

Appeal Statement

Background Information.

Anslip U.K. Limited acquired two properties on Pembroke Road, Ruislip HA4 8NQ during 2000.

Both the properties were developed during 1975s.

Pembroke House, 5-9 Pembroke Road under Title NGL247847 was developed as Offices and
Neyland Court, 11-17 Pembroke Road under Title MX351349 was developed as 12 Residential Flats consisting of one Bedrooms.

Both the properties consisted of Ground First and Second Floors.

At the time and over the period, Residential properties, essentially bungalow type of accommodation at the rear with frontage on Brickwall Lane, chose to plant evergreen conifers at the rear boundary with Pembroke House and Neyland Court to ensure their privacy and prevent being overlooked by these two buildings.

Over period of time, these evergreen conifers have grown to be almost 12 to 16 Meters high, as indicated in

Photo 1 and 2

These evergreens have provided privacy over last 40 plus years to the residents of Brickwall Lane.

During 2010, Planning Permission was granted to convert Pembroke House from Office use to Residential use and subsequently granted PP for two additional floors to house 20 Residential Flats.

This was possible based on the fact that the natural evergreen screen that provided privacy and no loss of natural sunlight to residents of Brickwall Lane was prevalent.

Further offices development at the rear boundary of Pembroke House was granted under LBH Planning Authorities under reference no

38324/APP/2018/164 for Offices 1F and
38335/APP/2019/4066 for 1G

The said permissions did not consider these Offices would harm or had unacceptable impact to the Residents of Brickwall Lane, as there was natural evergreen screen to these Office Developments.

The Appeal Inspector in granting Planning under Ref 38335/APP/2019/4066 has stated;

Quote

19. I have considered the relationship of the proposed development with properties (including rear gardens) on Brickwall Lane. Owing to the location, height, position of windows and screening on the common boundary with neighbouring properties, I am satisfied that the development would not cause significant harm to the living conditions of the occupiers of these neighbouring properties in respect of outlook, light and privacy. In addition, I am satisfied the proposal would not result in any significant loss of light or outlook for the occupiers of Pembroke House.

Unquote

These above mentioned Planning Permissions were granted by LPA taking into account all Planning considerations and Local Authority Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and the National Planning Policy Framework (2021).

Our current Planning Application
under Ref: 76364/APP/2021/4604 submitted on 21-12-2021
Refers to the following Drawings.

Location Plan L10	Dated 21-12-2021
Block Plan B10	Dated 21-12-2021
Site Layout Existing P10	Dated 21-12-2021
Site Layout Proposed P11	Dated 21-12-2021
Proposed Floor Plans P12	Dated 21-12-2021
Proposed Elevation P13	Dated 21-12-2021

In dealing with the the said application, the Council has NOT implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way.

There has been NO detailed advice in the form of their 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.

Draft Drawing No 15.530 P11-A

The Planning Office Ms Nesha Burham wrote to the Architect Mr. Nigel Rose to sought clarification regarding what was meant by “ kerb alignment ” sited in Drawing No 15.530 P11.

At which time, the Architect Mr. Rose proposed another alternative Site layout for discussion purposes ONLY, and marked it as Drawing No 15.530 P11 - A; which suggested possible additional amenity area for the Residents of Neyland Court.

However, the said plan has adjoining properties marked incorrectly and required it to be amended before LPA could have accepted it under the said planning application Ref : 76364/APP/2021/4604

Ms Burham did not confirm her recommendations for such alternative proposal based on the said revised draft Site layout. Therefore our application under Ref No 76364/APP/2021/4604 was never revised nor amended formally through Planning Portal or directly with LPA.

Inaccurate Drawing No 15.530.P11-A should therefore be considered as being for informal discussion purposes only.

Accordingly, our application should be considered based on plans accompanying our application dated 21-12-2021 only.

It would therefore imply that the reasons for refusal based on “ NON2 Non Standard reason for refusal “; the proposed development, by virtue of the proximity of the proposed parking spaces 13 to 16, as suggested under Plans P.11 Rev.A; are invalid.

Removal of current General Waste Collection Area to create Parking Space 13

The refuge area next to Garage No 12 has created Health and Safety issues on account of General Rubbish left by residents of Neyland Court in an irresponsible manner. This has created rats to flourish in that part.

Photo 3

The Management Company has agreed to order a General Waste Collection Bin, which is still being awaited.

In the meantime, to facilitate ease of collection of Recycling Waste and General Domestic Waste, a suitable area next to the common slip road has been installed by Anslip UK Ltd. This location for all wastes has been welcomed by the Council Waste Collection team.

Photo 4

This would free the present Waste Storage area to accept an additional parking space No 13, which may require slight adjustment and reinstatement of the Pillars.

Photo 5

It is intended to retain the existing wall with brick piers, retaining the amenity area for the Residents of Neyland Court and maintaining the privacy of the apartments on the Ground floor.

One bicycle stand for the new office would be located under the Stairwell of the new proposed Office.

We are agreeable to provide Electric Car Charging Points vide special conditions provision.

A lot of argument has been stated in respect of the unacceptable impact by the proposed office for residents of Brickwall lane, which did not seem to be relevant when Planning Permission was granted by the LPA of Hillingdon under

Ref No 38324/APP/2018/164 and
38324/APP/2019/4066,

These two Offices sited in at the rear boundary wall, are in exactly the same manner as the current office application Ref No 76364/APP/2021/4604.

The matter is of a simple choice for Residents of Brickwall Lane, and in particular No 6 and 6a; being directly overlooked by Residents of Neyland Court or maintaining the existing Green Screening that existed for last 40 years.

Photo 6 and 7

The residents of Brickwall Lane have planted these tall trees along their boundary fence to minimise the impact of overlooking from Pembroke House and Neyland Court and or the proposed Office which would be below the existing Tree Line.

Photo 8

The said Office proposal has little or not impact on 19 Pembroke Road or No 8 Brickwall Lane Residents, as stated by the LPA.

LPA reason for Refusal.

Application Ref: 76364/APP/2021/4604

SCHEDULE OF REASONS

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.

2. 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).

3. 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 (2021) and national guidance.

The proposed office management building, by virtue of its proximity, size, scale, bulk, massing and elevated height, would cause significant harm to the living conditions of the neighbouring occupiers and their associated external amenity space, at Neyland Court, number 19 Pembroke Road and numbers 4, 6, 6a and [8 Brickwall Lane](#), in terms of loss of outlook, overshadowing, overbearing impact, sense of enclosure and perceived loss of privacy.

The proposal would therefore be contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and the National Planning Policy Framework (2021).

The proposed boundary treatment comprising brick wall, piers and metal railings, by virtue of its proximity, length, 1.8 metre height and design would cause significant harm to the residential amenities of the existing occupiers of the ground floor flats at Neyland Court, in terms of loss of outlook, overbearing impact and sense of enclosure.

The proposal would therefore result in substandard forms of internal residential accommodation to the detriment of the amenity of the existing occupiers at Neyland Court. This would be contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and the National Planning Policy Framework (2021).

The above Planning and Policy reasons are contradictory to the reasons and confirmation of FULL compliance of all Planning Laws and Policies under which LPA has granted PP in respect of adjoining Offices 1F and 1G under

Ref No 38324/APP/2018/164 and
38324/APP/2019/4066.

We request The Inspection to allow our Appeal.