



Mr James Cain
Planning Base Ltd.
5 Seymer Close
Shillingstone
Blandford Forum DT11 0PH

Application Ref:
76673/APP/2021/3132

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 2 no. bungalows with associated parking, landscaping and boundary treatments

Location of development: Land At Rear Of 44 And 45 Zealand Avenue
Harmondsworth

Date of application: 12 August 2021

Plan Numbers: See attached Schedule of plans

Permission is refused for the reason(s) listed on the attached schedule:-

Interim Director of Planning, Regeneration & Public Realm

Date: 22 July 2022

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 . Due to their irregular size, design, lack of streetscene frontage and backland location the proposed dwellings would form an uncharacteristic and incongruous form of development which would fail to harmonise with the established character of the area. Furthermore the resulting gardens would be unusually small, when compared with other properties in the area to the detriment of the areas character. Overall it is considered that the proposal would be detrimental to the character of the area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies, Policies DMH 6, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D1 and D3 of the London Plan (2021), as well as paragraphs 124 and 130 of the NPPF (2021).
- 2 . Both of the new 2 bed, 3 person dwellings would fail to provide 61sqm of internal floor space for their future occupiers. The properties would therefore provide an indoor living area of an unsatisfactory size for their future occupiers, giving rise to a substandard form of living accommodation to the detriment of the amenity of their future occupiers. The proposed development is therefore contrary to the requirements of Policy D6 A of the London Plan (2021), Policy DMHB 16 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and the Technical Housing Standards - Nationally Described Space Standard (2015).
- 3 . The proposed development fails to demonstrate that the proposed parking plan functions and is fit for purpose. Failure to provide a functional parking arrangement would result in vehicles being displaced onto the local highways network. Roadside parking would create a more hazardous environment for road users and pedestrians. It would also have an adverse impact on the free flow of traffic on the local highways network. The development is therefore considered to be contrary to Policies DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), as well as policy T4 of the London Plan (2021).
- 4 . The proposed development would lead to harmful increase in people and vehicle movements in and out of the site which would subsequently cause noise, nuisance and disturbance to the occupiers of No.44 to No.45 Zealand Avenue. The development is therefore considered to be contrary to Policies DMH 6 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), as well as paragraph 130 (f) of the NPPF (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

SCHEDULE OF REASONS

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).

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies

DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMH 6	Garden and Backland Development
DMHB 7	Archaeological Priority Areas and archaeological Priority Zones
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
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 T6.1	(2021) Residential parking
LPP T4	(2021) Assessing and mitigating transport impacts
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places

END OF SCHEDULE

Address:

Development Management
Directorate of Place
Hillingdon Council
3 North Civic Centre, High Street, Uxbridge UB8 1UW
www.hillingdon.gov.uk

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SCHEDULE OF PLANS

BS 1 - received 22 Sep 2021

J19019-001 Rev A - received 22.09.2021 - received 22 Sep 2021

J19019-002 - received 12 Aug 2021

J19019-003 - received 12 Aug 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.