



Mr Michael Rushe
I C E Architects Ltd.
54-58 Tanner Street
London
SE1 3PH

Application Ref:
17155/APP/2021/1453

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 a three storey building to create a business unit and 1 x 2-bed residential unit involving demolition of existing store/garage to rear and remodelling of existing basement to increase business use

Location of development: The Broadway 47 Joel Street Eastcote

Date of application: 13 April 2021

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: 8 June 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.

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SCHEDULE OF REASONS

- 1 . The proposed building, by virtue of its size, scale, bulk, depth and proximity, would be detrimental to the amenities of the adjoining occupiers, by reason of overdominance, overshadowing, visual intrusion, loss of light, loss of outlook and loss of privacy. Therefore the proposal would be contrary to policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies.
- 2 . The proposed building by reason of its siting in this visually prominent position, size, scale, bulk, overall height and design would be an incongruous addition, which would be unduly prominent, overly dominant and out of scale with the character, appearance and visual amenities of the surrounding area and street scene. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies D3 and D4 of the London Plan (2021) and the NPPF.
- 3 . The proposal, by reason of its design and layout fails to provide a development which meets the requirements of people with disabilities and would therefore give rise to a substandard form of working and living accommodation to the detriment of the amenity of future occupiers. The proposal is thus contrary to Policies D5 and D7 of the London Plan (2021).

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

Part 2 Policies

DME 3	Office Development
DMEI 10	Water Management, Efficiency and Quality
DMH 2	Housing Mix
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping

SCHEDULE OF REASONS

DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
DMTC 1	Town Centre Development
DMTC 2	Primary and Secondary Shopping Areas
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP E1	(2021) Offices
LPP GG2	(2021) Making the best use of land
LPP GG4	(2021) Delivering the homes Londoners needs
LPP GG5	(2021) Growing a good economy
LPP H1	(2021) Increasing housing supply
LPP SD5	(2021) Offices, other strategic functions and residential development in the CAZ
LPP SD6	(2021) Town centres and high streets
LPP SI13	(2021) Sustainable drainage
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
LPP T6.2	(2021) Office parking
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes
NPPF- 6	NPPF-6 2018 - Building a strong, competitive economy
NPPF- 7	NPPF-7 2018 - Ensuring the vitality of town centres
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

SCHEDULE OF REASONS

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.

END OF SCHEDULE

Address:

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

www.hillingdon.gov.uk

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SCHEDULE OF PLANS

PL01.00 Rev. A - received 13 Apr 2021

Photographs - received 13 Apr 2021

PL01.01 Rev. B - received 13 Apr 2021

PL01.02 Rev. B - received 13 Apr 2021

PL01.03 Rev. B - received 13 Apr 2021

PL01.04 Rev. B - received 13 Apr 2021

PL02.07 Rev. C - received 13 Apr 2021

PL02.01 Rev. C - received 13 Apr 2021

PL02.02 Rev. C - received 13 Apr 2021

PL02.03 Rev. C - received 13 Apr 2021

PL02.04 Rev. C - received 13 Apr 2021

PL02.05 Rev. C - received 13 Apr 2021

PL02.06 Rev. C - received 13 Apr 2021

Design and Access Statement - received 13 Apr 2021

Flood Risk Assessment - received 13 Apr 2021

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**](http://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**](http://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.