



Mr Chris Connor
27 Chaucer Way
Woosehill
Wokingham
RG41 3BG

Application Ref:
26110/APP/2021/1488

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:

Demolition of existing two storey detached dwelling and the erection of a two storey apartment building to provide 4 x 2-bed, 4 x 1-bed and 1 x 2-bed penthouse together with associated parking, refuse and recycling provision/storage and landscaping.

Location of development: 61 Long Lane Ickenham

Date of application: 23 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: 3 December 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 development, by reason of its size, scale, massing, height and design (including its uncharacteristic crown roof form, dormers and balconies) would fail to harmonise with the character and architectural composition of the surrounding properties, appearing as a visually dominant, incongruous and bulky form of development which would be detrimental to the visual amenity of the street scene and harmful to the character and appearance of the surrounding Conservation Area. The proposal therefore conflicts with Policies BE1 and HE1 of the Hillingdon Local Plan: Part One- Strategic Policies (2012) and Policies DMHB 1, DMHB 4, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policies HC1, D1, D3 and D4 of the London Plan (2021) and the National Planning Policy Framework (2021).
- 2 · The proposed development would result in the net loss of a five-bedroom dwelling (i.e., a family sized unit) and fails to provide any three or more bedrooms (family sized) units. Robust justification has not been provided to demonstrate that the provision of family sized units would be unsuitable or unviable. The proposal would therefore not provide a suitable mix of housing to support sustainable, inclusive and mixed communities contrary to Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy H10 of the London Plan (2021) and the National Planning Policy Framework (2021).
- 3 · The proposed development, by virtue of the proposed footway directly in front of the main habitable room windows serving Flats 1 and 4 and in the absence of any defensible space, would cause unacceptable overlooking and a loss of privacy (both real and perceived) for the future occupants of these flats. The proposal would therefore result in a substandard form of internal residential accommodation to the detriment of the amenity of the future occupiers of Flats 1 and 4, contrary to Policies DMHB 15 and DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy D6 of the London Plan (2021) and the National Planning Policy Framework (2021).
- 4 · The proposed development, by virtue of the raised position of the first and second floor rear balconies, would result in overlooking into the rear gardens of the adjacent neighbouring properties at numbers 59a Long Lane, numbers 2 to 13 Edinburgh Drive and numbers 13 and 15 Edinburgh Close. The proposed balconies would therefore cause an unacceptable loss of privacy to the detriment of the living conditions of neighbouring residential occupiers, contrary to Policy BE1 of the Hillingdon Local Plan: Part One- Strategic Policies (2012), Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2021).

SCHEDULE OF REASONS

- 5 . The proposed development, by virtue of its scale, depth and siting in proximity to shared boundaries would result in an undue loss of outlook from and visual intrusion on the rear gardens of properties on Edinburgh Drive to the detriment of the living conditions of neighbouring residential occupiers, contrary to Policy BE1 of the Hillingdon Local Plan: Part One- Strategic Policies (2012), Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2021).

- 6 . The proposed development, by reason of the demolition of the existing house which has been identified as a bat roost, fails to meet all the derogation tests detailed in The Conservation of Habitats and Species Regulations 2017 (as amended). The proposal would therefore cause harm to protected species and their habitats, contrary to Policy DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy G6 of the London Plan (2021) and the National Planning Policy Framework (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
PT1.HE1	(2012) Heritage

Part 2 Policies

DMEI 10	Water Management, Efficiency and Quality
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMH 4	Residential Conversions and Redevelopment
DMHB 1	Heritage Assets
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards

SCHEDULE OF REASONS

DMHB 17	Residential Density
DMHB 4	Conservation Areas
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D1	(2021) London's form, character and capacity for growth
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 G6	(2021) Biodiversity and access to nature
LPP G7	(2021) Trees and woodlands
LPP HC1	(2021) Heritage conservation and growth
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF14	NPPF 2021 - Meeting the challenge of climate change flooding
NPPF15	NPPF 2021 - Conserving and enhancing the natural environment
NPPF16	NPPF 2021 - Conserving & enhancing the historic environment
NPPF2	NPPF 2021 - Achieving sustainable development
NPPF4	NPPF 2021 - Decision-Making
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes
NPPF8	NPPF 2021 - Promoting healthy and safe communities
NPPF9	NPPF 2021 - Promoting sustainable transport

- 3 . 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.

a) We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

SCHEDULE OF REASONS

- 4 . This is a reminder that Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), should an application for appeal be allowed, the proposed development would be deemed as 'chargeable development' and therefore liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This would be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012.

For more information on CIL matters please visit the planning portal page at:
www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

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

1110 - received 14 Apr 2021

1200 - received 14 Apr 2021

1111 - received 14 Apr 2021

1205 - received 14 Apr 2021

1206 - received 14 Apr 2021

1207 - received 14 Apr 2021

1210 - received 14 Apr 2021

1300 - received 14 Apr 2021

1305 - received 14 Apr 2021

Covering Letter (dated 13/04/2021) - received 14 Apr 2021

Bat Survey Report (dated September 2020) - received 14 Apr 2021

Heritage Statement (dated April 2021) - received 14 Apr 2021

Plan of Tree Constraints (dated February 2021) - received 14 Apr 2021

Tree Protection Plan (dated March 2021) - received 14 Apr 2021

Planning, Design and Access Statement (dated March 2021) - received 14 Apr 2021

1106 - received 14 Apr 2021

1105 Rev. A - received 14 Apr 2021

B.S. 5837 Arboricultural Report, Implications Assessment and Method Statement
(dated 16/03/2021) - received 14 Apr 2021

Energy Statement (dated 7th April 2021) - received 14 Apr 2021

1306 - received 14 Apr 2021

1310 - received 14 Apr 2021

1315 - received 14 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

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.