

PLANNING STATEMENT

In support of the re-submission of a planning application for:

"The erection of a conservatory and a garage to the rear of the premises"

Site at:

**12 HARVIL ROAD,
ICKENHAM
MIDDLESEX
UB10 8AJ**

On behalf of:

Mr Naseeb Ghera

Our reference:	2015/772/P
LPA previous reference:	12371/APP/2015/2608
Date:	15 th November 2015

1. This statement relates to the attached resubmission of a planning application for:

"The erection of a conservatory and a garage to the rear of the premises"

2. The London Borough of Hillingdon acknowledged the original planning application for the same above described development on 28th July 2015. It was refused through the officer delegated powers as per Decision Notice dated 25th September 2015, reference number 12371/APP/2015/2608, for the following two reasons:

- "1. *The proposed garage by reason of its size, scale, bulk and overall height would be detrimental to the character, appearance and visual amenities of the street scene and the wider area. The proposal is therefore contrary to policy BE1 of the Hillingdon Local Plan; Part One - Strategic Policies (November 2012). Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the Adopted Supplementary Planning Document HDAS: Residential Extensions.*
2. *in the absence of a Tree Survey, Tree Protection Plan and Arboricultural Method Statement, the application has failed to demonstrate that the development would safeguard existing trees on the site and further fails to demonstrate protection for and long term retention of the trees. The proposal is therefore contrary to Policy BE38, of the Hillingdon Local Plan: Part Two - Saved Policies (November 2012) and the Adopted Supplementary Planning Document HDAS: Residential Extensions."*

3. The whole process of the planning application and the method by which it was determined was somewhat bizarre and the officer's delegated report was unbalanced and contained misleading information. The following is a measured analysis of that report.

- a) Under the heading of '**comment on the planning history**', the case officer dedicated almost 95% of this part of the report on reviewing the defunct enforcement notice and the associated planning applications and appeals. Most of the material within this section of the officer's report is either irrelevant or entirely non contextual in relation to the nature of the application proposals, bearing in mind that the application was for the erection of a garage and a conservatory as ancillary additions to a dwelling house.

PLANNING STATEMENT
12 HARVIL ROAD, ICKENHAM UB10 8AJ

Further the host building has a fully-fledged planning approval planning permission and its presence is lawful in all respects. Hence, the main concern of the Local Planning Authority should have been the proposed ancillary additions and not the past enforcement actions. The planning history, as discussed in the officer's report, represented an attempt to justify a spurious decision to refuse the innocuous proposals for the addition of a garage and a conservatory.

- b) Interestingly, the review of the planning history of the premises by the case officer omitted a very important fact; that the dwelling house which was demolished to make room for the existing one had on either of its sides independent outbuildings, one used as a garden room and the other was a garage. The photographs hereunder corroborate this fact and the local planning authority has copies of it attached to most of the documents reviewed by the officer when writing her report.



A

Photograph of No 11 Harvil Road on the left and the application premises on the right (before it was demolished) distinctly showing the detached outbuilding on its left flank used as a garage.

PLANNING STATEMENT
12 HARVIL ROAD, ICKENHAM UB10 8AJ



View of the previous house in juxtaposition with its neighbour at No 13.
Please note the outbuilding to the right of the premises



No 12 before it was demolished, note the garage on the left flank

PLANNING STATEMENT
12 HARVIL ROAD, ICKENHAM UB10 8AJ



12

No 12

Before it was demolished; the garage and the linked outbuilding on either of its sides.

- c) One of the justifications given to refuse the proposals is the following statement in the officer report:

"Given the location of the proposed garage close to the boundary property, its overall height, size, scale and siting between the large gap between the application and adjoining property, the garage would be highly visible from the street and is considered to detract from the visual amenities of the surrounding area."

Ironically the above statement was made in the report without the case officer ever visiting the site. No appointment was made either with the agent or the applicant bearing in mind that the location of the proposed development is not readily discernible from the public realm. Furthermore, the whole curtilage of the host building is fenced and gated, hence no access is available without a proper appointment, and none was requested.

Notwithstanding the fact, that such a statement is highly subjective, it is invoked without looking at the more relevant history of the site, as borne out by the preceding photographs, which show clearly the outbuildings on either flank of the host dwelling house. Both the demolished garage and the garden room had pitched gable roofs higher than the proposed garage.

Furthermore, the submitted proposals include a sizeable gap between the addition and the boundary of its neighbour at No. 13 Harvil Road, which did not exist before. It is therefore contended that what is proposed in the subject planning application causes no harm to the visual amenities of the surrounding area.

- d) Most of the planning policies invoked by the decision notice were neither necessary nor relevant to the issues arising from the proposed development. The excessive cited policies, and relied upon for the determination of the planning application, demonstrate overindulgence on the officer's part and is an antithesis of the Central Government's efforts to streamline the development control process. These policies were reviewed in the submitted design and access statement and it was concluded that the proposals, generally, accord with their tenets.

The foregoing clearly indicates that the layout and appearance of the proposed garage and conservatory harmonise with the existing surroundings especially in terms of their scale, form, layout, siting and architectural composition and proportions. These additions are also in keeping with the design, form and external finishes of the host dwelling house and those of its immediate neighbours. The proposed small additions to No 12 Harvil Road, by virtue of their design and use of vernacular materials, not only complement the character of the area but also improve and act to enhance the general environment.

Hence, the proposed development accords with tenets of the policy BE1 of the Hillingdon Local Plan; Part One - Strategic Policies (November 2012). Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the Adopted Supplementary Planning Document HDAS: Residential Extensions.

- d) The most serious flaw in the officer's report is the unfounded claim, as part of the conclusion to her report, that the **"Agent and applicant have been contacted several times with no response"**. It must be stressed that the agent's telephone is manned all the time during working hours and that all emails and other document to the LPA show the telephone numbers of the land-line and the agent's mobile as well as course the email address. The applicant is also prepared to provide a statement refuting that the case officer's assertions.
- e) In any case, the agent should have been notified of the need for arboricultural statement from the outset, ie during its registration or at the initial stages of its process. The agent did not send one in the first place, because there are two arboricultural reports submitted in connection with other applications to the same property. It was presumed that the case officer as part of her diligent review of the planning history of the premises would have drawn attention to these. Both reports relate to the TPO oak tree in the rear garden.

4. Clearly the refusal of the previous application is seriously flawed. Rather than appeal that outcome, we are submitting revised proposals, because as responsible planning consultants we consider that appeals should only be lodged as a last resort.

5. The new proposals are for a smaller garage of different roof design to the previous proposals. The new submission is accompanied with an updated Arboricultural Report and Drawing GLA-663-004F prepared by Richard Greenway BA Dip LA CMLI M.Arb.A of Greenway LA Ltd. The report and drawings allow for adequate protection for the oak tree as a result of which the garage now measures approximately 5 metres by 4 metres. The subject tree will also be afforded suitable protection during the construction of the conservatory and the garage.

6. In conclusion, the revised proposals accord with the national, regional (The London Plan) and The London Borough of Hillingdon's local policies and in particular Policy BE38, of the Hillingdon Local Plan: Part Two - Saved Policies (November 2012) and the Adopted Supplementary Planning Document HDAS: Residential Extensions. Therefore, there is no compelling reason for not granting planning permission for the addition of the conservatory and a garage to the rear and side of 12 Harvil Road respectively.

7. Documents include ASK Planning drawings, dated 2nd November 2015:

2013/732/P00A:	Location Plan
2015/772/P/02:	Proposed site layout
2015/772/P/03:	Existing ground floor layout
2015/772/P/04:	Proposed ground floor layout
2015/772/P/05:	Existing elevations (west and east)
2015/772/P/06:	Existing elevations (north and south)
2015/772/P/07:	Proposed elevations (east and north)
2015/772/P/08:	Proposed elevations (south and west)

Drawing No. GLA-663-001 Tree Survey Plan
Drawing No. GLA-663-004 Rev F: Tree Protection Plan
Prepared by: Richard Warren Greenway BA, DipLA, CMLI, M.Arb.A of Greenway LA

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15th November 2015