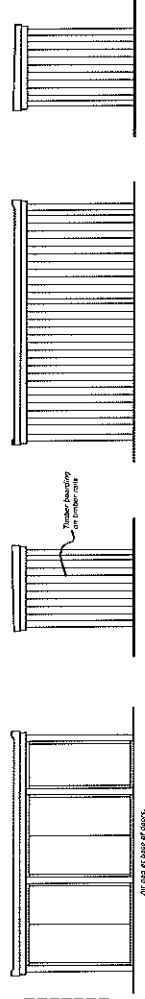
W J Macleod
ARCHITECT
700 High Street Northwood Midsex HA6 1BL
phone 01823 840693

Design Number	15 / 3378 / 11	Revision
Date	18 / 2 / 16	
Scale	1:100 @ AI	

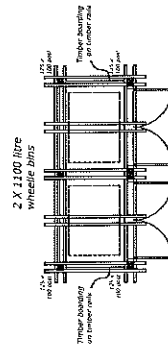
CYCLE STORE



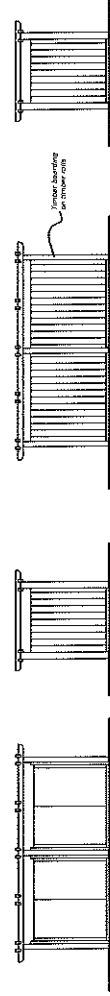
PLAN FOR 10 No. CYCLES



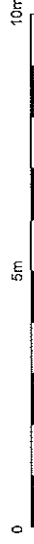
BIN / RECYCLE STORE



PLAN



Existing Plans and Elevations

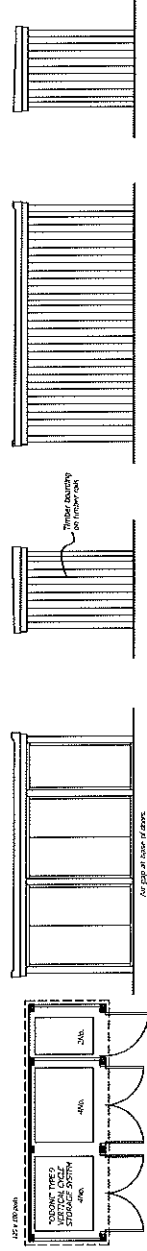


LAND 1/0 CRESCENT PARADE, LUXBRIDGE ROAD

W J Macleod
ARCHITECT
157/3378/13
18/2/16
1:100@A3

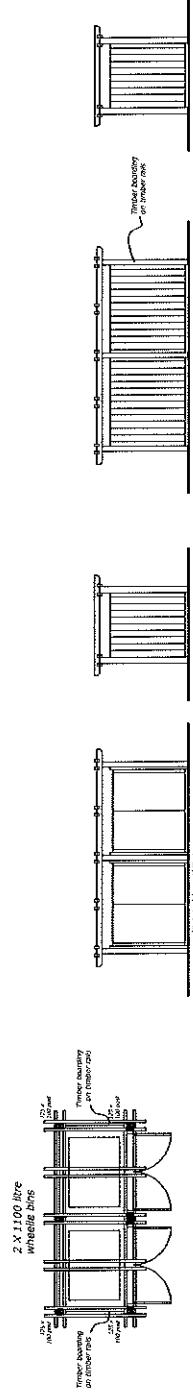
Project Number	157/3378/13
Date	18/2/16
Scale	1:100@A3

CYCLE STORE



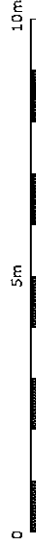
PLAN FOR 10 No. CYCLES

BIN / RECYCLE STORE



PLAN

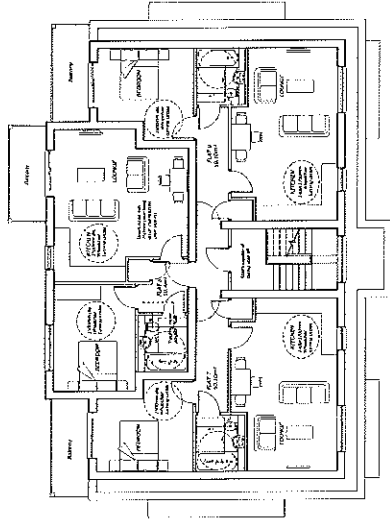
Existing Plans and Elevations



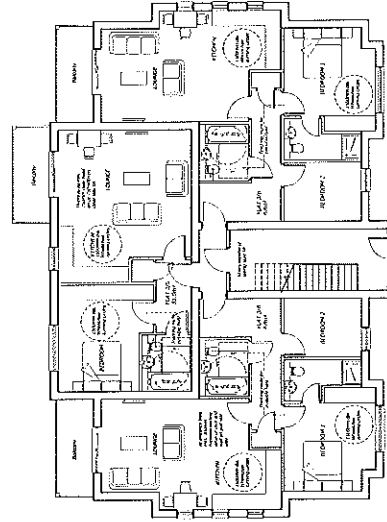
W J Macleod
ARCHITECT
100-100 CRESCENT PARADE, LUXBRIDGE ROAD
LUXBRIDGE, TASMANIA 7250

LAND 100 CRESCENT PARADE, LUXBRIDGE ROAD

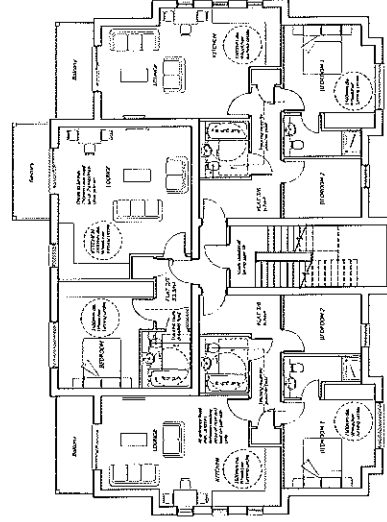
Project No.	15/3378/4
Date	7/19/15
Scale	1:100 (B43)



0.00m



0.00m



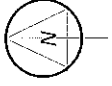
0.00m

FLOOR PLANS



W J Macleod
ARCHITECT
15/3278/2
7/9/15
1:100BA1

LAND REAR OF CRESCENT PARADE, HILLINGDON.



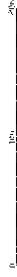
KEY



EXISTING TREES SHOWN



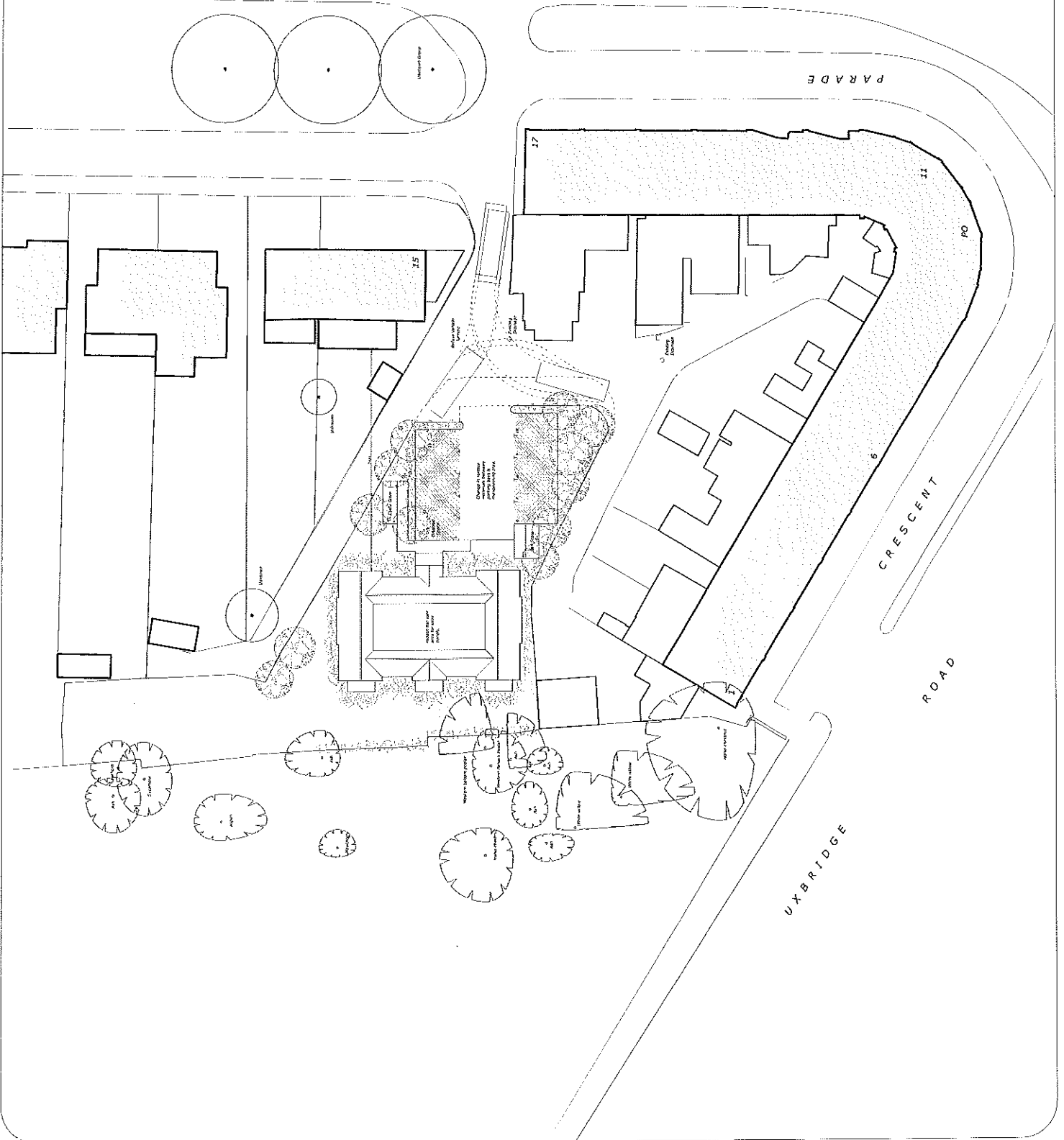
NEW TREES SHOWN
 WITH STIPPLED PATTERN

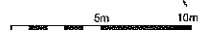


LAND 1/6 CRESCENT PARADE, UXBRIDGE ROAD,
 HILLINGDON.

W J Macleod
 ARCHITECT
 100 High Street, Hillingdon, Middx UB8 3PH
 Phone: 0181 200 0000

Project No.	15 / 2378 / 10
Date	18 / 2 / 16
Scale	1:200 @ A1





The diagram shows a cross-section of a tree trunk. A horizontal line through the center represents the crown spread. A vertical line through the center represents the tree number. A horizontal line through the center represents the species. A vertical line through the center represents the category. The diagram is divided into four quadrants by these lines. The quadrants are labeled: Category A (top-left), Category B (top-right), Category C (bottom-left), and Category D (bottom-right). The crown spread is labeled 'Crown Spread'. The tree number is labeled 'Tree Number'. The species is labeled 'Species'. The category is labeled 'Category'. The diagram also shows a 'Root Protection Area' and a 'Crown Spread'.



7 V N E 7 O N G

P A R A D E

LAND r/o CRESCENT PARADE, LUXERIDGE ROAD
HILLINGDON.

W J Macleod

ABSTRACT

2710 High Street, Northwest Washington, D.C.

00000812310 **enq**

