



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	63-65
Suffix	
Property name	
Address line 1	Station Road
Address line 2	
Address line 3	
Town/city	Hayes
Postcode	UB3 4BG

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

Easting (x)	509823
Northing (y)	179653

Description

2. Applicant Details

Title	Mr
First name	Tarlochan
Surname	Sahota
Company name	
Address line 1	63-65, Station Road
Address line 2	
Address line 3	
Town/city	Hayes
Country	

2. Applicant Details

Postcode	UB3 4BG
Primary number	
Secondary number	
Fax number	
Email address	

Are you an agent acting on behalf of the applicant? ☒ Yes ☐ No

3. Agent Details

Title	Mr
First name	Pravin
Surname	Raheja
Company name	P R Architecture
Address line 1	120
Address line 2	Pinner Road
Address line 3	
Town/city	London
Country	
Postcode	HA1 4JD
Primary number	
Secondary number	
Fax number	
Email	

4. Site Area

What is the measurement of the site area? (numeric characters only).	215.90
Unit	sq.metres

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.

First floor rear extension; Conversion of existing retail storage space to create 1 x 1- bed self contained flat
--

Has the work or change of use already started? ☐ Yes ☒ No

6. Existing Use

Please describe the current use of the site

Ground Floor A1 use and First floor A1(Storage) and C3 use
--

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):	
Description of proposed materials and finishes:	to match existing

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

Windows	
Description of existing materials and finishes (optional):	UPVC Windows
Description of proposed materials and finishes:	UPVC Windows

Doors	
Description of existing materials and finishes (optional):	
Description of proposed materials and finishes:	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

OS PLAN 01B EXISTING AND PROPOSED SITE PLAN 03B EXSITNG DRAWINGS 06A PROPOSED DRAWINGS

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

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

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

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 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:

12. Biodiversity and Geological Conservation

- ☐ 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

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

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

If you have answered Yes to the question above please add details in the following table:

Use Class	Existing gross internal floorspace (square metres)	Gross internal floorspace to be lost by change of use or demolition (square metres)	Total gross new internal floorspace proposed (including changes of use) (square metres)	Net additional gross internal floorspace following development (square metres)
A1 - Shops Net Tradable Area	185.7	24.8	160.9	136.1
Total	185.7	24.8	160.9	136.1

For hotels, residential institutions and hostels please additionally indicate the loss or gain of rooms:

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:

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

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.

25. Ownership Certificates and Agricultural Land Declaration

Person role

- ☐ The applicant
☒ The agent

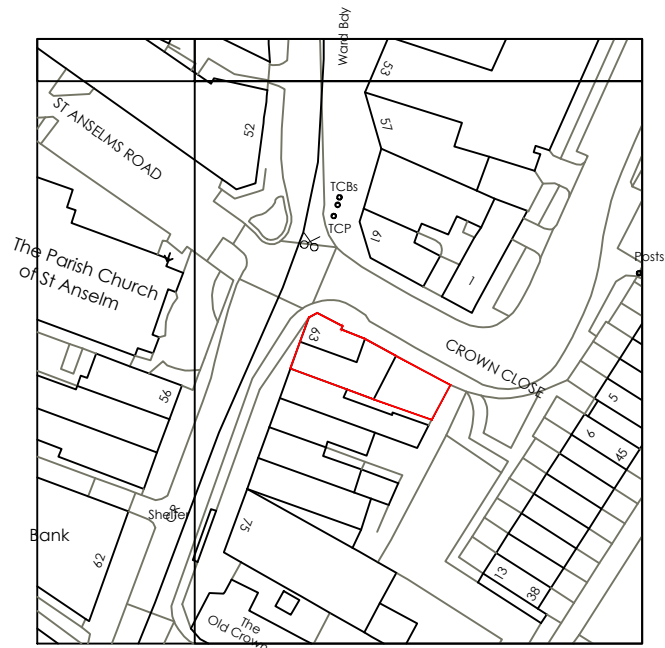
Title	Mr
First name	Pravin
Surname	Raheja
Declaration date (DD/MM/YYYY)	17/02/2020

☒ Declaration made

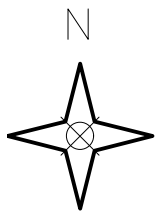
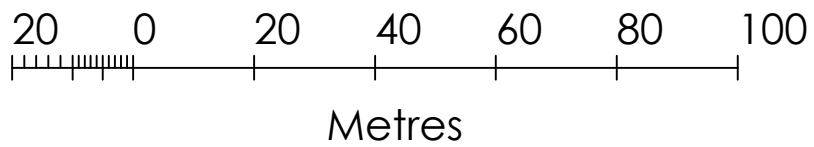
26. Declaration

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. ☒

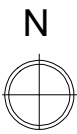
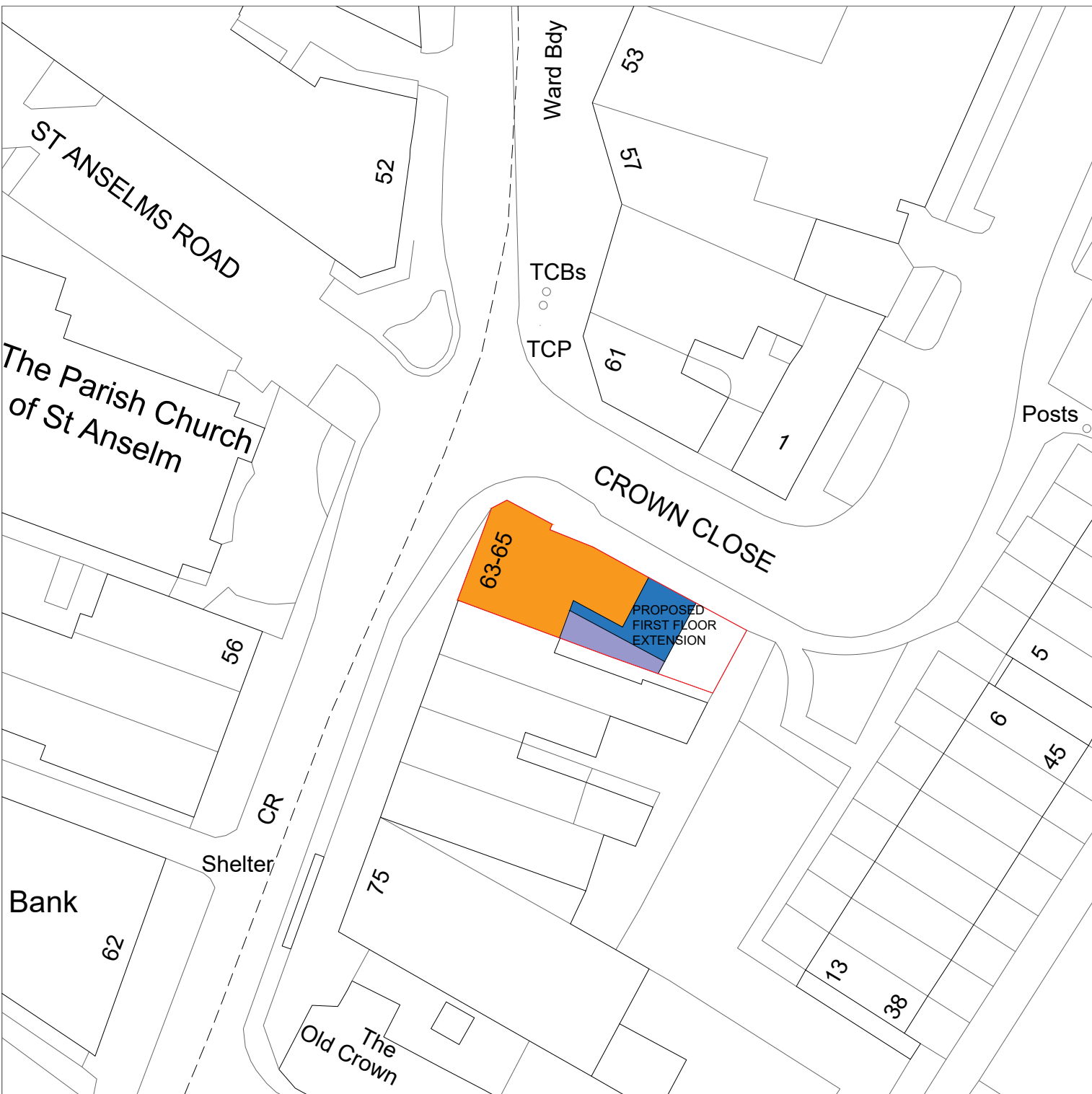
Date (cannot be pre-application)	17/02/2020
----------------------------------	---



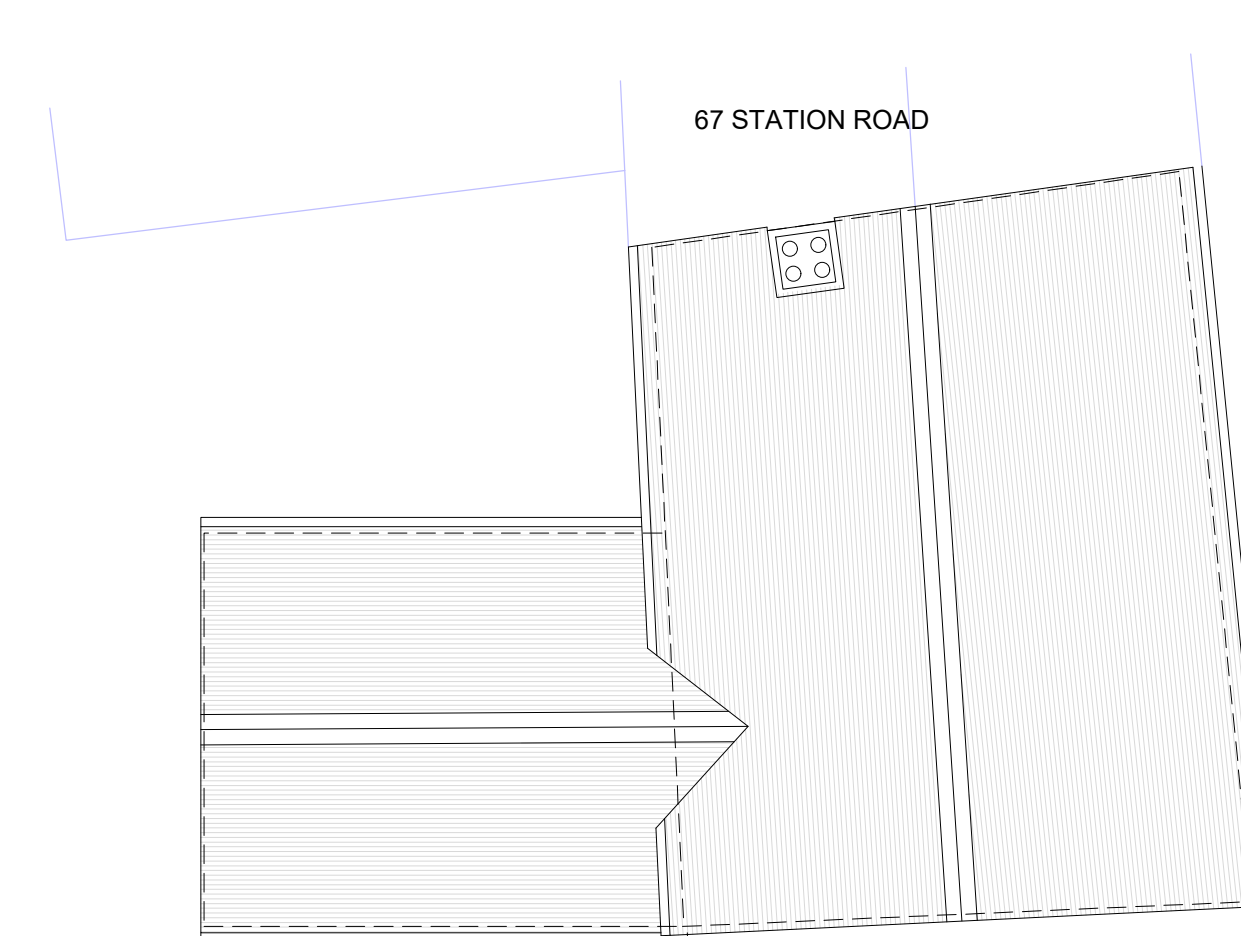
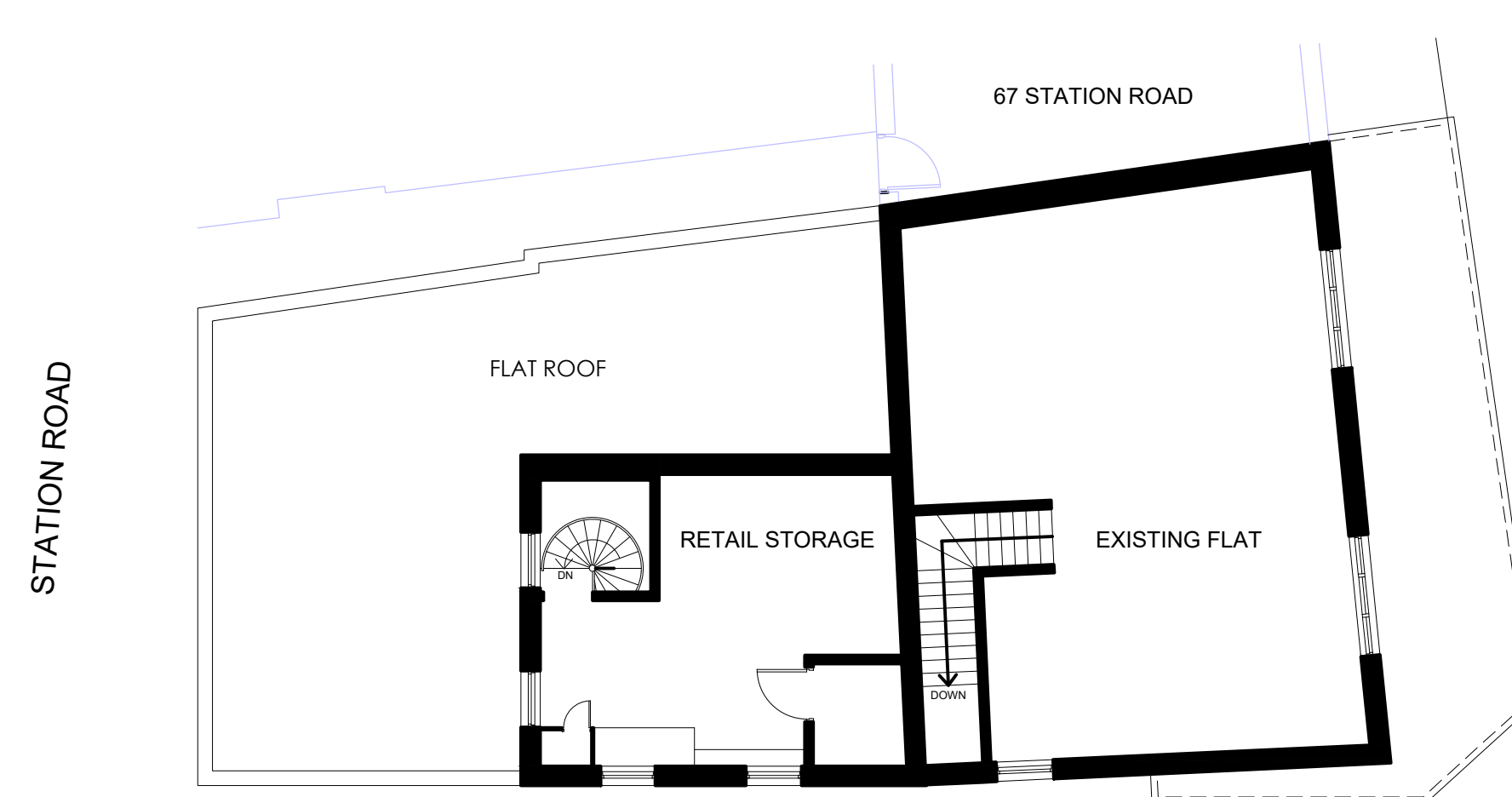
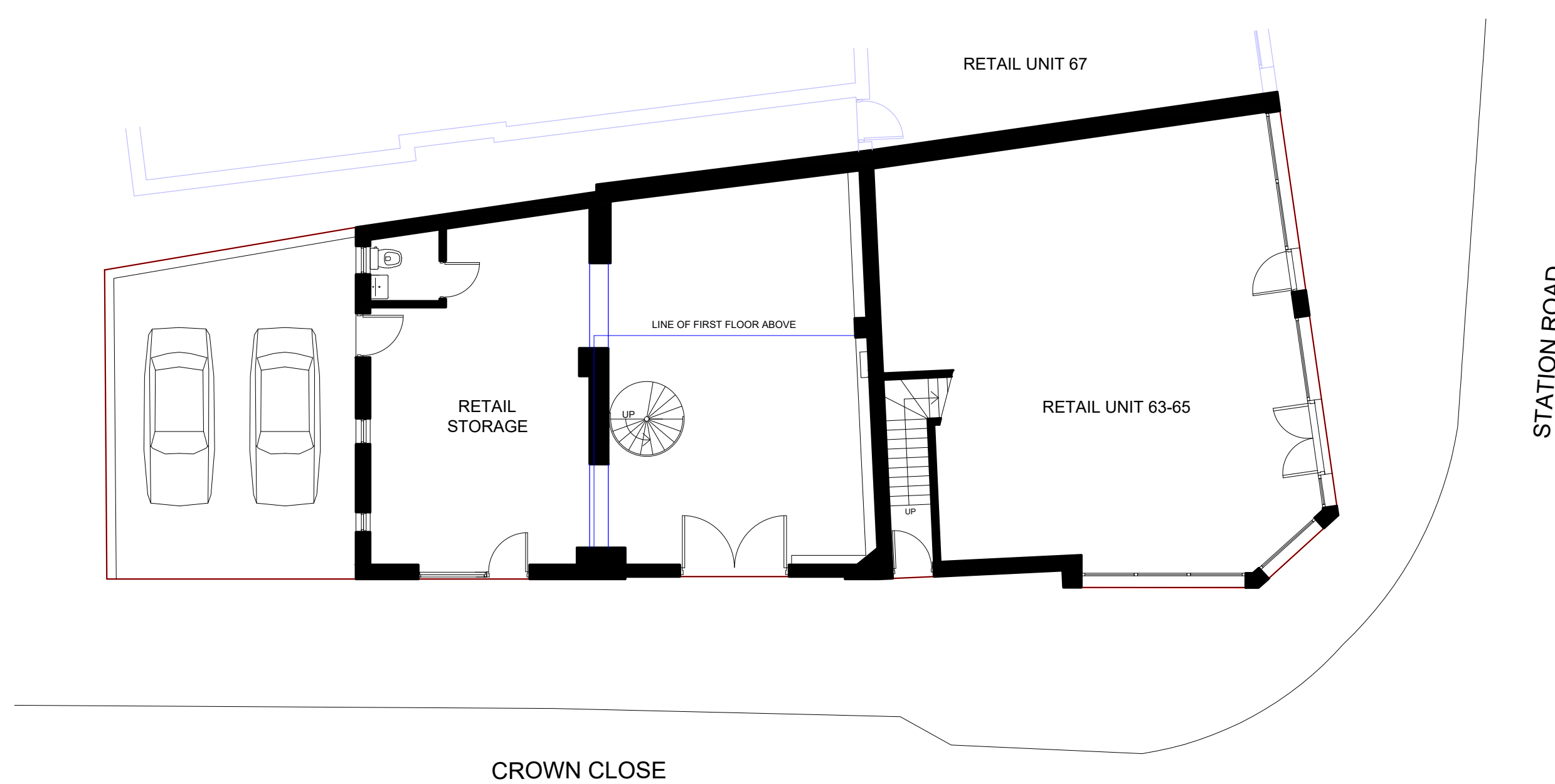
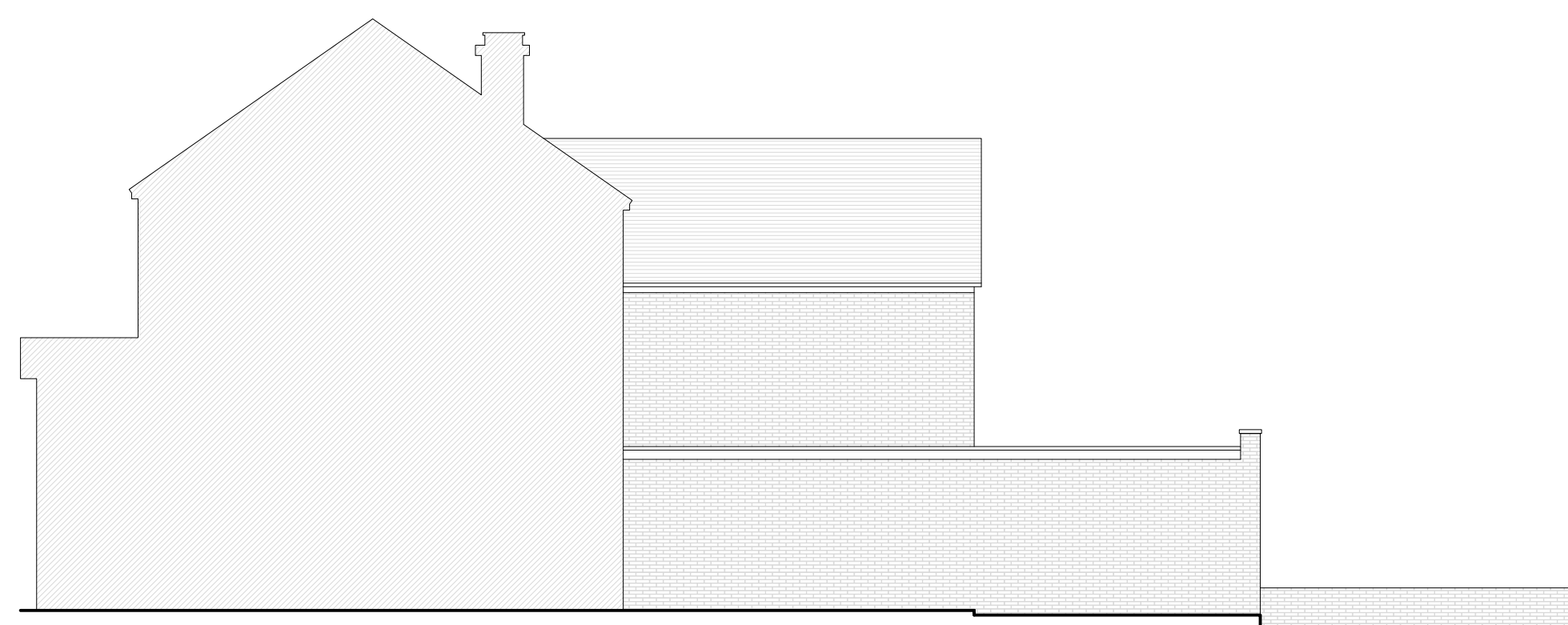
98 SCALE : 1/1250 @ A4



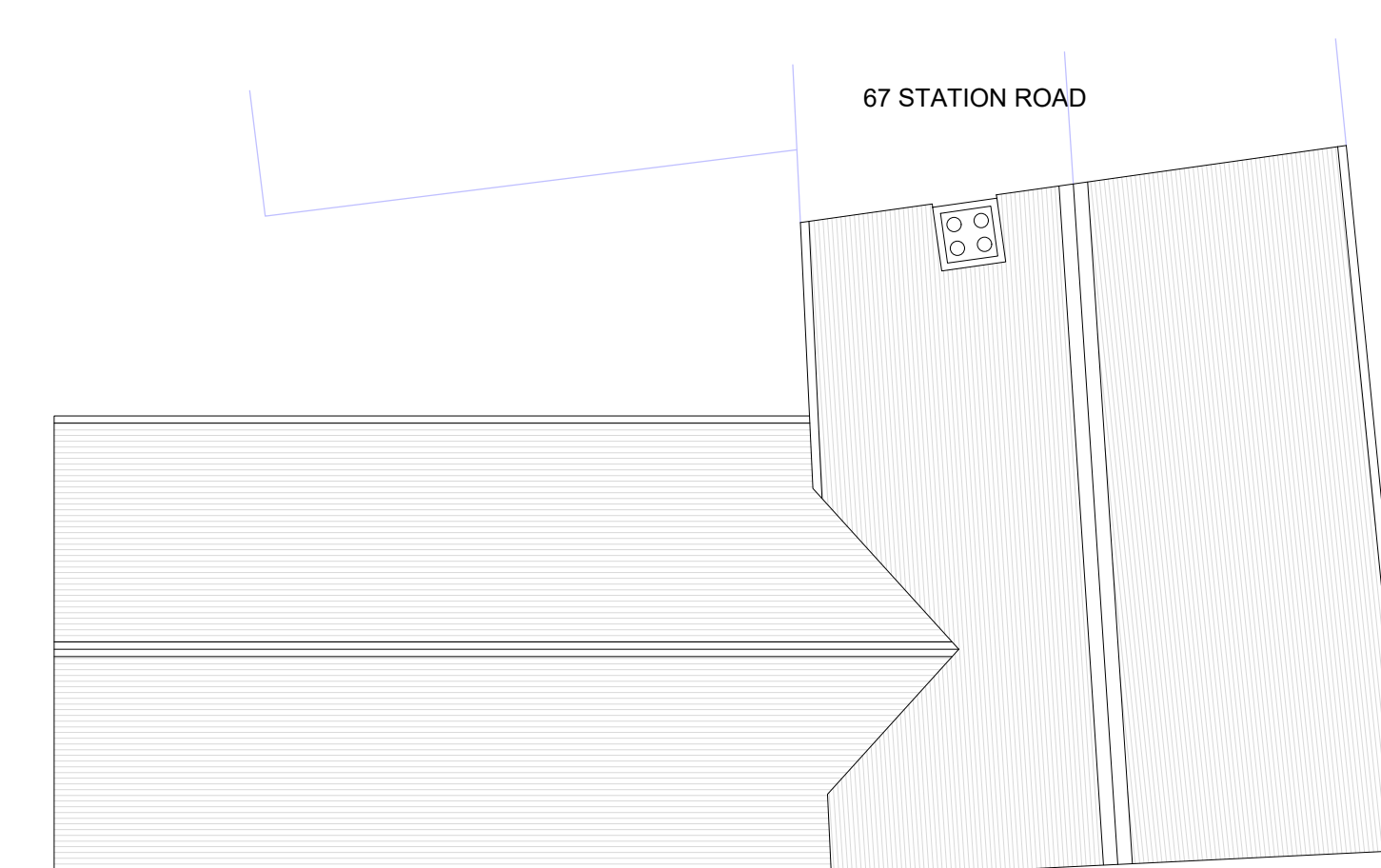
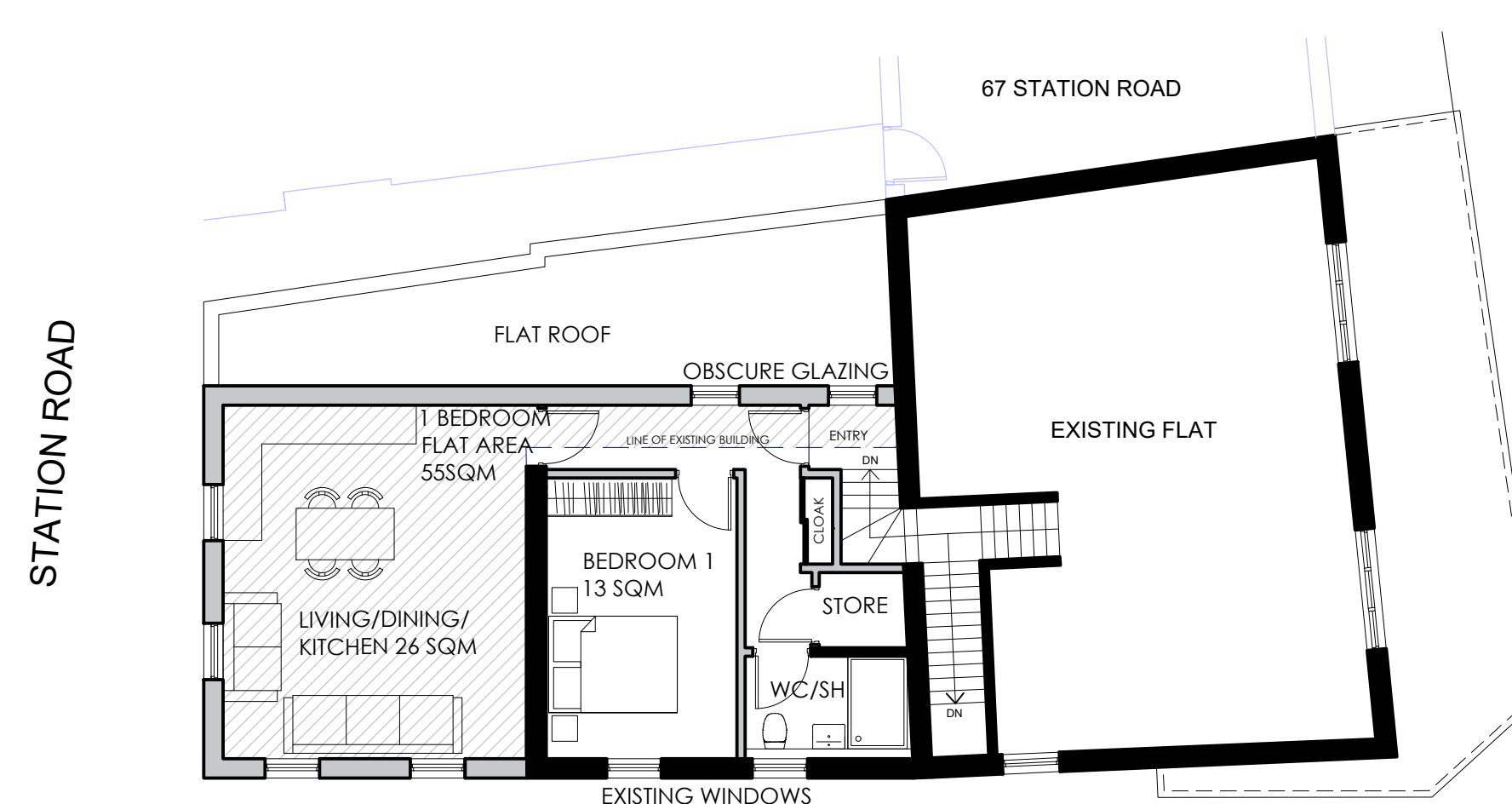
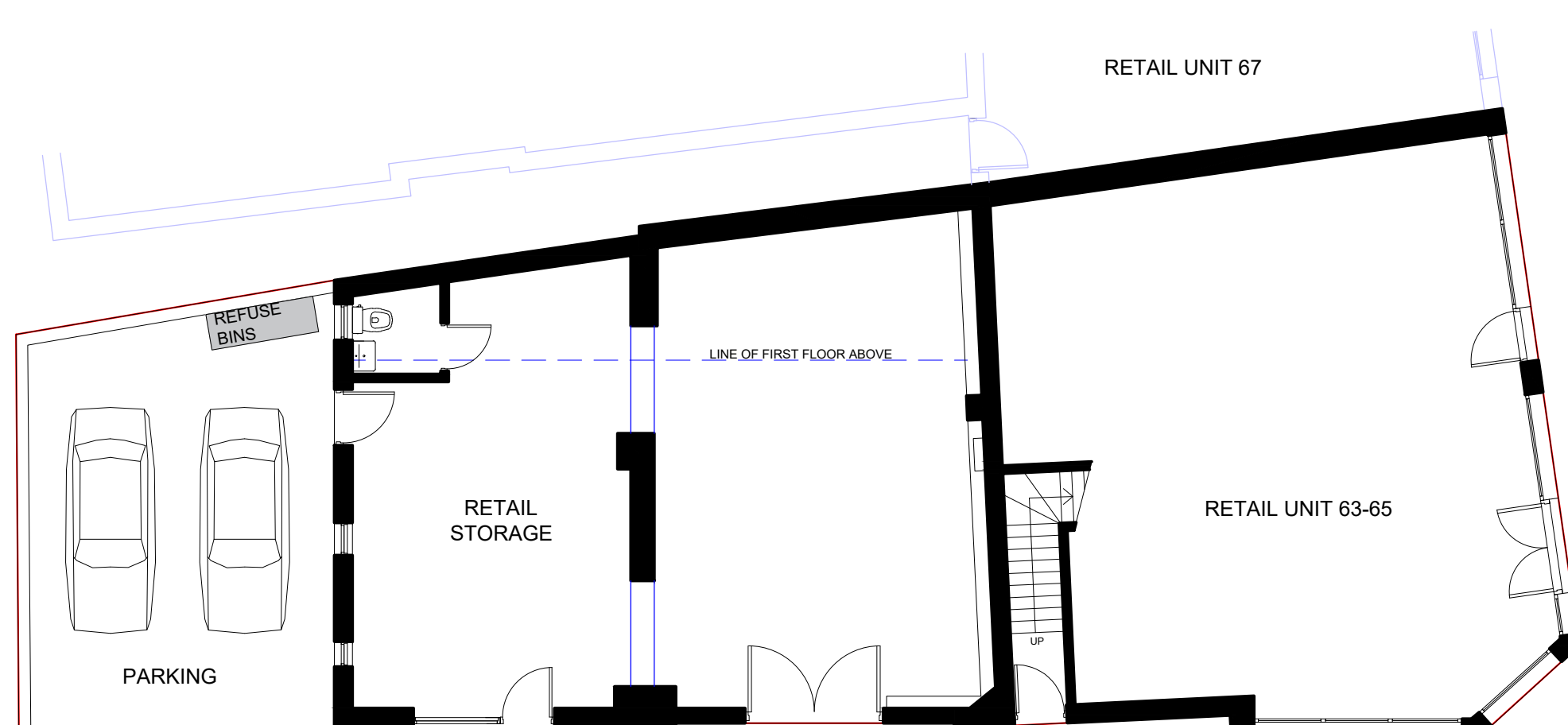
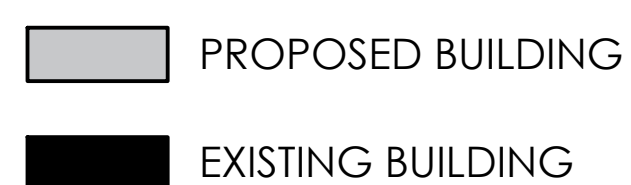
**63-65 STATION ROAD
HAYES UB3 4BG**



PROJECT	DWG NO.	SCALE	DETAIL	30.10.2019	A 28.01.2020	B 17.02.2020					PROJECT NO.	P R A r c h i t e c t u r e l t d. <i>Chartered Architect</i> 120, Pinner Road, Harrow, HA1 4JD. Tel: 0208 357 2304
63-65 STATION ROAD HAYES UB3 4 BG	01B	1:500 @ A2	SITE PLAN	ISSUED TO PLANNING DEPT., HILLINGDON	ISSUED FOR DISCUSSION	SUBMITTED TO PLANNING					19.38	
SITE PLAN												



PROJECT	DWG NO.	SCALE	DETAIL	A 28.01.2020 REVISED DRAWINGS	B 17.02.2020 SUBMITTED TO PLANNING					PROJECT NO.	PR Architecture Ltd. Chartered Architect 120, Pinner Road, Harrow, HA1 4JD. Tel: 0208 357 2304
63-65 STATION ROAD HAYES UB3 4 BG	03B	1:100 @ A1	EXISTING PLANS AND ELEVATIONS							19.38	
EXISTING BUILDING											



PROJECT	DWG NO.	SCALE	DETAIL	28.01.2020 REVISED DRAWINGS	A 17.02.2020 SUBMITTED TO PLANNING					PROJECT NO.	PR Architecture Ltd. Chartered Architect 120, Pinner Road, Harrow, HA1 4JD. Tel: 0208 357 2304
63-65 STATION ROAD HAYES UB3 4 BG	06A	1:100 @ A1	PROPOSED PLANS AND ELEVATIONS							19.38	
PROPOSED BUILDING											

Residential/Dwelling Units - Supplementary information template

If your proposal includes the gain, loss or change-of-use of residential units (including conversion) please enter the numbers of existing and proposed dwellings according to the number of bedrooms in the appropriate categories and types below.

The form will automatically populate the totals for each section as well as the combined total number of existing and proposed dwellings and the overall net gain/loss of residential units.

Once completed, please save the file on your device and then upload it as a supporting document to the relevant online application using the 'Supplementary Information Template' document type.

Definitions of the housing categories and dwelling types in the table below are available in Annex 1 below.

Planning Portal
Reference and
site address

PP-08516572

63-65 Station Road, Hayes UB3 4BG

Proposed Housing

Market Housing	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats/maisonettes	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Cluster flats	☐						
Other	☐						
Totals =							

Social, Affordable or Intermediate Rent	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats/maisonettes	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Cluster flats	☐						
Other	☐						
Totals =							

Existing Housing

Market Housing	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats/maisonettes	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Cluster flats	☐						
Other	☐						
Totals =							

Social, Affordable or Intermediate Rent	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats/maisonettes	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Cluster flats	☐						
Other	☐						
Totals =							

Residential Units - Supporting Information

Proposed Housing

Affordable Home Ownership	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats/maisonettes	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Cluster flats	☐						
Other	☐						
Totals =							

Starter Homes	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats/maisonettes	☐						
Bedsit/studios	☐						
Other	☐						
Totals =							

Self Build and Custom Build	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats/maisonettes	☒	1	1				2
Bedsit/studios	☐						
Other	☐						
Totals =							2

Total proposed residential units = 2

Existing Housing

Affordable Home Ownership	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats/maisonettes	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Cluster flats	☐						
Other	☐						
Totals =							

Starter Homes	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats/maisonettes	☐						
Bedsit/studios	☐						
Other	☐						
Totals =							

Self Build and Custom Build	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats/maisonettes	☒		1				1
Bedsit/studios	☐						
Other	☐						
Totals =							1

Total existing residential units = 1

TOTAL NET GAIN or LOSS of RESIDENTIAL UNITS (Proposed Housing Grand Total - Existing Housing Grand Total): 1

Annex 1 - Definitions of housing categories and dwelling types

The housing categories are defined as:

1. **Market Housing** - Housing sold or rented on the open market.
2. **Social, Affordable or Intermediate Rent** - These three rental categories are grouped together, but each has a specific definition.

Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with Homes England.

Affordable rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80 per cent of the local market rent (including service charges, where applicable).

Intermediate rented housing is provided at a cost above social rent, but below market levels subject to the Affordable Housing criteria.
3. **Affordable Home Ownership** - Affordable housing is intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices.

Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

Homes that do not meet the above definition of affordable housing, such as 'low cost market' housing, may not be considered as affordable housing for planning purposes.
4. **Starter Homes** - New homes or new conversions with a discount of at least 20% of their full market value. Starter home prices are capped at £250,000 outside London and £450,000 in London, they will also generally have restrictions applied to their ability to be rented or resold.
5. **Self-Build and Custom Build** - Houses built or completed by: individuals; associations of individuals; or persons working with or for them, to be occupied by those individuals.

It does not include the building of a house on a plot acquired from a person who builds the house wholly or mainly to plans or specifications they have decided or offered (e.g. buying an unbuilt house 'off-plan')

In considering whether a home is a self-build or custom build home, relevant authorities must be satisfied that the initial owner of the home will have primary input into its final design and layout.

The dwelling types are defined as:

- A. **Houses** - A dwelling that is not a flat, includes single-storey bungalows.
- B. **Flats / Maisonettes** - Includes separate and self-contained premises constructed or adapted for use for residential purposes and forming part of a building from some other part of which it is usually divided horizontally. Maisonettes are flats containing more than one storey.
- C. **Cluster flats** - Units with no separate or self-contained living and sleeping accommodation within a larger building of which it forms a part.
- D. **Sheltered housing** - Specifically designed housing in a group with services such as the support of a warden, communal facilities, alarm systems and laundry services. Also includes grouped housing schemes without the services of a warden and other communal facilities.
- E. **Bedsits / Studios** - Refers to a bedroom/living room containing cooking facilities. In addition, it may also contain washing facilities or even a shower.
- F. **Other** - Other types of dwellings not specifically referred to in the above types.

DELEGATED DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL

Select Option

- | | |
|--|--------------------------|
| 1. No valid planning application objection in the form of a petition of 20 or more signatures, has been received | ☐ |
| 2. Application complies with all relevant planning policies and is acceptable on planning grounds | ☐ |
| 3. There is no Committee resolution for the enforcement action | ☐ |
| 4. There is no effect on listed buildings or their settings | ☐ |
| 5. The site is not in the Green Belt (but see 11 below) | ☐ |

REFUSAL RECOMMENDED: GENERAL

- | | |
|--|--------------------------|
| 6. Application is contrary to relevant planning policies/standards | ☐ |
| 7. No petition of 20 or more signatures has been received | ☐ |
| 8. Application has not been supported independently by a person/s | ☐ |
| 9. The site is not in Green Belt (but see 11 below) | ☐ |

RESIDENTIAL DEVELOPMENT

- | | |
|--|--------------------------|
| 10. Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha | ☐ |
| 11. Householder application in the Green Belt | ☐ |

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

- | | |
|--|--------------------------|
| 12. Change of use of retail units on site less than 1 ha or with less than 1000 sq m other than a change involving a loss of A1 uses | ☐ |
| 13. Refusal of change of use from retail class A1 to any other use | ☐ |
| 14. Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use. | ☐ |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 15. Certificate of Lawfulness (for proposed use or Development) | ☐ |
| 16. Certificate of Lawfulness (for existing use or Development) | ☐ |
| 17. Certificate of Appropriate Alternative Development | ☐ |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 18. ADVERTISEMENT CONSENT (excluding Hoardings) | ☐ |
| 19. PRIOR APPROVAL APPLICATION | ☐ |
| 20. OUT-OF-BOROUGH OBSERVATIONS | ☐ |
| 21. CIRCULAR 18/84 APPLICATION | ☐ |
| 22. CORPSEWOOD COVENANT APPLICATION | ☐ |
| 23. APPROVAL OF DETAILS | ☐ |
| 24. ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where Heads of Terms have already received Committee approval | ☐ |
| 25. WORKS TO TREES | ☐ |
| 26. OTHER (please specify) | ☐ |

The delegation powers schedule has been checked. Director of Residents Services can determine this application.

Case Officer:

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

Item No. **Report of the Head of Planning, Transportation and Regeneration**

Address 63-65 STATION ROAD HAYES

Development: First floor rear extension and creation of 1 x 1-bed self contained flat

LBH Ref Nos: **18175/APP/2020/544**

Drawing Nos: 01B
 Location Plan (1:1250)
 06A
 03B

Date Plans received : 21/02/2020

Date(s) of Amendment(s):

Date Application Valid: 21/02/2020

1. **SUMMARY**

The application seeks planning permission for the erection of a first floor rear extension and creation of 1 x 1-bed self contained flat. The proposal seeks to address the concerns raised by an Inspector in a recent appeal. It is considered that the proposal fails to address the concerns in terms of the impact of the proposal on the residential amenities of the occupants of the flat at Number 67A Station Road.

2. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development, by reason of its overall siting, size, scale and bulk would result in an overdominant and visually obtrusive form of development in relation to the existing adjoining occupiers of the first floor flat at 67 Station Road and as such would constitute an un-neighbourly form of development, resulting in a material loss of residential amenity. The proposal is therefore contrary to Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

2 NON2 Non Standard reason for refusal

In the absence of a legal agreement or obligation, the applicant has failed to agree to the restrictions of parking permits which is required in order to facilitate sustainable development. The developments therefore fails to provide adequate off street parking provision or demonstrate that the proposal would not lead to a deleterious impact on street parking provision, congestion or local amenity contrary to Policies DMT 2 and DMT 6 Hillingdon Local Plan: Part Two - Development Management Policies (2020).

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

DMH 2	Housing Mix
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
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 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 I59 Councils Local Plan : Part 1 - Strategic Policies

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.

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. This is a resubmission of a previously refused scheme, where the Inspectors Report identified issues to be addressed, which were reflected in the reasons for refusal, allowing the opportunity to address those issues within this submission.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a retail unit with storage above located within the

secondary shopping frontage in Hayes Town Centre as identified within the Hillingdon Local Plan (November 2012). Residential Properties in Crown Close are located to the south east of the application site.

3.2 Proposed Scheme

The application seeks planning permission for the erection of a first floor rear extension and creation of 1 x 1-bed self contained flat.

3.3 Relevant Planning History

18175/APP/1999/2322 63-65 Station Road Hayes
CHANGE OF USE TO AMUSEMENT CENTRE

Decision: 01-03-2000 Refused

18175/APP/2008/2310 63-65 Station Road Hayes

Two storey rear extension comprising 2 retail units at ground floor, 2 two-bedroom flats at first floor level and 1 one-bedroom flat at second floor level involving the installation of 7 rooflights in side elevations and demolition of single storey rear projection

Decision: 29-10-2008 Refused

18175/APP/2013/2507 63-65 Station Road Hayes

Three storey rear extension to include retail (Use Class A1) on ground floor and 2 x 1 bed and 2 x studio flats on first and second floors, involving demolition of single storey extension.

Decision: 31-10-2013 Refused

18175/APP/2014/232 63-65 Station Road Hayes

Three storey rear extension to include 2 x retail (Use Class A1) units and parking garage on ground floor and 2 x 2 bed self contained flats on first and second floors, involving demolition of single storey extension (Resubmission)

Decision: 19-03-2014 Refused

18175/APP/2016/715 63-65 Station Road Hayes
First floor rear extension

Decision: 26-04-2016 Approved

18175/APP/2017/2180 63-65 Station Road Hayes
Single storey rear extension

Decision: 25-09-2017 Approved

18175/B/80/1295 63-65 Station Road Hayes
Change of use

Decision: 07-10-1980 Refused

18175/D/81/0522 63-65 Station Road Hayes
Change of use from retail shop to estate agents

Decision: 01-05-1981 Approved

18175/E/81/1249 63-65 Station Road Hayes

Change of use to Retail use 84 sq.m

Decision: 16-10-1981 Refused

18175/G/81/9101 63-65 Station Road Hayes

Installation of internally illuminated fascia signs

Decision: 12-10-1981 Approved

18175/H/83/0275 63-65 Station Road Hayes

Change of use from shop with residential above to shop with offices above (Nos.63 and 65)

Decision: 10-05-1983 Refused

18175/K/84/0167 63-65 Station Road Hayes

Change of use of first floor from residential to office (Nos.63 and 65)

Decision: 22-06-1984 Approved

18175/PRC/2014/61 63-65 Station Road Hayes

Demolition of rear section retail unit. Construction of retail unit and 2 flats above

Decision: 07-08-2015 OBJ

18175/PRC/2015/169 63-65 Station Road Hayes

Proposed ground and first floor extension. New storage to existing retail

Decision: 15-01-2016 OBJ

57520/APP/2015/855 63 Station Road Hayes

Part two storey, part single storey rear extension and enlargement of roof space to create 2 x 2 bed self contained flats with amenity space and new retail area to rear

Decision: 11-05-2015 Refused

Appeal: 29-09-2015 Dismissed

57520/APP/2019/3607 63 Station Road Hayes

First floor rear extension and conversion of existing retail storage space to create 1 x 2 bed self contained flat with amenity space

Decision: 10-01-2020 Refused

Comment on Planning History

57520/APP/2019/3607 - First floor rear extension and conversion of existing retail storage space to create 1 x 2 bed self contained flat with amenity space was recently refused for the following reasons:

1. The proposed development by virtue of its excessive size, scale, bulk and design would be detrimental to the architectural composition of the existing building, the visual amenities of the street scene and would harm the character and appearance of the wider area. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and policies DMHB 11 and DMHD 1 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019).

2. The proposed development by reason of its overall siting, size, and position of the roof terrace would result in an overdominant and visually obtrusive form of development in relation to the existing adjoining occupiers of the first floor flat at 67 Station Road and as such would constitute an un-neighbourly form of development, resulting in a material loss of residential amenity. The proposal is therefore contrary to policies OE1, BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

3. The proposed development fails to provide sufficient off street parking provision and therefore the development is considered to result in substandard car parking provision, 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), to Hillingdon's Adopted Parking Standards as set out in the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012), Policy DMT6 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

There has been a long history of refusals for flats at first floor level. The most notable was application reference 57520/APP/2015/855 for the Part two storey, part single storey rear extension and enlargement of roof space to create 2 x 2 bed self contained flats with amenity space and new retail area to rear which was refused for the following reasons:

1. The proposed development by virtue of its excessive size, scale, bulk, site coverage and inappropriate details of design, would result in an incongruous addition which would be detrimental to the architectural composition of the existing building, the visual amenities of the street scene and would harm the character and appearance of the wider area. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5 and 7.4 of the London Plan (2011) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

2. The proposed development by reason of its overall siting, size, and position of windows, doors and roof terraces would result in an overdominant and visually obtrusive form of development in relation to the existing adjoining occupiers of the first floor flat at 67 Station Road and as such would constitute an un-neighbourly form of development, resulting in a material loss of residential amenity. The proposal is therefore contrary to policies OE1, BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

3. The proposed development would result in the loss of 3 existing on site parking spaces and fails to provide sufficient off street parking provision which meets the Council's approved parking standards to service the proposed and existing dwellings and retail units. The development would therefore lead to additional on street parking to the detriment of public and highway safety and is therefore contrary to Policies AM7 and AM14 of the Hillingdon Local Plan Part Two - Saved UDP Policies (November 2012), the Council's adopted car parking standards and the adopted Supplementary Planning Document HDAS: Residential Layouts.

4. The proposal fails to make adequate provision for servicing within the site resulting in

servicing of the development taking place along the adjacent highway, which would be detrimental to the free flow of traffic and highway and pedestrian safety, contrary to Policy AM14 of the Hillingdon Local Plan Part Two - Saved UDP Policies (November 2012).

An appeal was subsequently dismissed which is discussed below

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date:- Not applicable

4.2 Site Notice Expiry Date:- Not applicable

5. Comments on Public Consult

2 letters of objection have been received raising concerns relating to:

1. Overdevelopment
2. Loss of light and outlook
3. Party Wall Act
4. Parking concerns

Access Officer:

This proposal has been reviewed against the requirements of London Plan policy 3.8(c) which should not be applied to the extension of an existing building.

Conclusion: no objections raised from an accessibility perspective.

Highways:

Planning permission is sought to build a one bedroom flat without car parking. The application site is situated in the middle of Hayes town centre with excellent access to shops, services, facilities and transport links. Transport for London use a system called PTAL (Public Transport Accessibility Level) to measure access to the public transport network. PTAL assesses walk times to the nearest public transport location taking into account service frequency. The location is then scored between 0 and 6b where 0 is the worst and 6b the best. According to the Transport for London WebCAT service the application site has a PTAL ranking of 5 indicating access to public transport is good compared to London as a whole suggesting that there are opportunities for some trips to be made to and from the site by modes other than the private car. The Hillingdon Local Plan: Part 2 Development Management Policies (2020) Policy DMT 6: Vehicle Parking requires that development proposals must comply with the relevant parking standards. For a development of this type the maximum number of parking spaces permitted is 1. However, taking into account the application site's town centre location a car free development is acceptable subject to the provision of one covered and secure bicycle parking space and that the applicant enters into a S106 legal agreement to ensure the future residents do not have access to parking permits within the adjacent parking management scheme. There are no highway objections to this proposal.

Contamination Officer: No Objection.

6. Local Plan Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.H1 (2012) Housing Growth

Part 2 Policies:

DMH 2 Housing Mix

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 16 Housing Standards

DMHB 18 Private Outdoor Amenity Space

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 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

In addition:

7. MAIN PLANNING ISSUES

7.1 Impact on the amenities of the occupiers of neighbouring residential properties

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

In relation to the previous appeal the Inspector advised:

"From the evidence that is before me and from my site visit it is clear that the occupants of the first floor flat at 67 Station Road are most likely to be affected by the proposed extension in terms of overlooking, noise and disturbance and outlook. I saw that this first floor flat has habitable windows in its rear elevation. Whilst I accept that the reduced bulk of the proposed extension would not result in any technical loss of light to the occupants of this property it seems to me that windows to be inserted in the side elevation (south flank) of the proposed flats would lead to an unacceptable loss of privacy for the occupants of the first floor flat at 67 Station Road through overlooking.

Furthermore, there would be a significant potential for increased levels of noise and

disturbance and potentially loss of privacy arising from the access and use of the terrace areas close to this property. Moreover, I consider the extension would result in an over-dominant and visually obtrusive form of development in relation to the occupants of the first floor flat at 67 Station Road thereby causing a material loss of outlook for these adjoining occupiers. Overall I find that the proposed extension would be in conflict with Policies BE19, BE21, BE24 and OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). On the second issue I conclude that the appeal must fail."

The current proposal does not include a terrace and the dormer extension has been removed. Whilst this does remove two concerns raised by the Inspector, it does not fully address the concern that the proposal would result in an over-dominant and visually obtrusive form of development in relation to the occupants of the first floor flat at 67 Station Road thereby causing a material loss of outlook for these adjoining occupiers. The overall bulk of the extension in terms of its footprint and roof has been increased since the recent appeal dismissal which further exacerbates the impact in terms of outlook to the occupants of the first floor flat at Number 67 Station Road. The proposed development therefore, by reason of its overall siting, size, and bulk would result in an overdominant and visually obtrusive form of development in relation to the existing adjoining occupiers of the first floor flat at 67 Station Road and as such would constitute an un-neighbourly form of development, resulting in a material loss of residential amenity. The proposal is therefore contrary to Policies DMHB11 and DMHD1 of the Hillingdon Local Plan - Part Two (2020).

7.2 Impact on Street Scene

The NPPF (2012) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

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

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

Policy BE1 of the Hillingdon Local Plan (November 2012) requires that all new development achieves a 'high quality of design in all new buildings, alterations and extensions'.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including: i) harmonising with the local context by taking into account the surrounding: · scale of development, considering the height, mass and bulk of adjacent structures; · building plot sizes and widths, plot coverage and established street patterns; · building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure;

architectural composition and quality of detailing; local topography, views both from and to the site; and impact on neighbouring open spaces and their environment. ii) ensuring the use of high quality building materials and finishes; iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities; iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure

The application site occupies a prominent corner location with the rear and side elevations appearing prominent within the streetscene. This current proposal removes the unacceptable crown roof element and dormer extensions of the previous proposal. The extension is designed to be subordinate in height to the existing building and, whilst it elongates the plan form, it is considered that the proposed extension would respect the architectural integrity of the host building and would not detract from the visual amenities of the street scene.

7.3 Traffic Impact/Pedestrian Safety

See below

7.4 Carparking & Layout

Policy DMT 2: Highways Impacts states:

Development proposals must ensure that:

- i) safe and efficient vehicular access to the highway network is provided to the Council's standards;
- ii) they do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents;
- iii) safe, secure and convenient access and facilities for cyclists and pedestrian are satisfactorily accommodated in the design of highway and traffic management schemes;
- iv) impacts on local amenity and congestion are minimised by routing through traffic by the most direct means to the strategic road network, avoiding local distributor and access roads; and
- v) there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing and committed roads, including along roads or through junctions which are at capacity.

Policy DMT 6: Vehicle Parking states:

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

The Council may agree to vary these requirements when:

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

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

The application site is situated in the middle of Hayes town centre with excellent access to

shops, services, facilities and transport links. The site has a PTAL ranking of 5 indicating access to public transport is good compared to London as a whole suggesting that there are opportunities for some trips to be made to and from the site by modes other than the private car. For a development of this type the maximum number of parking spaces permitted is 1. However, the Highways Officer has confirmed that taking into account the applications sites town centre location a car free development is acceptable subject to the provision of one covered and secure bicycle parking space and that the applicant enters into a S106 legal agreement to ensure the future residents do not have access to parking permits within the adjacent parking management scheme, no objection is raised on parking grounds. The applicant has agreed to enter into such a S106 agreement. However, no agreement or obligation currently exists and in the absence of this, the applicant has failed to agree to the restrictions of parking permits which is required in order to facilitate sustainable development. The developments therefore fails to provide adequate off street parking provision or demonstrate that the proposal would not lead to a deleterious impact on street parking provision, congestion or local amenity contrary to Policies DMT 2 and DMT 6 Hillingdon Local Plan: Part Two - Development Management Policies (2020).

7.5 Urban Design, Access and Security Considerations

Policy DMHB 16: Housing Standards states:

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

meet or exceed the most up to date internal space standards, as set out in Table 5.1. A one bedroom (2 person) flat is required to provide 50 square metres which the proposal would achieve. Furthermore the habitable rooms would enjoy a satisfactory outlook in accordance with the requirements of Policy 3.5 of the London Plan (2016).

7.6 Other Issues

CIL

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £60 per sq metre.

8. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)
The London Plan (2016)
The Housing Standards Minor Alterations to The London Plan (March 2016)
Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)
Technical Housing Standards - Nationally Described Space Standard
Hillingdon Design and Accessibility Statement: Accessible Hillingdon
National Planning Policy Framework

Contact Officer: Nicola Taplin

Telephone No: 01895 250230



Mr Pravin Raheja
120
Pinner Road
London
HA1 4JD

Application Ref: 18175/APP/2020/544

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:

First floor rear extension and creation of 1 x 1-bed self contained flat

Location of development: 63-65 Station Road Hayes

Date of application: 21 February 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: 10 June 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: 18175/APP/2020/544

SCHEDULE OF REASONS

- 1 . The proposed development, by reason of its overall siting, size, scale and bulk would result in an overdominant and visually obtrusive form of development in relation to the existing adjoining occupiers of the first floor flat at 67 Station Road and as such would constitute an un-neighbourly form of development, resulting in a material loss of residential amenity. The proposal is therefore contrary to Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).
- 2 . In the absence of a legal agreement or obligation, the applicant has failed to agree to the restrictions of parking permits which is required in order to facilitate sustainable development. The developments therefore fails to provide adequate off street parking provision or demonstrate that the proposal would not lead to a deleterious impact on street parking provision, congestion or local amenity contrary to Policies DMT 2 and DMT 6 Hillingdon Local Plan: Part Two - Development Management Policies (2020).

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 2	Housing Mix
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking

SCHEDULE OF REASONS

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

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.: 18175/APP/2020/544

SCHEDULE OF PLANS

01B - received 17 Feb 2020

Location Plan (1:1250) - received 17 Feb 2020

06A - received 17 Feb 2020

03B - received 17 Feb 2020

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.