



PLANNING APPEAL

LONDON

Appellant's Reply to LPA's Appeal

Statement and Final Comments

38 Hazeldene Gardens Uxbridge UB10

9DJ

"Erection of an attached two storey, 2-bed dwelling with associated parking and amenity space"

Appellant: Mohamed Bharadia

Prepared and Submitted by Agent [Mr Bharadia of Planning Appeal Limited](#) [07960 973529](tel:07960973529), appeal.london@gmail.com

21 December 2021

Introduction

- 1.1. In the introduction to the Appellant's appeal statement dated 21 October 2021, the Appellant stated at paragraph 1.2 the positive indication he had received from LPA officers that the revised proposal had overcome all the planning objections that had led to the three reasons for refusal under the previous application (cross refer to LPA's statement section 2.3 Planning History 57039/APP/2020/4080) and approval was to be recommended to the planning committee. The Appellant was even requested in an urgent email to respond and agree to pre-commencement conditions as submitted in evidence previously (see Appendix 2 to Appellant's appeal statement).
- 1.2. The Appellant is therefore taken aback by the stance now belatedly being adopted by the LPA in its appeal statement in essence reneging on its indicated acceptance of the proposal in May 2021 based on the amended design and appropriate mitigation measures therein incorporated. The Appellant was positively led to believe that there was no further argument between the parties; it is only at the appeal stage that the Appellant has learnt of the LPA's changed stance and likely reason for refusal hence precipitating the argument. The Appellant was not in a position to put forward arguments in his appeal statement because so far as he was aware there was no argument leading up to that point and he was mainly contesting non-determination; on the contrary there had been overt support for the proposal.
- 1.3. The LPA now accepts that the proposal, given its built form and massing is identical to that approved to provide a granny annexe under 57039/APP/2018/664, overcomes two out of the three issues and reasons for refusal under 57039/APP/2020/4080. These two main issues to which the LPA no longer raises a planning objection and hence considers as addressed in the planning balance are 1) impact on character and appearance of the original dwelling and the street scene, and 2) traffic impact and the availability of parking for the host and new dwellings. This is in addition to policy compliance under the development plan, in particular the strategic London Plan 2021, of the main issues on the positive-leaning end of the scale such as delivery of incremental and accessible housing on a small site by a small builder, site optimization and efficient land utilization, meeting internal space and external amenity standards, sustainable transport, etc.
- 1.4. The only area of difference therefore between the parties, through the single likely reason that the LPA says in its present statement relates to the impact upon the amenity of the existing dwelling upon the future occupiers of the host dwelling when the plot is sub-divided (refusal reason 2 under 57039/APP/2020/4080).

Replying to the likely reason for refusal in the LPA's statement

- 1.5. In granting permission for the granny annexe under 57039/APP/2018/664 the LPA assessed the impact of the development on the amenity of the adjoining occupiers as well as on outlook and light to the existing habitable rooms of the existing dwelling and found compliance. It stated (see under section 5 Main Planning Issues on page 13 of Appendix 4 accompanying the Appellant's Appeal statement): *"It is considered that all the proposal habitable rooms **and those altered by the development would still maintain an adequate outlook and source of natural light.**"* Notwithstanding the present policy context, the Appellant therefore says the judgement, if rationally made, is not altered and that the proposal is still compliant with respect to light and outlook with Policy DMHB 11 part B).
- 1.6. The Appellant says that the LPA has elided and failed to properly consider the instant floor plans and the planning design and access statement submitted and has taken into account an immaterial consideration as a result. In the planning statement the Appellant highlighted that "the design includes the minor reconfiguration of the first floor of the existing house to address reason 2 of refusal under 57039/APP/2020/4080." This reconfiguration on the first floor is shown on Plan 1982_PL06A and entails bringing bedroom 1 to the front elevation of the property and turning the existing Bedroom 1 into non-habitable ensuite bathrooms with windows obscure glazed. For the purposes of a two-storey rear extension, policy guidance is contained in Policy DMHD 1 part B vi). This states that "two storey extensions should not extend into an area provided by a 45-degree line of sight drawn from the centre of the nearest ground or first floor habitable room window of an adjacent property." In making Bedroom 2 as a result of the overall proposed development the nearest habitable room to the two-storey rear extension, Policy DMHD 1 would not be offended and the 45-degree rule would be complied with.
- 1.7. The additional protrusion at ground floor is only 1m given the existing full width single storey rear extension. The modest 3-metre projection component at first floor is therefore in the overall balance, especially in light of the wide, open expanse at the rear, not disproportionate in bulk and scale such as to cause, on a matter of fact and degree, any adverse impact on amenity as exaggeratingly alleged and at first floor is therefore located considerably away from the 45-degree splay from Bedroom 2 in order to further mitigate the impact on the future amenity of number 38. It is also submitted that Policy DMHB 11 encompasses all development including extensions and new buildings and as a consequence, the implementation of a fallback scheme of the 2-storey annexe previously approved

should not militate, in the circumstances and in the overall balance keeping the push/pull policy tensions in mind, against the delivery of an additional home for London which this small site location capably allows as encouraged by Policy D3 and Policy H2 of London Plan 2021.

- 1.8. The annexe/bedsit as approved under 57039/APP/2018/664, over two storeys, with a width in excess of half the width of the existing house and with its own independent direct front door access, would not be approved under the current policy context for build or use as an annexe. Policy DMHD 1 is restrictive in these respects and states that an annexe designed for the use of disabled or dependent elderly family members should be located only at ground floor level and should not have a separate private entrance: "Annexes which are capable of being used as (or easily adapted to) a fully self-contained unit will not be permitted." Given that what has nevertheless been previously approved and implemented as a fallback is more akin in design to a self-contained dwelling unit, given the size and scale over two storeys with an independent front door access from street level, on its individual merits allows for that consequent adaptation as a self-contained unit only because of the unique and specific history of earlier permissibility. In the particular circumstances, the approved two storey extension previously intended as a granny annexe is better readable in the street scene as an independent dwellinghouse for an infill development.

Failure by LPA to apply the Planning Balance in its statement

- 1.9. On the push/pull policy tensions that exist, the Appellant quotes from Lord Reed's speech in *Tesco Stores Limited v Dundee City Council* [2012] UKSC 13:

"[19] ...As has often been observed, development plans are full of broad statements of policy, many of which may be mutually irreconcilable, so that in a particular case one must give way to another. In addition, many of the provisions of development plans are framed in language whose application to a given set of facts requires the exercise of judgment."

- 1.10. In *Corbett v Cornwall Council* [2020] EWCA Civ 508, after reviewing earlier authorities, Lindblom LJ emphatically said as follows at [27], [35], [36] and [41] (emphasis added):

"[27] Of the five points I mentioned in *BDW Trading Ltd.* (at paragraph 21), three seem particularly relevant here: that "the decision-maker must understand the relevant provisions of the plan, **recognizing that they may sometimes pull in different directions**"; that "section 38(6) does not prescribe the way in which the decision-

maker is to go about discharging the duty"; **but that "the duty can only be properly performed if the decision-maker, in the course of making the decision, establishes whether or not the proposal accords with the development plan as a whole."**

[35] ...As always, the interpretation of the relevant policies depended on a **sensible reading** of the language used in them, in their context, **and together**.

[36] ...Each policy is clearly expressed. **But they must be read together, not in isolation**.

[41] When the relevant policies of the plan are **read together, as they must be...**

- 1.11. In *London Borough of Hackney v Secretary of State for Housing Communities and Local Government and Others* [2021] EWHC 720 (Admin), Mrs Justice Lang DBE ruled on the essential and explicit step required of a decision-maker in applying the overall planning balance and said the following at [72], [75] and [76] (emphasis added):

"[72] The duty under section 38(6) PCPA 2004 can only be properly performed if the decision-maker, in the course of making the decision, establishes whether or not the development accords with the development plan as a whole (*Corbett v Cornwall Council* [2020] EWCA Civ 508 per Lindblom LJ at [26] – [30] and the cases there cited). **This is "an essential part of the decision making process"** (*Tiviot Way Investments Ltd* [2015] EWHC 2489 (Admin) per Patterson J. at [27]).

[75] Thus the Inspector identified the relevant policies and applied them to the development. Inexplicably, the Inspector then failed to determine **whether or not the development accorded with the development plan, read as a whole**, and so she omitted **an essential step, as required by the authorities** referred to at paragraphs 69 and 72 of my judgment. **I do not consider that this step can be implied, even on a benevolent reading of the decision letter.**

[76] However, in my view it is clear that the Inspector would have found that the **proposal accorded with the development plan as a whole**, if she had remembered to address that issue. Her **findings on design (Policy DM1) and amenity (Policy DM2) were strongly in favour of the proposal**. She found **conflict with only two policies, and in each case she found no unacceptable harm**. In the absence of any other error, I would have been minded to find that the decision ought not to be quashed because, applying the principle in *Simplex*, if the Inspector had considered **whether the proposal**

accorded with the development plan as a whole, her decision would necessarily have been the same....”

- 1.12. The Appellant submits that following several iterations in design amendment and mitigation the proposal has overcome the objections of the LPA and notwithstanding a judgement made that a single policy on some aspect may pull in the opposite direction, what matters is the overall planning balance in finality being tilted in favour by all the other policies in the development plan and other material considerations in order to fulfil the overarching aims and objectives of the plan and national policy. The LPA officers must themselves have come to that conclusion in the planning balance such as to advise the Appellant in May 2021 to await consideration of recommendation of approval by the planning committee but then withheld or failed, unfairly in the Appellant’s submission, within six months to put the case in front of that committee.
- 1.13. The Appellant makes specific and further rebuttals to the LPA’s statement of case as annotations within.¹

Appendix attached

R1 Rebuttal comments to LPA’s statement of case annotated in red

¹ See attached Appendix R1

Appendix R1: Appellant's Rebuttals ("AR") to LPA's appeal statement (annotations in red within)

Appeal By:

Mr Mohamed Bharadia

Proposal:

Erection of an attached two storey, 2-bed dwelling with associated parking and amenity space

Appeal Site:

**38 Hazeldene Gardens
Uxbridge
UB10 9DJ**

**LPA Ref:
PINS Ref:**

**57039/APP/2021/811
APP/R5510/W/21/3285383**

1. Introduction

- 1.1 This appeal statement is submitted by the London Borough of Hillingdon, as the Local Planning Authority (LPA), in respect of the appeal against its non determination of planning application reference 57039/APP/2021/811, for the erection of an attached two storey, 2 bed dwelling with associated parking and amenity space.

AR: The Appellant submits that whereas the LPA officers led the Appellant to believe in May 2021 that they would be recommending the proposal for approval to the planning committee, and urgently sought his agreement to imposition of pre-commencement conditions, deliberately or otherwise, they failed to put the matter to committee within the statutory time period for a s78 TCPA 1990 appeal. The Appellant says this is unreasonable behaviour on the part of the LPA on several counts by positive signalling on the one hand and then holding him in limbo for so long such that the Appellant was left with no option but to appeal as a failure case at the threshold of the six-month appeal deadline. It was only by virtue of the indication of approval recommendation to committee that the Appellant waited otherwise this appeal could have travelled together with the earlier appeal thereby better utilising PINS resources. Moreover, the Appellant was positively led to believe that there was no longer any argument between the parties when he prepared and submitted his appeal statement and he can only properly reply and meet the argument upon reading for the first time the LPA's case and likely reason for refusal in the course of the appeal.

- 1.2 The LPA's case is set out in the Statement of Case detailed below. It is understood that copies of relevant planning policies have been sent to PINS with the Appeal Questionnaire.

AR: The Inspector is invited to note the selective London Plan 2021 policies, rather than ALL the important and relevant policies, that the LPA considers to be relevant in its assessment as evidenced in its appeal statement and by the ones it sent to PINS with its questionnaire. For example, it shows a complete disregard for relevant and supportive design policy D3 or housing policies H1 or H2 particularly – only the ones that fit its narrative for a pre-determined refusal are considered relevant and brought to the Inspector's attention; in doing so the Appellant says it fails in its duty of candour and fundamentally raises serious doubts from the outset towards its ability to properly and fairly conduct the s38(6) PCPA 2004 duty or the planning balance exercise with an open mind as guided by statute and judicial dicta from the authorities. Whereas local plan policy DMHD 1 is explicitly stated in the development plan as applicable only for householder development (and several appeal inspectors have also previously pointed this out – see Appendix 10 of Appellant's appeal statement), it is deemed relevant by the LPA for assessing a new build housing development yet the more relevant London Plan Policy H2 for new build housing delivery and its supporting paragraphs are elided wholesale; the Appellant cites this as a paradigm example of *Wednesbury* irrationality in the LPA's approach to decision-making and hence a failure to take into account a material consideration while taking into account an immaterial consideration and also a failure to read the development plan as a whole.

2. LPA Comments on Appellant's Statement of Case

2.1 Site and Locality

The application relates to a two storey, semi detached dwelling located to the South West of Hazeldene Gardens. The brick and tile dwelling is set back from the road by approximately 4 metres by an area of hardstanding which provides space to park two cars safely within the curtilage of the dwelling house. To the rear of the dwelling is a garden area which acts as the private amenity space for the occupiers of the property.

AR: The LPA is being economical with the facts to create this negative impression in the reader's mind: the set back is in fact 4.8m from the road as noted previously by itself (see section 1.1 of officer report at Appendix 4 of Appellant's appeal statement).

The application property is attached to No.36 Hazeldene Gardens to the North West. To the South East runs a public footpath with No.40 Hazeldene Gardens located beyond. To the rear lies open space.

The application site lies within the Developed Area.

AR: The Appellant says that the locational setting and in particular the vast open space occupied by fields in the rear elevation is a material consideration that the LPA has failed to take into account in the balance in its assessment of the putative impact on neighbouring amenity to the future separate host dwelling. It is in this context of the open and expansive setting with significant separation distances to built form at the rear on the merits of this case that provides natural but significant mitigation against the putative harm of overbearing cited by the LPA in its likely reason for refusal as will be noted from the photograph attached (**R1/A**) to put matters of scale and bulk of the rear projection in perspective with the existing rear built form.

2.2 Proposed Scheme

The application is seeking planning approval for the use of an existing two storey extension as a two bedroom separate dwelling. The extension would create two additional bedrooms at first floor and a small shower room and living/dining area at ground floor.

AR: Indeed, the Appellant seeks to create and contribute to the incremental delivery of housing for London from a small site through an infill development as encouraged by Policy H2 of London Plan 2021. It is a 2 bed 4 person dwelling that meets all the internal space and storage standards and external amenity quantum and quality requirements. The dual aspect dwelling will conform to optional M4(2) Building Regulations have level access at ground floor level with a spacious open plan ground floor living/dining space, storage, as well as additional WC plus shower room of decent size. On the first floor will be two double bedrooms and a bathroom. Furthermore, the design and built form is of the extant permission and the proposal provides policy compliant adequate parking and sustainable transport is encouraged.

The Appellant says that LPA displays apparent bias either in the selective, incomplete portrayal of the proposed scheme (by omitting relevant facts such as the first floor bathroom, or the proposal's compliance with M4(2) standards or even the proposed amendments for purposes of mitigation to layout at first floor of the host dwelling) or by its subtle planting of adjectives in isolation such as "small" in describing the shower room thereby furthering a narrative of negativity towards the proposal it wishes to convey but that is divorced from the facts; it only succeeds in betraying the pre-determined mindset behind its decision-making, in the Appellant's submission.

The agent has provided photographic evidence of the extension, currently substantially built to plans approved in 2018.

AR: Indeed this is the fallback position in terms of footprint and scale as built that the LPA encouraged the Appellant to do first – it should not unfairly trap him after by unreasonably reneging from the indication of approval recommendation.

The extension has a width of 5.7 metres. At ground floor it would be built flush with the existing forward projecting bay window element and would have a depth of 10 metres, to be built 1m beyond the existing single storey rear extension on the host dwelling. The first floor element would be set back from the front elevation. An additional entrance way would be installed on the front elevation of the extension and the existing front canopy would be part demolished and following development would be over the proposed ground floor extension and existing front bay window element. The extension would be characterised by a dual pitched roof to the side with a gable end roof to the rear with a maximum height of 7.6 metres.

AR: The LPA again gets its material facts wrong; the width of the extension is in fact 4.7m. A more complete and accurate perspective of the description with dimensions of the different elements of development form and scale is provided in the LPA officer report under 57039/APP/2018/664 (see 1.2 of officer report at Appendix 4 of the Appellant's appeal statement).

The LPA, while acknowledging as a matter of fact the various elements of the built form that strongly conflict for a two-storey extension to provide a granny annexe under the present policy context, then ignores to take into account that conflict as a material consideration. Applying the principle of consistency, if at paragraph 2.5 below it insists that the *"previously approved form, although implemented, was approved under the context of an addition to the main dwelling [and] how the addition is to be used is a material consideration and should be considered when assessing the impact of the development on the neighbouring occupiers"*, then logically and rationally it ought also to also consider in the planning balance whether the same previously approved and implemented built form is presently policy compliant to be read as an extension/addition to the main dwelling's built form. Patently it is not and for a number of reasons and built characteristics: 1) because the ground floor front extension is flush with the existing front and not set back as mandatorily required by policies; 2) the width of the extension exceeds half the width of the existing house mandatorily required by policies; and 3) because it has an independent front door access in the street scene deemed intolerable under the policies for the creation of side extensions or a granny

annexe. As a material consideration, this points away from the approved and implemented built form being read as an extension to the existing dwelling and more towards being read in character, appearance and in the street scene as a separate independent new dwelling that then meets all the other aims and objectives of the development plan and national policy. As the LPA itself notes at paragraph 2.6 below that *"the result of this is an imposing addition that is out of keeping and proportion to not only the pair of original semi detached houses, but the wider street scene"*, but its begrudging acceptance of the built form having been implemented then ought to have led it, in rational and common sense terms, to accept that the approved built form is more preferably and better read visually as a new dwelling in its own right than as a side extension of the existing dwelling which otherwise uniquely and uncharacteristically would stand out in the street scene as having the only house with two front doors, thereby in fact causing harm the character and appearance of the local area. That is why the Appellant says this material consideration cannot be ignored.

2.3 Planning History

57039/APP/2018/664 - In 2018 an application was approved for the erection of a parttwo storey, part single storey side/rear extension.

AR: While this is the Appellant's fallback position, given the changed policy context, the built form when fully implemented, is more akin and visually acceptable as a new independent dwelling than it is as an extension for reasons explained by the Appellant and implicitly acknowledged by the LPA.

57039/PRC/2019/233 - Pre application advice was sought for the demolition of existingside extension and garage and erect a new end of terrace 2 storey, 2 bedroom dwelling. The outcome of this was an objection, and the plans only slightly differ from what has been currently proposed.

AR: The Inspector is referred to the attached (**R1/B**) for the exchanges and "outcome" of that pre-application. Specifically in respect of Amenity, no concerns were raised. The Appellant says the LPA unreasonably and irrationally objected at the time given the emerging policy context of London Plan 2021 which the LPA was loath to treat as a material consideration at the time. The Inspector is invited to read and take into account the views and reasons of the LPA at the time, reasons which it then intransigently carried through when refusing in February 2021 even after the London Plan 2021 had been finalised for adoption and publication, reasons which only now it has withdrawn. The plans that were proposed were similar to the 57039/APP/2018/664 approved plans, the only difference being the lack of a setback on the first floor part. The plans in the instant manner replicate hence are identical to the footprint and scale of built form of plans under 57039/APP/2018/664 as acknowledged at paragraph 2.5 below where the LPA states that *"the extension currently built on site is as approved previously."*

57039/APP/2020/4080 - A recent application for the erection of an attached two storey,2-bed dwelling with associated parking and amenity space involving demolition of theexisting garage has been refused and is subject to appeal.

AR: The Inspector is referred to attached (**R1/C**) for the decision notice, officer report and plans of this recent application to appreciate the minor difference. The refusal reasons 1 and 3, were the subject of canvassing in vain by the Appellant as shown in attached (**R1/D**).

2.4 Planning Considerations

The main planning issues for consideration in determining this application relate to the effect of the proposal on the character and appearance of the original dwelling, the impact on the visual amenities of the street scene, the impact on the amenity of adjoining occupiers, the provision of acceptable residential amenity space for the application site and the availability of parking.

AR: Delivery of housing from a small infill site optimisation and densification is not a planning consideration for the LPA and never enters its overall planning balance decision-making even on a stand alone basis let alone in comparison of the approved extended form as *"an imposing addition that is out of keeping and proportion to not only the pair of original semi detached houses, but the wider street scene."*

2.5 Impact on Neighbours

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that: B) Development proposals should not adversely impact on the amenity of adjacent properties and open space.

Policy DMHD 1 requires that there is no unacceptable loss of outlook to neighbouring occupiers.

The agent has confirmed that the extension currently built on site is as approved previously under application REF: 57039/APP/2018/664. However it must be noted that the previously approved form, although implemented, was approved under the context of an addition to the main dwelling. How the addition is to be used is a material consideration and should be considered when assessing the impact of the development on the neighbouring occupiers.

AR: The Appellant refers to the submissions made earlier above on other relevant material considerations that the LPA has elided to take into account. Moreover, judicial dicta point to the fact that in any planning decision-making there will always be push/pull policy tensions; what matters is the proper and fair decision-making in accordance with statutory guidance as explained for example in the speech of Lord Clyde in *City of Edinburgh Council*. Here, the Appellant submits that the LPA has failed to properly carry that exercise out with an open mind and its process is so flawed from the outset because it has failed to read the development plan as a whole or bring to the decision-making table ALL the relevant policies from the entire development plan. Furthermore, even if it deems that there is a material consideration that pulls against approval of the proposed development, it is incumbent upon it to take into account ALL the other material considerations that are favourable for the proposed development including those outlined in this rebuttal such as the falling away of the majority of the previous reasons for refusal. Otherwise, when it comes to the conduct of the planning balance exercise it carries

out in finality, its actions are challengeable and easily impeachable, by virtue of its misdirection from the start of the decision-making process.

In the recent High Court judgement issued on 15 December 2021 and which is of significant and translatable relevance given planning balance issues and where the LPA was the Claimant party, in *R(Hillingdon) v Mayor of London & Ors* [2021] EWHC 3387, the legal framework and judicial principles that apply where development plan policies can pull in different directions were cogently summarised by Mrs Justice Lang DBE at [60] to [71]. At [83] the Judge re-iterated Lord Reed's remarks in *Tesco Stores* that "development plans are full of broad statements of policy, many of which may be mutually irreconcilable, so that in a particular case one must give way to another." Earlier at [27] – [35], the Judge had summarised how the Mayor had acknowledged and resolved various policy conflicts but in the planning balance had come to a different conclusion to that reached by the LPA: [35] "a conflict with two development plan policies does not necessarily mean that there is an overall conflict with the development plan as a whole as development plan policies can pull in different directions." In the Appellant's case, a putative conflict with a part of a policy should not be fatal in the balancing judgment to the grant of approval, the Appellant submits.

The proposed development as a separate dwellinghouse would be overbearing through its size, scale, bulk and proximity to the neighbouring occupiers of No 38 Hazeldene Gardens. In addition, the first floor rear element would not comply with the 45 degree requirement from the nearest habitable room window (first floor bedroom) on the existing property at No 38. As access to this addition is lost through the conversion to a separate unit, the occupiers of No 38 will experience a detrimental impact to their amenities, with respect to loss of light, overshadowing, visual intrusion as well as loss of outlook due to the overdominant proposal, explained through the reasons above.

AR: The Appellant disputes this characterisation of the proposed development being overbearing to the occupiers of number 38. Firstly number 38 already benefits from a full width rear extension of comparable depth and varying height with a pitched roof. Admittedly, the new dwelling has a rear projection at first floor level that provides a degree of increment in scale and bulk by comparison. However, in the locational context of vast open and expansive setting at the rear overlooking open green fields and where any build is unlikely in perpetuity, the LPA has failed to take into account these as an important mitigation factor. The Appellant says this incremental element would cause less than substantial harm to neighbouring amenity in its locational context and on its own merits. **R1/A** shows that contextual setting and perspective.

The LPA is wrong in fact on compliance with the 45 degree rule of thumb because the LPA has failed to read the plans submitted to it in relation to the proposed amendments to layout at first floor level of number 38. Diagrammatic rebuttal proof is provided as (**R1/E**). As a consequence its conclusions on the detrimental impact upon neighbouring amenities with respect to loss of light, overshadowing, visual intrusion and loss of outlook are misplaced because it has misdirected itself.

The alternative way to consider this is as follows: imagine the hypothetical scenario

whereby a separate dwelling 38A in separate ownership to number 38 already exists attached built flush to number 38 at the rear but without the rear two storey extension element and with the nearest habitable room window of number 38 being Bedroom 2 (the layout changes at first floor similar to those presently proposed already having been carried out previously). If the owner of number 38A were to then apply for a two storey rear extension, the policy assessment against the 45 degree rule would be focused on Bedroom 2 as the nearest habitable room and the proposal would be found not to offend the rule or policy DMHD 1. The Appellant currently owns the whole site and is proposing to provide the necessary mitigation to any putative harm as part of the proposed development to future occupiers of number 38. This can easily be secured by way of the standard 'in accordance with submitted plans' condition.

As such, it is considered that the development would have un-neighbourly impacts upon adjoining neighbours. Therefore the proposal would not be in compliance to Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

AR: In any case, if this is an element with which the proposed development conflicts, then it has to be weighed in the overall planning scale against all the other positive leaning elements and supporting policies that favour the development and an explicit and rational planning balance exercise carried out as per the extensive legal authorities.

2.6 Impact on Street Scene

Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020) states: A) 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; 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 undesignated, and their settings; and v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

Policy DMHD 1: Alterations and Extensions to Residential Dwellings states that single storey rear extensions on terraced or semi-detached houses with a plot width of 5 metres or less should not exceed 3.3 metres in depth or 3.6 metres where the plot width is 5 metres or more. With regards to detached houses single storey rear extensions to a dwelling with a plot width of 5 metres or more should not exceed 4.0 metres in depth. Furthermore, flat roofed single storey extensions should not exceed

3.0 metres in height and any pitched or sloping roofs should not exceed 3.4 metres in height, measured from ground level. With regards to two storey rear extensions, the policy states that two storey extensions should not extend into an area provided by a 45-degree line of sight drawn from the centre of the nearest ground or first floor habitable room window of an adjacent property and should not contain windows or other openings that overlook other houses at a distance of less than 21 metres. Furthermore, pitched roofs on extensions should be of a similar pitch and materials to that of the original roof and subordinate to it in design. Large crown roofs on detached houses will not be supported as well as flat roof two storey extensions, if this is out of character.

Policy DMHD 1: Alterations and Extensions to Residential Dwellings states that side extensions should not exceed half the width of the original property and extensions to corner plots should ensure that the openness of the area is maintained and the return building line is not exceeded. Furthermore, the policy states that where a two storey side extension is proposed to a detached or semi-detached property, it should be set back a minimum of 1 metre behind the main front elevation. The policy goes on to explain that where a hip to gable roof extensions exist, a two storey side extension will not be supported by the council. Adequate visual separation and views between houses should be maintained.

The extension to host the new dwelling would be the same as that approved under application Ref: 57039/APP/2018/664. It is noted that this has been implemented. There is no major material change in the plans of the proposed new dwellinghouse. The development would involve internal changes to accommodate a new dwellinghouse within the part two storey part single storey side/rear extension.

It is noted that the Local Planning Policy has since changed from 2018 and had the application for a two storey two bed dwelling been submitted without this implementation, it is likely it would be refused, such as in the most recently refused application (currently under appeal) Ref: 57039/APP/2020/4080.

AR: But then an identical application that was approved under 57039/APP/2018/664 would equally have been refused if submitted today. In fact it is the implementation of that approval that makes it a significant material consideration for the creation of a new independent dwelling to be taken into account as previously explained.

It is important to highlight that although the design of the addition has been previously assessed and approved, it was under the context of an addition to the host dwelling and not to be used as a separate dwellinghouse. This is reflected in the difference in design guides outlined in the Hillingdon Local Plan Part Two: Development Management Policies (2020).

AR: The LPA in fact makes the Appellant's point: the addition, by virtue of its lack of setback at the front ground floor, by virtue of its width, bulk and scale and by virtue of provision of an additional front door independent access significantly conflicts with the policies applicable for an extension and would read much better in the context of the extended form as a separate independent dwellinghouse. A new dwelling is, in the circumstances, the most appropriate form of development that responds to this site's context and thereby also fulfils the overall aims and objectives of the updated development plan especially London Plan 2021 (see Policy D3 and Policy H2) and national policy.

When viewed from the front elevation, the front porch adjoining No 38 would reduce the visual benefit of the side extension being set back from the main dwelling. The result of this is an imposing addition that is out of keeping and proportion to not only the pair of original semi detached houses, but the wider street scene.

AR: There is no guarantee that the front porch to number 38 will remain in the future and its loss would in fact exacerbate the visual harm of the two storey side form if read as a disproportionate extension part of number 38 with an additional front door but would be less visually jarring if read instead as a separate dwelling.

However, taking this into consideration, and with significant weight from the form having been

implemented, it is considered on balance that the extension would not result in any additional harm to the visual amenities of the street scene or the surrounding area. The proposal is therefore – in this respect – in compliance to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and Policies D4 and D6 of the London Plan (2021).

AR: This is a self-placatory view being adopted by the LPA in order to reconcile the past with the present; the more rational reasoning is that on balance the extended form blends into the character and appearance of the area as a new dwelling rather than as a large side extension of number 38. In any case, the negative weighting applied previously to this issue has not only been removed, but transferred to the opposing side as a positive weight in favour and hence tilts the overall balance for the development for approval, the Appellant submits.

2.7 Traffic Impact/Pedestrian Safety

Policy DMT6 of the Local Plan Part 2 - Development Management Policies (2020) states that 2 car parking spaces are required per dwelling and with regards to bicycle parking 1 space is required per 1 or 2 bed unit, and 2 spaces is required for 3 or more bed dwellings.

The application seeks to develop the site to create an additional dwelling, and hence both the new and existing dwelling would be required to provide 2 parking spaces within the curtilage of the dwellings. Upon reviewing the PTAL rating for the proposed development using the Transport for London WebCAT service, it is indicated that the site has the worst access to public transport with a PTAL rating of 0. However, the site does in fact border PTAL 1b (poor). On this basis, it is considered that an emphasis will be placed on the private car.

When considering the scale of the proposed works against the London Borough of Hillingdon car parking standards, the Local Plan: Part 2 Policy DMT 6 requires that new development will only be permitted where it accords with the Council's adopted parking standards unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network.

The maximum parking requirement for a residential unit as proposed equates to 2 on-plot spaces in order to fully comply with Hillingdon's adopted parking standard for new dwellings with curtilage'. A single car parking space together with a motorcycle bay is proposed, which results in a shortfall.

Owing to the adoption of the new London Plan (2021), this combination of on-plot spaces now constitutes 2 parking spaces which conforms to the newly adopted plan requirement (Policy T6 (f)). As such, there are no further observations from the highways officer.

AR: This confirms the Appellant's Humpty Dumpty point of the LPA's previous intransigence, misdirection and wrongful inclusion of this reason for refusal by failing to apply the same London Plan Policy it applies now but that also prevailed in February 2021 when it was considering the pre-application and the application under 57039/APP/2020/4080. This issue whereas previously it was providing negative weight to the proposal has now instead moved onto the positive side of the balancing scale, tipping the positive scale even more in favour of the proposed development, in the Appellant's submission.

In line with the London Plan (2021), within the final parking quantum there is a requirement for a 20% 'active' EVCP provision with all remaining spaces (80%) being designated as 'passive' provisions. In this case, the new unit should incorporate 1 'active' space in order to future proof for anticipated demand. The applicant has indicated compliance to this demand.

In terms of cycle parking there would be a requirement to provide 1 secure and accessible space for the 2-bedroom unit in order to accord with the Council's adopted cycle parking standard. This level is to be exceeded and would be located to the rear of the dwelling which is considered acceptable.

To conclude, the Local Plan: Part 2 Policies DMT 1 and DMT 2 require the Council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety. As a consequence of the relatively small 'single tenure' scale of development, any vehicular trip generation uplift is predicted to be negligible and therefore does not raise any specific highway concerns.

Therefore it is considered that there are no highways objections and the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns, in accordance with Local Plan: Part 2 Development Plan Policies DMT 1, DMT 2 & DMT 6 and Policies T4, T5 and T6 of the London Plan (2021).

AR: The *volte face* on this issue on the part of the same LPA assessing and judging 57039/APP/2020/4080 only a few months ago under the same relevant London Plan policies T6 and T6.1 that were available but not considered is refreshing albeit eyebrow-raising. However, it is demonstrative of the LPA's bunker mentality approach to decision-making overall in the teeth of facts and policies such that there is an erosion of trust and confidence in the mind of the Appellant that statutory guidelines are not being properly followed with the consistency deserved or whether decision-making is at made at whim with a pre-determined and closed mindset, in the Appellant's submission.

2.8 Urban Design/Access and Security

The new dwelling would provide an internal floor area of 82 square metres which is in excess of the London Plan (2021) requirements. The bedroom sizes also are of adequate size. The existing dwelling would remain the same. The open plan living area would provide adequate levels of light and outlook for the ground floor habitable space. The first floor bedrooms have windows facing rear or front, and as such would have sufficient outlook and light.

Rear amenity:

In terms of the garden area the development would fulfil the policies established in Part 2 Policy DMHD1 appendix A, Part A) vi), which states that for alterations and extensions to residential dwellings; adequate garden space is retained. Policy DMHB 18 Table 5.3: Private Outdoor Amenity Space Standards in the Hillingdon Local Plan: Part Two London Borough Of Hillingdon Local Plan Part 2 Development Management Policies (January 2020) Table 5.3: Private Outdoor Amenity Space Standards states that a 2-3 bedroom house should provide 60 sqm of private and usable rear amenity space.

The proposal has sufficiently demonstrated that the new dwelling would be allocated 62 square metres of amenity space, leaving 68 square metres of garden space for the existing dwelling. In this respect the development would comply with Policy DMHB 18 of the Local Plan Part 2 - Development Management Policies (2020).

AR: These positive leaning issues and policies are deserving of positive weighting

as well, the Appellant submits.

2.9 Other Issues

Landscaping

Policy DMHB 14: Trees and Landscaping requires:

- A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.
- B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.
- C) Where space for ground level planting is limited, such as high rise buildings, the inclusion of living walls and roofs will be expected where feasible.
- D) Planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees. Where the tree survey identifies trees of merit, tree root protection areas and an arboricultural method statement will be required to show how the trees will be protected. Where trees are to be removed, proposals for replanting of new trees on-site must be provided or include contributions to offsite provision.

There are no TPO's or Conservation Area designations affecting the site. There is sufficient space within the frontage to provide soft landscaping to mitigate the impact of the development. A condition is imposed to secure an acceptable landscaping scheme.

AC: The Inspector is invited to note the manner of the wording "a condition is imposed..." supporting the Appellant's assertion that the LPA officers were minded to recommend approval of the proposed development in May 2021 but then inexplicably and irrationally in the Appellant's submission reneged on that assurance.

Access

In the event of an approvable scheme, the proposal would be subject to a condition to require the submission of details to confirm the provision of a level step free access to the dwelling to ensure compliance with London Plan policy D7.

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 square metre.

3. Conclusion

- 3.1 The impact of the proposed development has been assessed in the Statement of Case. It is considered that significant weight should be placed on the impact of the proposed conversion of the side extension to a separate dwelling house on the neighbouring occupiers of No 38. Whilst the form and design has been approved under ref: 57039/APP/2018/664, the change of use adds a significant element to the proposal with a different impact. It has been noted that a similar proposal has been submitted and refused under current planning policy.

AR: The Appellant says that it is perverse and irrational, in light of the submissions made by the Appellant highlighting also the errors of fact made by the LPA in its

consideration of this issue, that the LPA seeks to accord significant weight to this issue alone rather than according significant weight to all the other issues including those that have now transferred to the positive end of the planning balance scale. And there are several positive leaning material considerations as highlighted by the Appellant that also need to be taken into account but have been ignored. On its individual merits, the Appellant says this proposal is deserving of the planning permission sought.

- 3.2 On balance, it is not considered that this proposal overcomes the previous reasons for refusal, with particular regard to the harmful impact on the amenity of the neighbouring occupiers at No 38 Hazeldene Gardens.

AR: The Appellant says, for reasons and submissions made, that the LPA uses the word 'balance' loosely and in a cavalier manner as opposed to understanding the eminence entailed within it or the proper fashion in which it is supposed to be applied according to the law and judicial dicta as guided in authorities contained in *R(Hillingdon)*. There has been no demonstration of any balancing exercise having been conducted by the LPA in the exercise of its judgment. In *Tesco Stores*, Lord Reed said that an LPA "*cannot have regard to the provisions of the plan if it fails to understand them.*" The Appellant's charge here is worse: the LPA can neither have regard nor understand the provisions of the plan if it fundamentally fails in the first place to include in the portfolio of policies against which the proposal is to be assessed, several important and relevant policies from the whole development plan that are also applicable to the proposal.

- 3.3 The proposed new dwelling, by virtue of its size, scale, bulk, depth and proximity, would be detrimental to the amenities of the adjoining occupier at 38 Hazeldene Gardens by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore the proposal would be contrary to Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

AR: The Appellant disputes this for reasons and submissions contained in the appeal statement, the reply statement and in this rebuttal.

- 3.4 In the event that the Inspector considers the appeal should be allowed, and without prejudice to the Council's case, a list of recommended planning conditions is included at Appendix 1.

AR: The Inspector will undoubtedly review the LPA suggested conditions in light of the Planning Practice Guidance and the Framework as well as the exchange of communication the Appellant had with the LPA case officer so as not to impose unnecessary conditions in light of the small scale development that is already in progress and to prevent delay. The Appellant would be agreeable to draft conditions 1-5. Draft condition 6 cannot be a prior to works commencing condition but can be prior to occupation condition if necessary because its compliance will in any case be otherwise duplicated when addressed through Building Regulations compliance. Similarly, condition 7 needs to be modified as appropriate and made a prior to occupation condition for provision only of pertinent details not already shown/submitted within the plans. Draft condition 8 removing permitted development rights should not be imposed as there's no cogent justification for it. Draft condition 9 is acceptable save that the words "and 38" should be deleted as no windows of the new dwelling will face number 38.



38 Hazeldene

Inbox

Nurgul Kinli <nkinli@hillington.gov.uk>

Thu, Dec
26, 2019,
5:42 PM

to me

Dear Muhammed,

The pre application is at the same position to when I have messaged you by phone on Sunday 15 December. The application is waiting for a response from the highways department and I am unable to process the pre application without this consultation feedback.

Please do get in touch if you require any further information.

Kind regards,

--

Nurgul Kinli

Planning Officer
Resident Services | London Borough of Hillingdon
3N, Civic Centre | London Borough of Hillingdon

Tel: 01895 250230

Mohamed Bharadia <easymart@gmail.com>

Jan 8,
2020,
9:00 PM

to Nurgul

Dear Nurgul

It is unfair and unreasonable of the council to delay to nearly 8 weeks a straightforward planning pre application. Had this been a statutory application you would have received internal consultee comments by now to make your determination.

Naturally as you may empathise I am disappointed in the treatment my application has received. It has defeated the motivation and objective of a pre application promoted under the NPPF.

If you are not able to give the service then perhaps you should organise for the council to refund my pre application fee?

Kind regards

Mohamed Bharadia

Nurgul Kinli <nkinli@hillingdon.gov.uk>

Jan 10,
2020,
10:48 AM

to me

Dear Mr Bharadia,

Unfortunately I still have not received consultation feedback from the Highways Department. If you do wish to withdraw this application and apply for a refund, I will try my best to help you out in this process given the circumstances.

I apologise for the delay, however given that the case is for a new dwelling I am unable to proceed without relevant consultee feedback. My assessment at this stage will not fulfill all planning requirements and hence will not help you with a formal submission.

Kind regards,

Mohamed Bharadia <easymart@gmail.com>

Jan 10,
2020,
12:26 PM

to jennifer.peters, Nurgul

Dear Nurgul

Thank you for your email.

I note what you say re long frustratingly awaited consultation feedback from the Highways Dept which is effectively holding us at ransom through the lack of response and your apparent inability to exert pressure on them. In any case as you will be aware the Highways Dept was consulted and had responded during the formal approved application for the side and rear extension, the envelope and footprint of which remains unchanged in the current pre-app proposal. I attach the officer report which also makes reference to a previous appeal decision in respect of highway related and off street parking. Hence, I would have thought common sense would prevail in the consideration of a similar issue at what is a pre-application which in case would have a number of disclaimers. It is not a statutory application and yet a very formal rigid approach appears to be taken in its consideration especially in light of previous comments from Highways you are already aware of or can reasonably make your recommendation conditional upon.

The essence of my appeal to you and the head of planning is that such treatment makes a mockery of the planning system and is contrary to the letter and spirit of the NPPF as well as what the Mayor is attempting to achieve with the Good Growth objectives and policies such as H2 small sites of the New London Plan which is at the "Intend to Publish" stage. How can the motivation such as the step change in

incremental build intensification be achieved if small builders are to be frustrated even at the informal pre-app stage for just 1 infill dwelling? Had I had made a statutory application, I would now have the ability to submit an appeal to the planning inspectorate for non-determination. But the motivation of a pre-app as I understood it is for early mutual engagement so an informal guidance can be provided early on. Where do I go to appeal independently the non- determination of a pre-app?

Kindly discuss this matter urgently with your head of planning in order to assist in its resolution.

I am copying this email and it's history to the representative of the Mayor of London in charge of the New London Plan to draw attention to the kind of frustrations a small builder has to face at the coalface.

Kind regards

Mohamed Bharadia

Mohamed Bharadia <easymart@gmail.com>

Jan 21,
2020,
11:31 AM

to Nurgul

Dear Nurgul

It was nice meeting you on site and thank you for your comments and suggestions.

On the issue of residential car parking as you know presently the front has space for 3 car park spaces. You indicated that according to the Highways officer, 2 car parking spaces would be required for the new 2 bed 2 person dwelling with 2 spaces for the existing dwelling.

However as you will be aware the New London Plan which will form part of the development for the Borough is a material consideration deserving of significant weight given that the Mayor has submitted his 'Intend to Publish' version you the Secretary of State on 9 December 2019. Here's the link to the document:

https://www.london.gov.uk/sites/default/files/intend_to_publish_-_clean.pdf

As you and the Highways officer will note, the relevant policy on residential parking is Policy T6 and T6.1 cited at page 475 onwards with reference to guidance in Table 10.3 and the supporting justifications.

In particular you will note (emphasis added):

Under T6

B. Car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, **with developments elsewhere designed to provide the minimum necessary parking ('car-lite')**.

D. The **maximum car parking standards set out in Policy T6.1 Residential parking** to Policy T6.5 Non-residential disabled persons parking **should be applied to development proposals** and used to set local standards within Development Plans.

F. Where provided, each **motorcycle parking space** should **count towards the maximum for car parking spaces** at all use classes. (Hence this alternative space saving provision also meets policy)

K. Outer London boroughs wishing to adopt minimum residential parking standards through a Development Plan Document (**within the maximum standards set out in Policy T6.1 Residential parking**) must only do so for parts of London that are PTAL 0-1.

Under T6.1

A. New residential development **should not exceed the maximum parking standards set out in Table 10.3**. These standards are a hierarchy with the more restrictive standard applying when a site falls into more than one category.

Table 10.3 - Maximum residential parking standards
Location

Outer London PTAL 0 – 1

Maximum parking provision*

Up to 1.5 spaces per dwelling

Hence I would submit that the provision of 3 spaces or 1.5 spaces each for the existing and proposed new dwelling meet the policy requirements above in this location. Consequently the demand for 4 spaces in total would be in conflict with these strategic London wide spatial strategies.

I trust this is helpful and perhaps you can let me know upon consideration of the above your thoughts following further discussion with the Highways officer.

I look forward to hearing from you.

Kind regards

Mohamed Bharadia

Jan 21,
2020,
1:14 PM

Mohamed Bharadia <easymart@gmail.com>

to Nurgul

Dear Nurgul

I have also had a look at the recently adopted Local Plan Part 2 and with respect to residential car parking requirements shown at Appendix C under Table in part (b) it makes clear that for car and vehicle parking these are **MAXIMUM** REQUIREMENT. This pertinent qualification makes Policy DMT6 in line with the New London Plan Policy T6 and T6.1.

Thus the 2 spaces per dwelling stipulated in the table for residential is an UPPER bound of requirement and hence in our proposal the total allocation and provision of 3 spaces for existing and new dwellings (or 1.5 < 2 each) would be compliant with the newly adopted local plan policy DMT6.

Kind regards

Mohamed Bharadia

Nurgul Kinli <nkinli@hillingdon.gov.uk>

Jan 21,
2020,
2:19 PM

to me

Dear Mohamed,

I have discussed this issue with both the highways officer and the Service manager. They both agree that 2 spaces would be required for each dwelling, existing and new, and as such would be recommending refusal based on this.

I also need to discuss some other issues currently raised in the office regarding this scheme.

Can you please let me know when you are available,

Regards,

Mohamed Bharadia <easymart@gmail.com>

Jan 21,
2020,
3:04 PM

to Nurgul

Dear Nurgul

I don't believe the policy DMHD 1 you indicated applies to this proposal. As you will note in the Local Plan Document this policy is contained in Appendix A which is titled HOUSEHOLDER DEVELOPMENT POLICIES.

Householder Development

A1.1 This section of the Local Plan provides policies and guidance that will be used to assess proposals for the most common forms of householder development that require planning permission, including residential extensions, outbuildings and basement development.

policy DMHD 1 states and I quote:

Policy DMHD 1: Alterations and Extensions to Residential Dwellings

A) Planning applications relating to alterations and extensions of dwellings will be required to ensure that:

Our current proposal is NOT a householder application; it is a FULL planning application for a NEW dwelling and attracts a different fee structure. It is arguable that we are neither altering the existing dwelling nor are we extending it. The extant permission was for the side extension. The new proposal is for the creation of a new dwelling and evidently and by definition a new dwelling in this scenario cannot be half the width of the existing dwelling as it would not serve the purpose; in fact the new dwelling ought to be similar in width to the existing to be seen in the street scene as a new dwelling. Otherwise it would be seen as a side extension which is not what this proposal is.

Kindly discuss again with your case officer as the criteria for decision making are different and in the council's argument no side infill small windfall dwelling developments will ever be able to materialise under policy H2 of the New London Plan.

Many thanks.

Kind regards

Mohamed

Mohamed Bharadia <easymart@gmail.com>

Jan 22,
2020,
7:46 PM

to Nurgul

Hi Nurgul

Kindly advise when I can expect your written report so we can decide way forward.
Thank you.

Kind regards

Mohamed

38 HAZELDENE GARDENS HILLINGDON

Inbox

Nurgul Kinli <nkinli@hillington.gov.uk>

Sat, Mar
28, 2020,
4:04 PM

to me

Dear Mohamed,

As requested, I have summarised the report below:

Principle of development
- no objections in principle

Design

- Given the lack of set back from the front and the extensive width of the side extension, it is considered that the development would not appear subordinate. It is acknowledged that the permission granted previously is extant, and must be built by May 2021, which would then mean that the then 'existing' situation will be discussed. In the current position, given that the approved scheme has not been built, the new policy would be in effect and hence the development cannot be supported by the council in terms of its design.

Amenity

- No concerns raised.

Garden space

- The proposal has sufficiently demonstrated that the new dwelling would be allocated 62 square metres of amenity space, leaving 68 square metres of garden space for the existing dwelling. In this respect the pre application proposal would comply with Policy DMHB 17 of the Local Plan Part 2 - Development Management Policies with Modifications (January 2020).

Highways

- It is required that this scheme provide 4 on-plot parking spaces, which it currently fails to provide.
- Details of the crossover widths should also be provided during formal submission. With regard to cycle parking, the submissions show cycle parking storage towards the rear of the site. This is accepted. Refuse collection associated with the site will take place as per the existing situation on-street with a bin storage point located along the site frontage.

No other issues raised.

Kind regards,

Nurgul Kinli

Planning Officer

Resident Services | London Borough of Hillingdon
3N, Civic Centre | London Borough of Hillingdon

Tel: 01895 250230



Mr Robert Fry
40 Parkview House
Sunrise Avenue
Hornchurch
RM12 4YW

Application Ref:
57039/APP/2020/4080

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:

Erection of an attached two storey, 2-bed dwelling with associated parking and amenity space involving demolition of the existing garage

Location of development: 38 Hazeldene Gardens Hillingdon Middlesex

Date of application: 09 December 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: 2 February 2021

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: 57039/APP/2020/4080

SCHEDULE OF REASONS

- 1 . The proposed dwelling, by virtue of its siting, size, scale, bulk, width and design, including the lack of a set back from the front at all levels, would fail to harmonise with the architectural composition of the original semi-detached dwelling, would be detrimental to the character, appearance and symmetry of the pair of semi-detached houses of which it forms a part and to the visual amenities of the street scene and the character and appearance of the wider area. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and Policies 3.5 and 7.4 of the London Plan (2016).
- 2 . The proposed new dwelling, by virtue of its size, scale, bulk, depth and proximity, would be detrimental to the amenities of the adjoining occupier at 38 Hazeldene Gardens by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore the proposal would be contrary to Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).
- 3 . The proposal has not demonstrated that sufficient off street parking/manoeuvring arrangements would be provided for the existing and proposed dwellings, and therefore the development is considered to result in substandard car parking provision, leading to on-street parking to the detriment of public and highway safety, contrary to Policies DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), to Hillingdon's Adopted Parking Standards as set out in Appendix C of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and Policies 6.3 and 6.13 of the London Plan (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

SCHEDULE OF REASONS

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
DMHD 1	Alterations and Extensions to Residential Dwellings
DMT 2	Highways Impacts
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 . 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 Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

In order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition further guidance was offered to the applicant by the case officer during the processing of the application to identify the amendments to address those elements of the scheme considered unacceptable which the applicant chose not to implement.

END OF SCHEDULE

SCHEDULE OF REASONS

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.: 57039/APP/2020/4080

SCHEDULE OF PLANS

1913_PL01 - received 09 Dec 2020

1913_PL05 - received 09 Dec 2020

1913_PL04 - received 09 Dec 2020

Design and Access Statement - received 09 Dec 2020

1913_PL02 - received 09 Dec 2020

1913_PL03 - received 09 Dec 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.

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 38 HAZELDENE GARDENS HILLINGDON MIDDLESEX

Development: Erection of an attached two storey, 2-bed dwelling with associated parking and amenity space involving demolition of the existing garage

LBH Ref Nos: **57039/APP/2020/4080**

Drawing Nos: 1913_PL01
 1913_PL05
 1913_PL04
 Design and Access Statement
 1913_PL02
 1913_PL03

Date Plans received : 09/12/2020

Date(s) of Amendment(s):

Date Application Valid: 09/12/2020

1. SUMMARY

The proposed plans, for the erection of part two storey, part single storey side extension, for use as a two bedroom separate dwelling, involving the demolition of the existing garage/store, cannot be supported by the council. The plans show an approved scheme in 2018, however since then the council has adopted the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) which is now in effect. It is considered that the proposed development would not be adhering to the councils policy in terms of design and impact on adjoining occupiers.

Furthermore, other issues have been raised by the Highways officer. The proposed plans show a deficit of parking spaces resulting in substandard car parking provisions, potentially leading to undue on-street parking to the detriment of on-street parking capacity and public/highway safety contrary to Local Plan: Part 2 Development Plan (2020) Policies DMT 1, DMT 2 & DMT 6 and Policies 6.3 and 6.13 of the London Plan (2016).

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed dwelling, by virtue of its siting, size, scale, bulk, width and design, including the lack of a set back from the front at all levels, would fail to harmonise with the architectural composition of the original semi-detached dwelling, would be detrimental to the character, appearance and symmetry of the pair of semi-detached houses of which it forms a part and to the visual amenities of the street scene and the character and appearance of the wider area. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and Policies 3.5 and 7.4 of the London Plan (2016).

2 NON2 Non Standard reason for refusal

The proposed new dwelling, by virtue of its size, scale, bulk, depth and proximity, would be detrimental to the amenities of the adjoining occupier at 38 Hazeldene Gardens by

reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore the proposal would be contrary to Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

3 NON2 Non Standard reason for refusal

The proposal has not demonstrated that sufficient off street parking/manoeuvring arrangements would be provided for the existing and proposed dwellings, and therefore the development is considered to result in substandard car parking provision, leading to on-street parking to the detriment of public and highway safety, contrary to Policies DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), to Hillingdon's Adopted Parking Standards as set out in Appendix C of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and Policies 6.3 and 6.13 of the London Plan (2016).

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.

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
DMHD 1	Alterations and Extensions to Residential Dwellings
DMT 2	Highways Impacts
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

3 159 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.

4 171 LBH worked applicant in a positive & proactive (Refusing)

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 Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

In order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition further guidance was offered to the applicant by the case officer during the processing of the application to identify the amendments to address those elements of the scheme considered unacceptable which the applicant chose not to implement.

3. CONSIDERATIONS

3.1 Site and Locality

The application relates to a two storey, semi detached located to the South West of Hazeldene Gardens. The brick and tile dwelling is set back from the road by approximately 4 metres by an area of hardstanding which provides space to park two cars safely within the curtilage of the dwelling house. To the rear of the dwelling is a garden area which acts as the private amenity space for the occupiers of the property.

The application property is attached to No.36 Hazeldene Gardens to the North West. To the South East runs a public footpath with No.40 Hazeldene Gardens located beyond. To the rear lies open space.

The application site lies within the Developed Area.

3.2 Proposed Scheme

The application is seeking planning approval for the erection of part two storey, part single storey side/rear extension, for use as a two bedroom separate dwelling, involving the demolition of the existing garage/store. The extension would create two additional bedrooms at first floor and a bedsit, shower room and garage at ground floor.

The extension would have a width of 5.7 metres. At ground floor it would be built flush with the existing forward projecting bay window element and would have a depth of 10 metres, to be built 1m beyond the existing single storey rear extension on the host dwelling. The first floor element would not be set back from front elevation. An additional entrance way would be installed on the front elevation of the extension and the existing front canopy would be part demolished and following development would be over the proposed ground floor extension and existing front bay window element. The extension would be characterised by a dual pitched roof to the side with a gable end roof to the rear with a maximum height of 7.6 metres.

3.3 Relevant Planning History

57039/APP/2012/2707 38 Hazeldene Gardens Hillingdon Middlesex

Part two storey, part single storey side extension involving demolition of existing detached garage/ store to side

Decision: 02-01-2013 Refused

57039/APP/2017/1490 38 Hazeldene Gardens Hillingdon Middlesex

Demolition of existing structures and erection of two storey side/rear extension

Decision: 30-06-2017 Refused **Appeal:** 16-11-2017 Dismissed

57039/APP/2018/664 38 Hazeldene Gardens Hillingdon Middlesex

Part two storey, part single storey side/rear extension.

Decision: 27-04-2018 Approved

57039/PRC/2019/233 38 Hazeldene Gardens Hillingdon Middlesex

Demolish existing side extension and garage and erect a new end of terrace 2 storey, 2 bedroom dwelling.

Decision: 27-04-2020 OBJ

Comment on Planning History

57039/APP/2018/664 - In 2018 an application was approved for the erection of a part two storey, part single storey side/rear extension.

57039/PRC/2019/233 - Pre application advice was sought for the demolition of existing side extension and garage and erect a new end of terrace 2 storey, 2 bedroom dwelling. The outcome of this was an objection, and the plans only slightly differ from what has been currently proposed.

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

30 neighbouring properties were consulted by letter dated 16.12.20. By the end of the consultation period two objections have been received with the following concerns raised:

1. Too close to neighbouring boundaries.
2. Loss of privacy.
3. Loss of an important gap between properties.
4. Loss of value for neighbouring properties.
5. Would result in a terrace of houses in a predominantly semi-detached area.
6. Out of character.
7. Damages the visual amenities of the street scene.

Planning officer: These concerns will be discussed in the main body of this report.

There has also been councillors interest in this site, and the councillor has requested that the application is for committee review. However, given that the officers recommendation is for refusal, it is not considered that this is case is a committee item.

Access officer: I have considered the detail of this planning application for a two storey, two bed, dwelling and deem there to be no accessibility issues raised by the proposal. However, the following Conditions should be attached to any grant of planning permission: Any grant of planning permission should include the following conditions: Prior to works commencing, details of step free access via the principal private entrance shall be submitted to, and approved in writing, by the Local Planning Authority. Such provision shall remain in place for the life of the building. REASON: To ensure that an appropriate standard of housing stock, in accordance with the 2016 London Plan policy 3.8(c) and policy D7 of the 2019 (Intend to Publish) London Plan, is achieved and maintained. 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 that an appropriate standard of housing stock, in accordance with the 2016 London Plan policy 3.8(c) and policy D7 of the 2019 (Intend to Publish) London Plan, is achieved and maintained.

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:

- 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
- DMHD 1 Alterations and Extensions to Residential Dwellings
- DMT 2 Highways Impacts
- 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: The proposed development would be assessed against the Development Plan Policies contained within Hillingdon Local Plan: Part 1, Saved Unitary Development Plan policies, the London Plan 2016, the NPPF and supplementary planning guidance prepared by both LB Hillingdon and the GLA.

Development Plan

1.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

1.2 The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)

The Local Plan: Part 2 - Development Management Policies (2020)

The Local Plan: Part 2 - Site Allocations and Designations (2020)

The West London Waste Plan (2015)

The London Plan - Consolidated With Alterations (2016)

Material Considerations

The National Planning Policy Framework (NPPF) (2019) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

Emerging Planning Policies

Paragraph 48 of the National Planning Policy Framework (NPPF) 2019 states that 'Local Planning Authorities may give weight to relevant policies in emerging plans according to:

(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Draft London Plan (Intend to Publish Version, December 2020)

The GLA consulted upon a draft new London Plan between December 2017 and March 2018 with the intention of replacing the previous versions of the existing London Plan. The Plan was subject to examination hearings from February to May 2019, and a Consolidated Draft Plan with amendments was published in July 2019. The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor on 8th October 2019.

The Mayor considered the Inspectors' recommendations and, on 9th December 2019, issued to the Secretary of State his intention to publish the London Plan along with a statement of reasons for the Inspectors' recommendations that the Mayor did not wish to accept. The Secretary of State responded on the 13th March 2020 and stated that he was exercising his powers under section 337 of the Greater London Authority Act 1999 to direct that modifications are required.

On 9th December 2020, the Mayor wrote to the Secretary of State to advise of his intention to formally approve a new draft London Plan, which included his best understanding of the modifications required. The Secretary of State responded on 10th December 2020 requesting that the

draft London Plan was re-submitted with more specific amendments to address the 11 previous Directions and 2 additional Directions. On 21st December 2020, the Mayor formally approved a new London Plan, the 'Publication London Plan'. This has been submitted to the Secretary of State. The Secretary of State has 6 weeks to respond or can request a further extension of time. The Mayor can only publish the Plan after the Secretary of State has given approval.

More limited weight should be attached to parts of draft London Plan policies where the Secretary of State has directed specific amendments. Greater weight may be attached to policies that are not subject to the specific amendments from the Secretary of State.

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 2 - Development Management Policies (January 2020) states that: A) 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; 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 undesignated, and their settings; and v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure. B) Development proposals should not adversely impact on the amenity of adjacent properties and open space.

Policy DMHD 1 requires that alterations and extension of dwellings would not have an adverse cumulative impact on the character and appearance of the street scene, and should appear subordinate to the main dwelling. It also required that there is no unacceptable loss of outlook to neighbouring occupiers.

The extension would be located 7 metres from the shared boundary line with No.36 Hazeldene Gardens and a minimum of 6.2 metres from the property at No.40 Hazeldene Gardens. The proposal would not intersect the 45 degree horizontal line to either property. In addition, the distance between the development and the neighbouring properties would not have a negative impact on the feeling of dominance. One first floor side windows would be installed facing No.40 and would serve bathrooms. As such, following any approval a condition can be added to ensure that these are obscurely glazed to at least level 4 on the Pilkington scale and be non-opening below 1.8 metres above the finished floor levels. Therefore, it is considered that the proposed extension would have an acceptable level of impact on the neighbouring properties at Nos.36 and 40 Hazeldene Gardens in terms of loss of light, loss of outlook, sense of dominance and loss of privacy.

However, whilst it is acknowledged that the proposal would not impact on the adjoining properties at Nos. 36 or 40, as a new dwelling, the first floor rear element would not comply with the 45 degree requirement from the nearest habitable room window (first floor bedroom) on the existing property at No.38 and thus would not be considered acceptable in this respect and would result in an undue impact in terms of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore the proposal would be contrary to Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

7.2 Impact on Street Scene

The main planning issues for consideration in determining this application relate to the

effect of the proposal on the character and appearance of the original dwelling, the impact on the visual amenities of the street scene, the impact on the amenity of adjoining occupiers, the provision of acceptable residential amenity space for the application site and the availability of parking.

Policy DMHD 1: Alterations and Extensions to Residential Dwellings states that single storey rear extensions on terraced or semi-detached houses with a plot width of 5 metres or less should not exceed 3.3 metres in depth or 3.6 metres where the plot width is 5 metres or more. With regards to detached houses single storey rear extensions to with a plot width of 5 metres or more should not exceed 4.0 metres in depth. Furthermore, flat roofed single storey extensions should not exceed 3.0 metres in height and any pitched or sloping roofs should not exceed 3.4 metres in height, measured from ground level. With regards to two storey rear extensions, the policy states that two storey extensions should not extend into an area provided by a 45-degree line of sight drawn from the centre of the nearest ground or first floor habitable room window of an adjacent property and should not contain windows or other openings that overlook other houses at a distance of less than 21 metres. Furthermore, pitched roofs on extensions should be of a similar pitch and materials to that of the original roof and subordinate to it in design. Large crown roofs on detached houses will not be supported as well as flat roof two storey extensions, if this is out of character.

Policy DMHD 1: Alterations and Extensions to Residential Dwellings states that side extensions should not exceed half the width of the original property and extensions to corner plots should ensure that the openness of the area is maintained and the return building line is not exceeded. Furthermore, the policy states that where a two storey side extension is proposed, it should be set in a minimum of 1 metre from the side boundary and if to a detached or semi-detached property and should be set back a minimum of 1 metre behind the main front elevation. The policy goes on to explain that where a hip to gable roof extensions exist, a two storey side extension will not be supported by the council. Adequate visual separation and views between houses should be maintained.

The proposed bulk and siting of the side extension to the existing dwelling would be the same as that approved under application Ref: 57039/APP/2018/664. There is no major material change in the plans apart from the lack of set back at first floor level of the proposed new dwellinghouse.

However, since this approval, the Council has adopted the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020). It is clear that the current plans would be contrary to the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), given that the width of the side extension is more than 1/2 the width of the original house and there is no set back at ground floor level. The agent has been contacted and made aware of the new policy both at pre application stage, and currently with the new submission. Given the lack of set back from the front and the extensive width of the side extension, it is considered that the development would not appear subordinate. It is acknowledged that the permission granted previously is extant, however, given that the approved scheme has not been built, the new policy would be in effect and hence the development cannot be supported by the council in terms of its design.

Furthermore in considering an appeal against a refusal of a previous application for this site Ref: 57039/APP/2017/1490, the Inspector commented as follows:

"3. The appeal property is a semi-detached house which is similar in appearance to other houses on the street. It has a garage and store building to its side which is separated from

the house by a gated path between the forecourt and the rear garden. The proposed extension would replace that building, extending up to the side boundary where a footpath separates the property from its neighbour.

4. A number of development plan policies require high quality design which respects local character. Policy BE1 of the Local Plan (LP)¹ and saved policies BE13, BE15 and BE19 of the Unitary Development Plan (UDP)² have these requirements. Development should harmonise with the existing street scene and the scale, form, architectural composition and proportions of the original building. Specifically regarding two storey side extensions saved policy BE22 of the UDP requires that these are set back a minimum of 1 metre from the side boundary.

5. Those policies are supported by guidance in the Hillingdon Design and Accessibility Statement (HDAS). This requires that two storey side extensions are at least 1 metre from the side boundary and that they are no more than two thirds the width of the original house. This is to ensure that extensions do not appear too bulky or dominant and do not result in a terraced effect in the street scene.

6. The extension would be over two thirds the width of the existing house and would leave no gap between its side wall and the boundary. For these reasons it would not accord with the HDAS guidance or with saved policy BE22 of the UDP. The size and bulk of the extension would be out of proportion with the existing house and would be dominant in the street scene, having an enclosing effect. The lower roof of the extension compared to that of the main roof and the recessed first floor front wall would go some way to reducing the overall bulk of the extension but would not be sufficient to overcome those harmful effects. I saw that the footpath to the side of the site is narrow and this would provide only minimal separation between the extension and the neighbouring property.

7. An appeal decision concerning a two storey side extension to a semi-detached house was referred to by the appellant. The proposal differs from that development in terms of its width and is not therefore comparable in this respect. A number of photographs of other extensions in the area have been provided but the details of those cases are not before me and circumstances of individual proposals differ. For the reasons given the proposal would not accord with policy BE1 of the LP or saved policies BE13, BE15 or BE19 of the UDP. I conclude that the proposal would unacceptably harm the character and appearance of the area."

As such, it is considered that the proposed dwelling, by virtue of its siting, size, scale, bulk, width and design, including the lack of a set back from the front at all levels, would fail to harmonise with the architectural composition of the original semi-detached dwelling, would be detrimental to the character, appearance and symmetry of the pair of semi-detached houses of which it forms a part and to the visual amenities of the street scene and the character and appearance of the wider area. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and Policies 3.5 and 7.4 of the London Plan (2016).

7.3 Traffic Impact/Pedestrian Safety

Policy DMT6 of the Local Plan Part 2 - Development Management Policies with Modifications (January 2020) states that 2 car parking spaces are required per dwelling and with regards to bicycle parking 1 space is required per 1 or 2 bed unit, and 2 spaces is required for 3 or more bed dwellings.

The application seeks to develop the site to create an additional dwelling, and hence both the new and existing dwelling would be required to provide 2 parking spaces within the

curtilage of the dwellings. Upon reviewing the PTAL rating for the proposed development using the Transport for London WebCAT service, it is indicated that the site has the worst access to public transport with a PTAL rating of 0. However, the site does in fact border PTAL 1b (poor). On this basis, it is considered that an emphasis will be placed on the private car.

When considering the scale of the proposed works against the London Borough of Hillingdon car parking standards, it is required that this scheme provide 4 on-plot parking spaces. It is apparent from the submitted information that only 2 car parking spaces and 3 motorcycle parking spaces are provided for thus providing a parking deficit. The supporting Design and Access Statement provided with the application states "There is currently room for 3 off street parking spaces at the front of the site which we will retain and create 2 further off street parking spaces for motorcycles thus providing adequate parking for existing and new dwellings." The agent has also emailed the officer to express that these standards are the 'maximum requirements', and given recent (January 2020) changes to the London Plan should not be considered as the new dwelling is a positive contribution to the London housing shortage.

The councils Highways officer has reviewed the scheme proposed and commented on the parking arrangements proposed. The officer has stated that the maximum parking requirement for a residential unit as proposed equates to 2 on-plot spaces in order to fully comply with Hillingdon's adopted parking standard for new 'dwellings with curtilage'. A single space is proposed which falls below the standard. This parking deficit is further compounded by the existing address (No.38) losing several on-plot parking spaces which cumulatively may cause undue parking displacement and stress on the public highway.

The Highways specialist has concluded that the proposed development fails to provide sufficient on-plot parking and removes existing on-plot parking from No.38 Hazeldene Gardens resulting in substandard car parking provisions, potentially leading to undue on-street parking to the detriment of on-street parking capacity and public/highway safety contrary to Local Plan: Part 2 Development Plan (2020) Policies DMT 1, DMT 2 & DMT 6 and Policies 6.3 and 6.13 of the London Plan (2016).

7.4 Carparking & Layout

Discussed above.

7.5 Urban Design, Access and Security Considerations

The Housing Standards (Minor Alterations to the London Plan) March 2016 sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants.

The Housing Standards Minor Alterations to the London Plan March 2016 requires a 2 storey 2 bedroom 4 person dwelling would be required to provide a gross internal floor area of 79 square metres. The existing dwelling would remain the same, a 2 storey 3 bedroom 5 person dwelling.

The new dwelling would provide an internal floor area of 86 square metres which is in excess of the London Plan March 2016 requirements. The bedroom sizes also are of adequate size. The existing dwelling would remain the same. The open plan living area would provide adequate levels of light and outlook for the ground floor habitable space. The first floor bedrooms have windows facing rear or front, and as such would have sufficient outlook and light.

Rear amenity:

In terms of the garden area the development would fulfill the policies established in Part 2

Policy DMHD1 appendix A, Part A) vi), which states that for alterations and extensions to residential dwellings; adequate garden space is retained. Policy DMHB 18 Table 5.2: Private Outdoor Amenity Space Standards in the Hillingdon Local Plan: Part Two London Borough Of Hillingdon Local Plan Part 2 Development Management Policies(January 2020) Table 5.2: Private Outdoor Amenity Space Standards states that a 2-3 bedroom house should provide 60 sq m of private and usable rear amenity space.

The proposal has sufficiently demonstrated that the new dwelling would be allocated 62 square metres of amenity space, leaving 68 square metres of garden space for the existing dwelling. In this respect the pre application proposal would comply with Policy DMHB 17 of the Local Plan Part 2 - Development Management Policies with Modifications (January 2020).

7.6 Other Issues

Access:

The access officer has reviewed the application and concluded that no concerns are raised subject to pre-commencement agreement on details of step free access via the principal private entrance is to be submitted.

If the application was to be recommended approval, this condition would be required. However in this instance the proposal would not be in compliance with the policy in other respects.

8. Reference Documents

The Local Plan: Part 1 - Strategic Policies (2012)

The Local Plan: Part 2 - Development Management Policies (2020)

The Local Plan: Part 2 - Site Allocations and Designations (2020)

The London Plan - Consolidated With Alterations (2016)

National Planning Policy Framework

Draft London Plan (Intend to Publish Version, December 2020)

Contact Officer: Nurgul Kinli

Telephone No: 01895 250230



FRONT ELEVATION
1:100 / A3



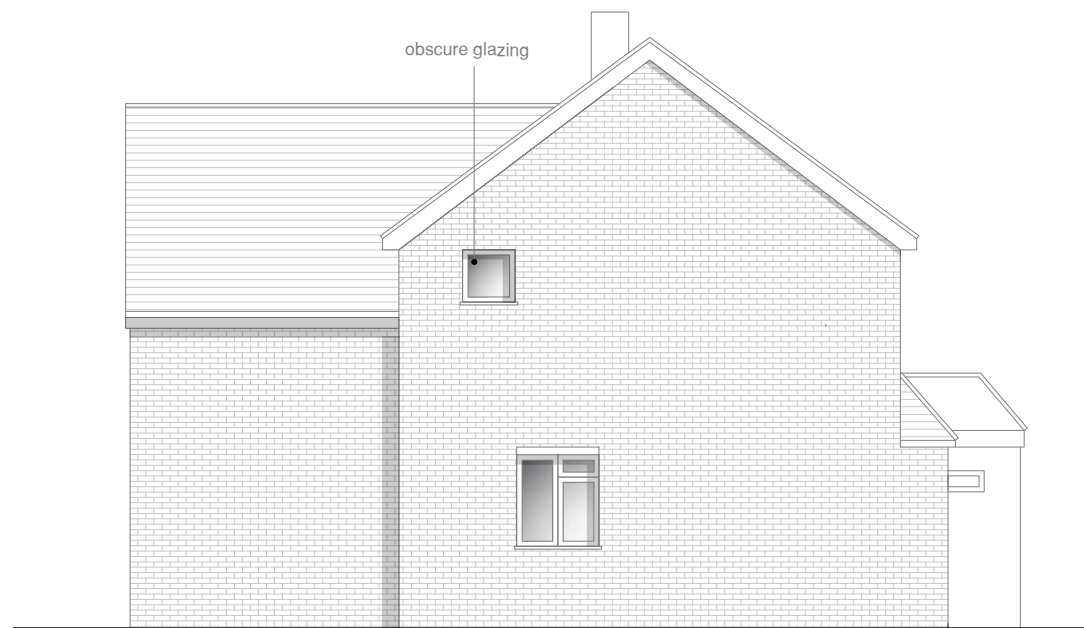
REAR ELEVATION
1:100 / A3

Roof tiles to match the existing

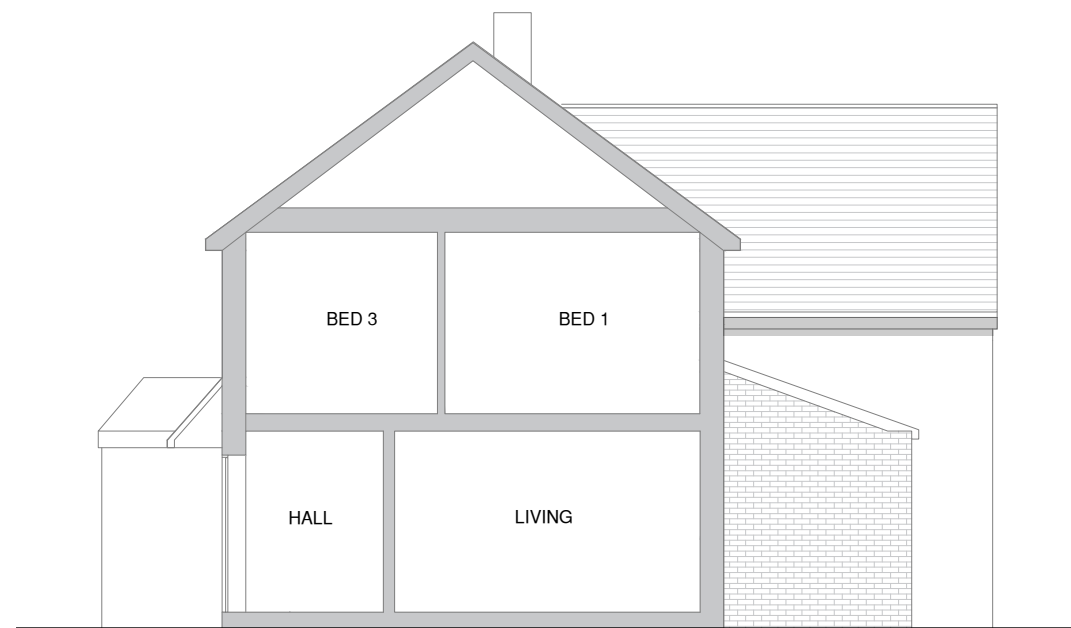
Gutter, fascia, soffit to exactly match the existing construction

Brickwork to match the existing construction in colour, size, texture and coursing

A minimum of 1 m left between new side extension and side boundary fence



SIDE ELEVATION
1:100 / A3



SIDE ELEVATION (SECTION)
1:100 / A3

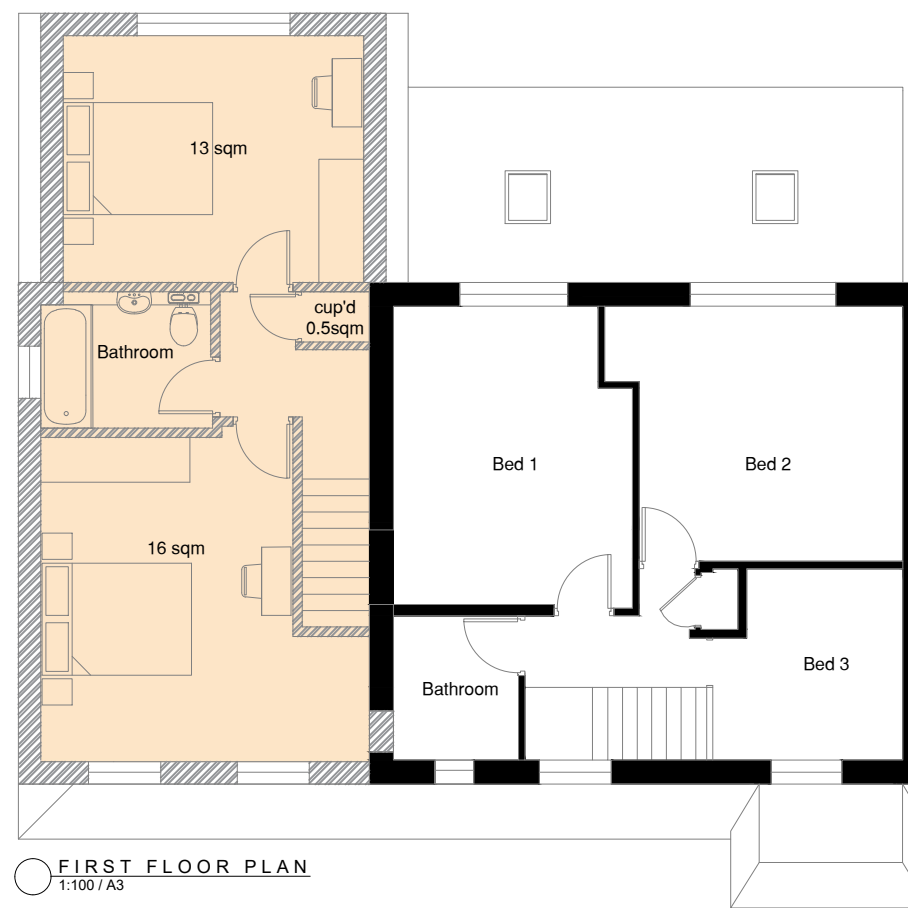
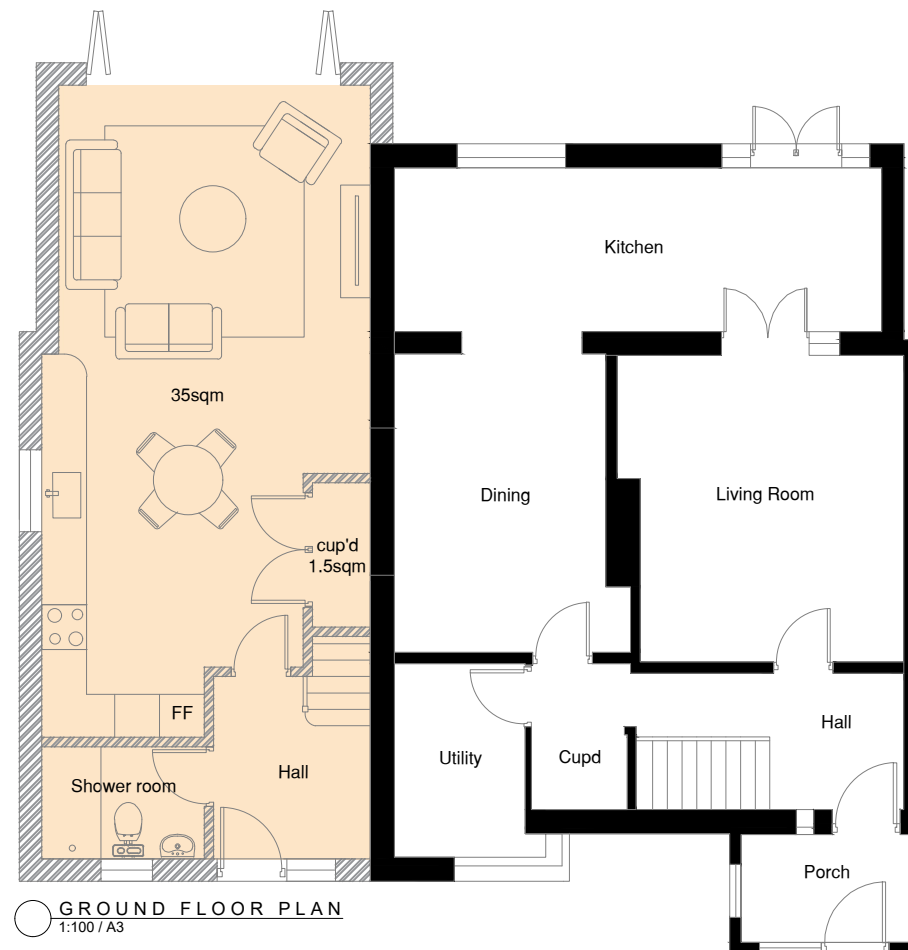
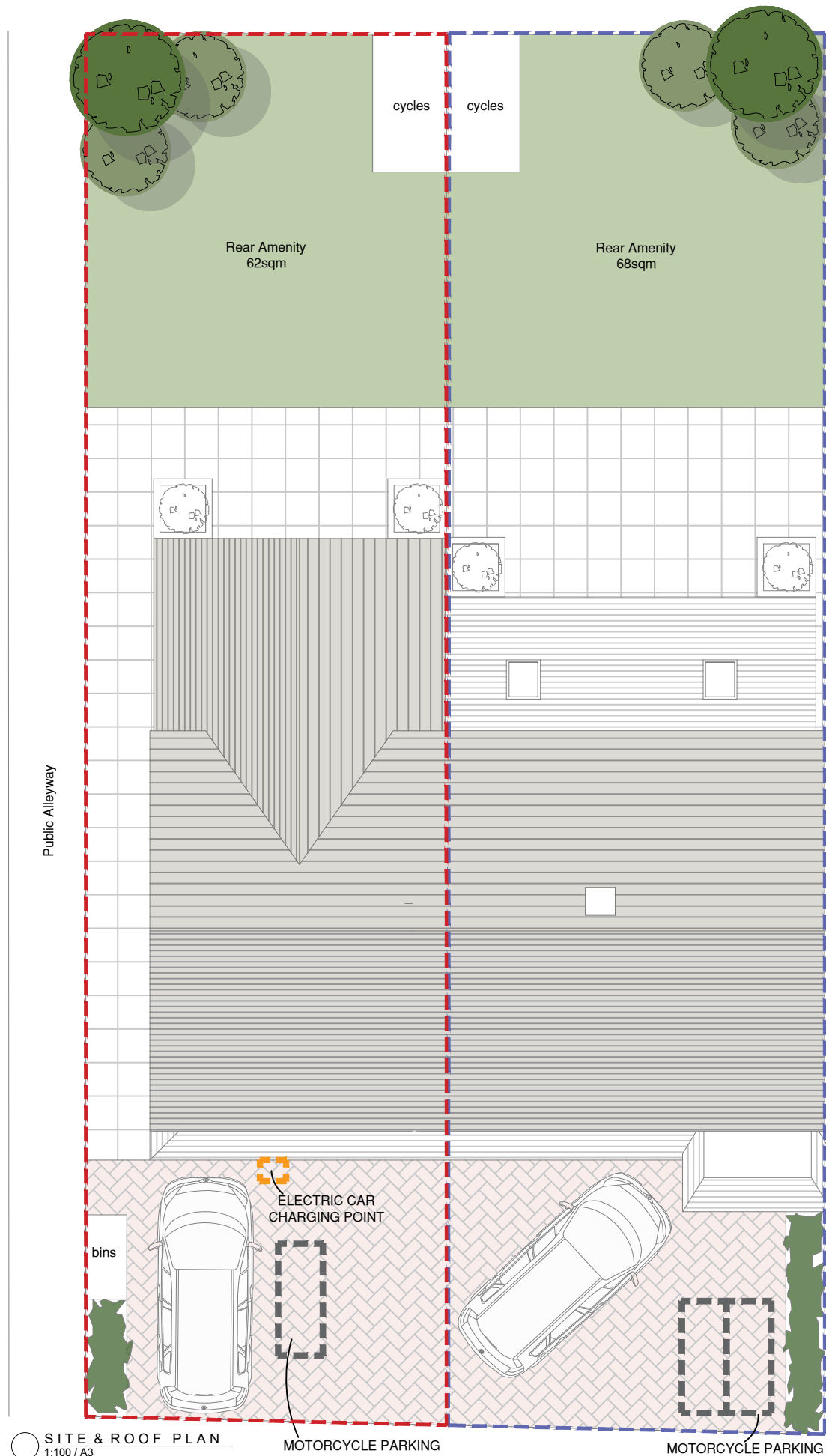


NOTE: THESE DRAWINGS ARE FOR PLANNING PURPOSES ONLY. DO NOT CONSTRUCT FROM THESE DRAWINGS. A MEASURED SURVEY IS REQUIRED ON SITE BEFORE CONSTRUCTION.

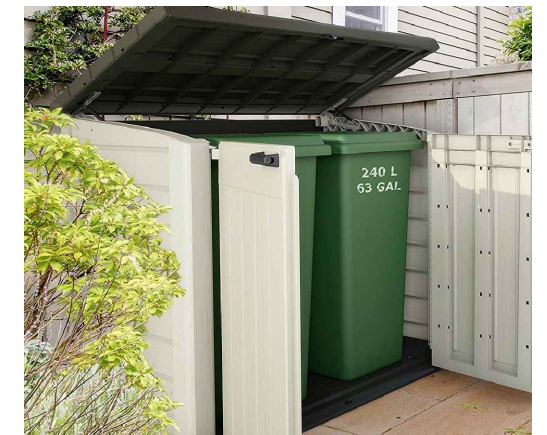
Job title 38 HAZELDENE GARDENS UXBRIDGE UB10 9DJ			
Drawing title PROPOSED ELEVATIONS			
Job No 1913_PL05	Scale @ A3 1:100	Date	Drawn by RJ



www.randRplanning.co.uk
 RobertJon@Live.co.uk
 Tel: 07436007718



SCHEDULE		GIA
PROPOSED	2B4P	86 sqm
Private Amenity		62 sqm
Built-in Storage		2.5 sqm
2 Cycle store spaces		
2 Parking Space		



○ SECURE BIN STORE



○ SECURE TIMBER CYCLE STORE



Job title 38 HAZELDENE GARDENS UXBRIDGE UB10 9DJ			
Drawing title PROPOSED PLANS			
Job No 1913_PL04	Scale @ A3 1:100	Date	Drawn by RJ
r&R PLANNING www.randRplanning.co.uk RobertJon@Live.co.uk Tel: 07436007718			

NOTE: THESE DRAWINGS ARE FOR PLANNING PURPOSES ONLY. DO NOT CONSTRUCT FROM THESE DRAWINGS. A MEASURED SURVEY IS REQUIRED ON SITE BEFORE CONSTRUCTION.

Reference: 57039/APP/2020/4080

Inbox



Mohamed Bharadia <easymart@gmail.com>

Dec 16,
2020,
10:45 AM

to Nurgul

Dear Nurgul

Re: 38 Hazeldene Gardens UB10 9DJ

Hope you are well. I note the above application has been validated and documents uploaded. However I am not sure if the council had received the planning statement that should accompany the application as a supporting document as it has not been uploaded; if not I attach it for completeness.

Kind regards

--

Mohamed Bharadia

Mob: 44 7960 973529

Mohamed Bharadia <easymart@gmail.com>

Dec 24,
2020,
12:38 PM

to Nurgul

Dear Nurgul

In the pre-app report you had indicated the issue of parking and I had submitted that policy refers to parking standards as maximum.

To assist, please find attached for the purposes of precedent and consistency in decision making a recent planning appeal decision where this main issue was considered (paragraph 6) and the ruling succinctly given (paragraphs 22-27). Although we have taken on board your comments and strived to provide 5 parking spaces in total.

kind regards

Mohamed Bharadia

Mohamed Bharadia <easymart@gmail.com>

Jan 13,
2021,
3:47 AM

to Nurgul

Dear Nurgul

As the decision date is 3 weeks away, I should be grateful for any early feedback in respect of the development proposal. In line with paragraph 38 of the NPPF we are keen proactively engage with you prior to decision date. Thank you.

Kind regards

Mohamed Bharadia

Mohamed Bharadia <easymart@gmail.com>

Jan 26, 2021,
1:04 AM (13
days ago)

to Nurgul

Dear Nurgul

I left a message following up on my email of 13 January and was promised you would call back to discuss the application.

I should be grateful if you could reply or return my call.

In the meantime please see attached letter which confirms that the Secretary of State has confirmed to the Mayor on 24 December that he wants the London Plan to be published as soon as possible to provide clarity and to provide housing that the capital so sorely needs. A formal response from the SoS is due by 1 February. Thus the NLP policies are now deserving of almost full weight in decision making.

Kind regards

Mohamed Bharadia

Mohamed Bharadia <easymart@gmail.com>

Jan 29, 2021,
8:13 PM (10
days ago)

to Nurgul

Dear Nurgul

The Secretary of State has today given the Mayor the green light for the publication of the New London Plan. I attach the letter which is self-explanatory as it is a material document effectively immediately giving FULL weighting to the policies of the New London Plan.

Whilst writing, I express my disappointment that in spite of my numerous emails and a phone call message, you have chosen not to reply or engage at all in discussion or feedback even as a matter of courtesy. This goes against the letter and spirit of the NPPF especially when I had previously submitted a pre-app to understand the LPA's concerns.

Yours Sincerely

Mohamed Bharadia

Nurgul Kinli

Jan 30, 2021,
5:42 PM (9
days ago)

to me

Dear Mohamed,

I would like to apologise for not getting back to you earlier, however I have not had a chance to review the application and hence trying to catch up.

Is there anything in particular you would like to discuss?

I would also like to let you know that this application may be due for committee and I have been waiting on managers feedback due to councillor interest in the scheme.

Kind regards,
Nurgul Kinli

Nurgul Kinli

Sat, Jan 30,
5:49 PM (9
days ago)

to me

Dear Mohamed,

I have also tried calling now but have been unsuccessful in getting through to you.

I will be assessing the application over the next few days so would appreciate if you can raise any issues you would like to by email.

Regards,
Nurgul Kinli

Mohamed Bharadia <easymart@gmail.com>

Jan 30, 2021,
7:48 PM (9
days ago)

to Nurgul

Thanks Nurgul. Your reply is much appreciated.

I trust the scheme is found acceptable in the overall planning balance for incremental delivery of a housing unit for the borough especially in light of the New London Plan policies as supported by the Government.

Please keep me updated and if I can assist in any way then do let me know before the decision due date of 3 February.

kind regards

Mohamed

Nurgul Kinli

Sat, Jan 30,
9:31 PM (9
days ago)

to me

Hello Mohamed,

I have also been getting familiar with the recent changes and understand your concerns regarding the updates to the London Plan. These will be incorporated within my recommendation report.

However, the issues that were raised at pre application stage still stand and the highways comments received don't differ much. The plans have not really been changed apart from the set back at first floor level, and far as I remember we also have discussed the issue with the changes to the council's local plans.

At this stage, I will be recommending refusal based on comments that were provided previously as well as the specialist comments received.

Kind regards,
Nurgul Kinli

Mohamed Bharadia <easymart@gmail.com>

Jan 30, 2021,
10:31 PM (9
days ago)

to Nurgul

Hello Nurgul

That would be disappointing especially if you have fully read the planning statement I have submitted in which I have referred to:

1. Local plan policies on highway and parking spaces being referred to as MAXIMUM and there are no minimums . The New London Plan echoes that and says a MAXIMUM of 1.5 spaces per dwelling. This plan also has policy that allows for motorcycle space where provided to be treated as a parking space. Previous appeal decisions have discussed this issue as well where inspectors have referred to Appendix C and the maximum of 2 spaces per dwelling. So as a compromise we have provided 2 car parking and 3 motorcycle parking so total of 5 spaces. Why object? This is unreasonable especially when previous appeal stated total 3 cars can be accommodated presently.

2. I also provided the Housing SPG which has guidance on extending to land available on side to deliver housing under policy H2. The ridge line continues with the ground and first floor being flush to give the perception of a new dwelling in the street scene.

3. The courts have guided that there are push/pull factors in the overall planning balance and some policies have to give way to others to achieve the overall aims and objectives of the development plan.

If there are any amendments that would make the proposal acceptable then do let me know even at this stage and we can agree a short extension.

Kind regards

Mohamed

Nurgul Kinli

Jan 30, 2021,
10:45 PM (9
days ago)

to me

Dear Mohammed,

I do understand your concerns and have been through Policy H2, the new additions to the Local Plan have also been added to the recommendation report.

I will forward your email regarding the highways concerns to the relevant officer who has provided the advice on Monday. I hope he can provide me with further clarity, but as it stands the comments from the highways officer has been to recommend refusal.

At this point I am happy to agree an extension of time if the highways officer considers changes needed on his behalf. However, my planning judgement is that there are three reasons for refusal as it stands, and I am unsure amendments would be able to resolve the concerns raised. These are no different to those that we have discussed previously - relating to the changes to the Local Plan.

Kindest regards,
Nurgul Kinli

Appeal decision on new dwelling attached to existing semi-detached dwelling
Yahoo/Sent

Mohamed Bharadia <majbharadia@yahoo.co.uk>

Cc:Hillingdon Planning Kinli

Sun, 31 Jan at 15:04

Dear Nurgul

Please see attached allowed appeal decision which has a Secretary of State ruling in respect of the setback issue you have raised and which previously at pre-app stage I have explained to you should apply only if the proposal was a householder side extension but is not applicable to a new dwelling on under full planning. Please read in particular paragraphs 8 and 9.

As the decision maker you and the LPA must take such decision as a material consideration and assess my proposal with the same principles under the local policies the inspector has referred and ruled on.

Otherwise if the matter goes to appeal because the refusal reason repeats the same issue of wanting a setback when not applicable to a new dwelling, then the matter of unreasonable behaviour and costs will be raised on the basis that the LPA is exercising intransigence in not accepting a previous SoS decision on this issue especially after I have drawn it to your attention.

Kind regards
Mohamed

[APPEAL DECISION 3247712.pdf](#)

Nurgul Kinli <nkinli@hillingdon.gov.uk>

To:Mohamed Bharadia

Sun, 31 Jan at 17:41

Dear Mohamed,

Thank you for the information you have sent over, and some of the examples provided.

I have received some more information from the highways officer, who has let me know that LBH highways department work on maximum standards. I believe it is best in this instance that the case is taken to appeal where the inspector can review further and make a judgement. I will highlight with my managers that you aim to take the case for appeal based on the comments below.

Kind regards,
Nurgul Kinli

Another parking issue appeal in UB10

Yahoo/Sent

Mohamed Bharadia <majbharadia@yahoo.co.uk>

To:Hillingdon Planning Kinli

Mon, 1 Feb at 09:20

Morning Nurgul

Another appeal on parking/highways issue that has been allowed today. This is in same postcode as 38 Hazeldene. Highways wanted 3 spaces but inspector was happy with 1! Please refer this to your managers for input on consistency.

Kind regards

Mohamed

[Appeal Decision-3260216.pdf](#)

Re: Another parking issue appeal in UB10

Yahoo/Inbox

Nurgul Kinli <nkinli@hillingdon.gov.uk>

To:Mohamed Bharadia

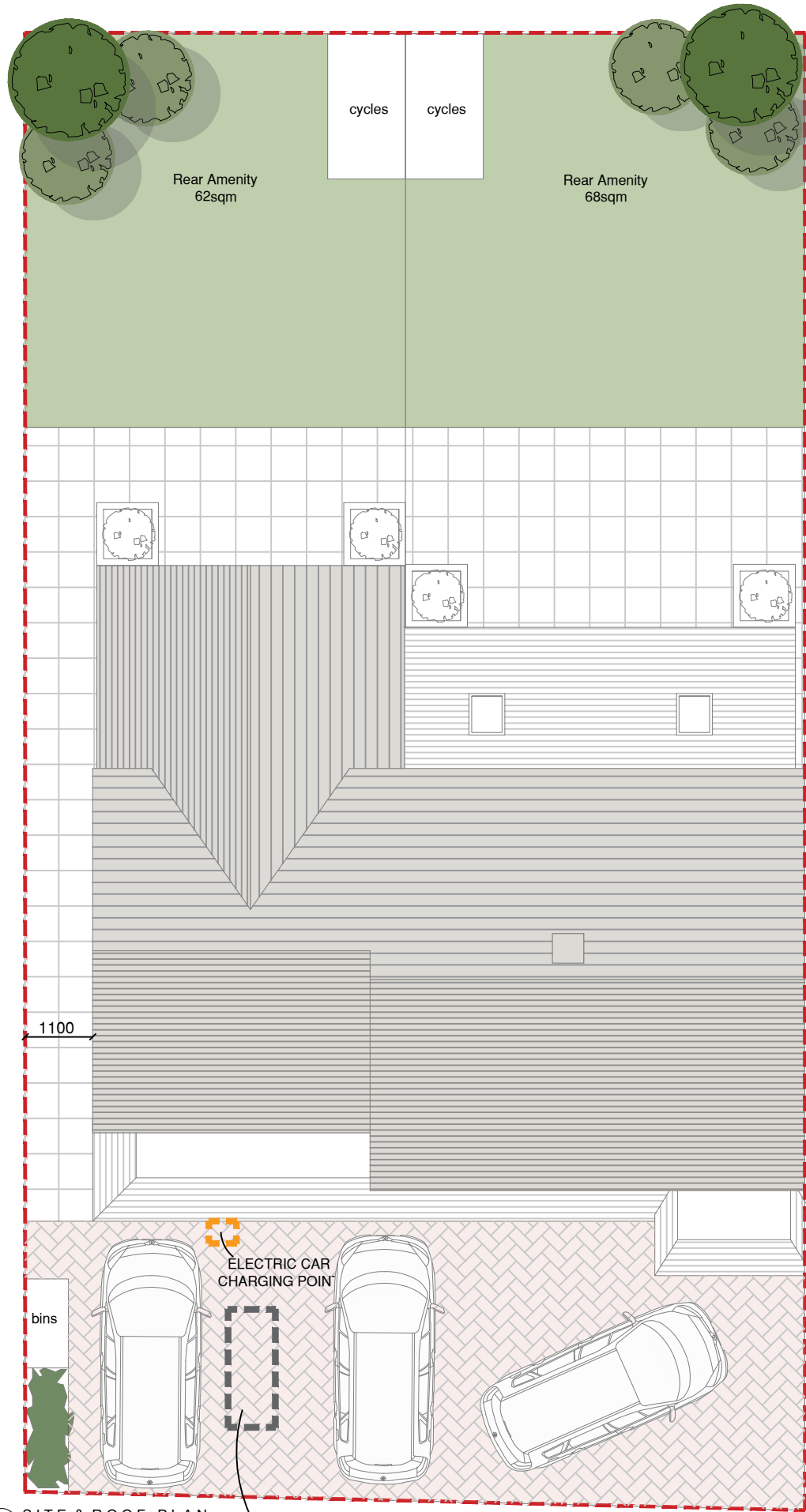
Mon, 1 Feb at 12:03

Dear Mohamed,

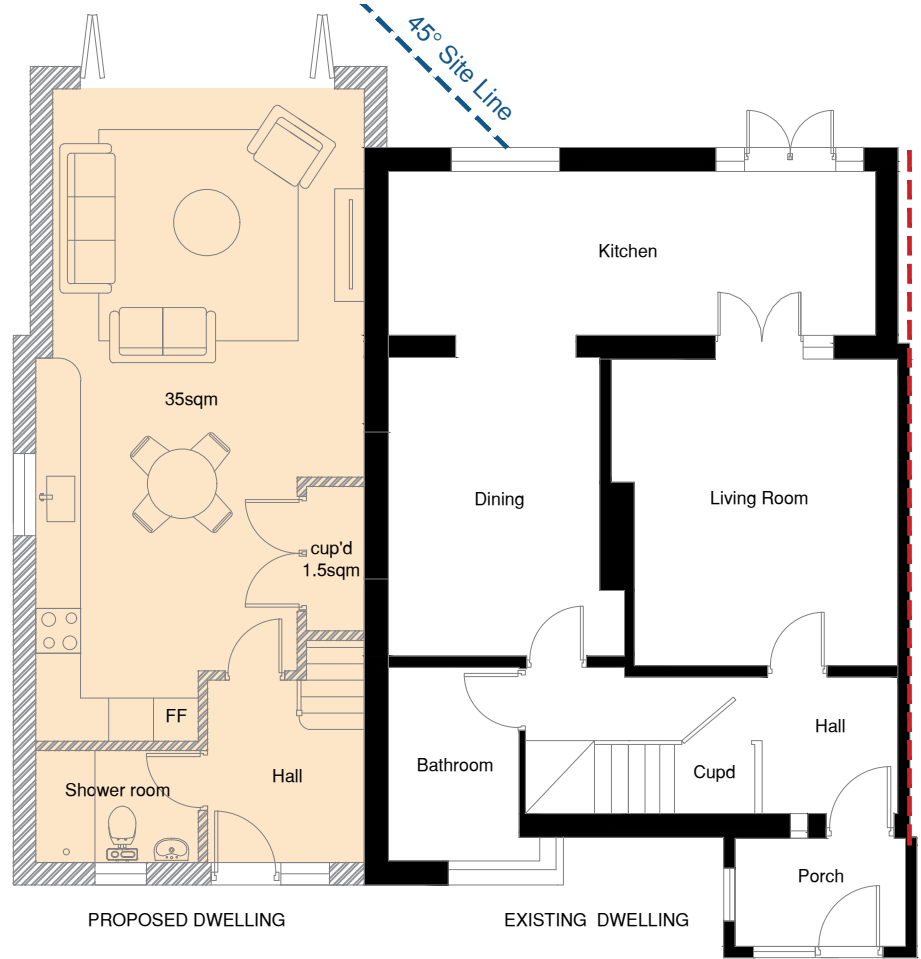
I have forwarded your email to my manager and to the highways officer.

Regards,

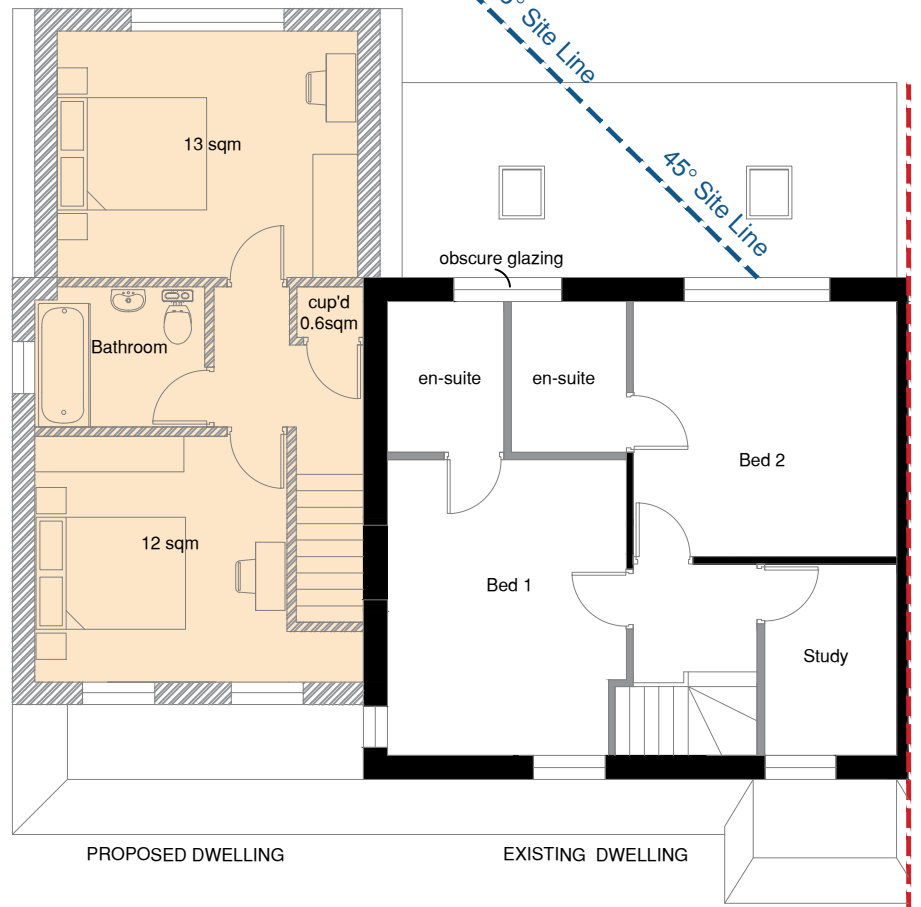
Nurgul Kinli



SITE & ROOF PLAN
1:100 / A3

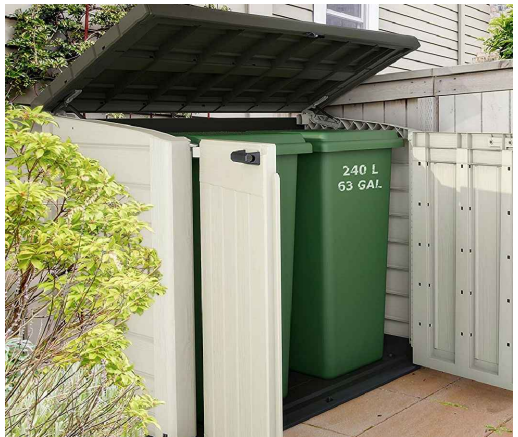


GROUND FLOOR PLAN
1:100 / A3



FIRST FLOOR PLAN
1:100 / A3

SCHEDULE		GIA
PROPOSED	2B4P	82 sqm
Private Amenity		62 sqm
Built-in Storage		2.5 sqm
2 Cycle store spaces		
4 Parking Spaces (2 for New Property)		



SECURE BIN STORE



SECURE TIMBER CYCLE STORE

Job title
**38 HAZELDENE GARDENS
UXBRIDGE
UB10 9DJ**

Drawing title
PROPOSED PLANS

Job No 1982_PL06b	Scale @ A3 1:100	Date	Drawn by RJ
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r&R
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