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Application Ref: 2538/APP/2023/229

## **TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

### **GRANT 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 **GRANTS** permission for the following:

#### **Description of development:**

Creation of second floor to provide 1 no. 2-bed self-contained flat and first floor rear extension to existing flat

**Location of development:** 47a Coldharbour Lane Hayes

**Date of application:** 24th January 2023

**Plan Numbers:** See attached Schedule of plans

**Permission is subject to the condition(s) listed on the attached schedule:-**

**Interim Director of Planning, Regeneration & Public Realm**

**Date:** 16 May 2023

**NOTES:**

- (i) Please also see the informatives included in the Schedule of Conditions.
- (ii) Should you wish to appeal against any of the conditions please read the attached sheet which explains the procedure.
- (iii) This decision does not convey any approval or consent which may be required under any by-laws, building regulations or under any Act other than the Town and Country Planning Act 1990 (as amended).

# **TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

## **GRANT OF PLANNING PERMISSION**

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### **SCHEDULE OF CONDITIONS**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

#### **REASON**

To comply with Section 91 of the Town and Country Planning Act 1990

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers PA-2233-00, PA-2233-01, PA-2233-02, PA-2233-03, PA-2233-04 Rev. A, PA-2233-05, PA-2233-06, PA-2233-07 Rev. A, PA-2233-08, PA-2233-09, PA-2233-10 Rev. A, PA-2233-11 Rev. A, PA-2233-12 and shall thereafter be retained/maintained for as long as the development remains in existence.

#### **REASON**

To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012), Part 2 (2020) and the London Plan (2021).

- 3 The construction works of the development hereby approved shall be carried out strictly in accordance with the details specified in the Construction Management Plan Rev 01.

#### **REASON**

To safeguard the amenity of surrounding areas in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

- 4 The development hereby approved shall be carried out strictly in accordance with the details specified in the Air Quality Management Plan V2 (Report No. 20231207M1207C/1, Reference: 20231207M1207C).

#### **REASON**

In the interest of air quality in accordance with Policy DMEI 14 of the Hillingdon Local Plan Part 2 (2020).

- 5 The development hereby approved shall be carried out strictly in accordance with the external materials specified on drawing number PA-2233-10 Rev. A and therefore maintained as such.

#### **REASON**

To ensure that the development presents a satisfactory appearance in accordance with Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan (Part 2).

- 6 The development hereby approved shall be carried out strictly in accordance with the details specified in the BS8233 Noise Impact Assessment by Aran Acoustics dated 13th March 2023.

#### **REASON**

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by noise from the neighbouring commercial uses in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020) and Policies D13 and D14 of the London Plan (2021).

- 7 For the lifetime of the development hereby permitted the noise level shall not exceed 35 dB LAeq 16 hrs between 0700 and 2300 and 30 dB LAeq 8 hrs between 2300 and 0700, measured inside any room of any permitted dwelling having regard to the guidance set out in British Standard 8233: 2014 whilst

achieving acceptable internal living conditions with respect to ventilation and temperature.

#### REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by noise from the neighbouring commercial uses in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020) and Policies D13 and D14 of the London Plan (2021).

- 8 Prior to first occupation of the development, a fire strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include information in relation to how the development will achieve high standards of fire safety and emergency evacuation arrangements. The development shall be carried in accordance with the approved strategy prior to first occupation and thereafter retained as approved.

#### REASON

In the interests of fire safety in accordance with Policies D5 and D12 of the London Plan (2021).

- 9 Prior to first occupation of the development hereby approved, details of facilities for the storage and collection of refuse and recyclables shall be submitted to and approved in writing by the Local Planning Authority. The details shall include information in relation to location, dimensions, external finishes and design. The facilities shall be provided in accordance with the approved details prior to first occupation and thereafter retained as approved.

#### REASON

To ensure that the proposed development provides a convenient location for the refuse and recycling facilities in accordance with Policy DMHB 11 part (d) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

- 10 Prior to first occupation of the development hereby approved, details of facilities for the storage of 2 cycles shall be submitted to and approved in writing by the Local Planning Authority. The details shall include information in relation to location, dimensions, external finishes and design. The facilities shall be provided in accordance with the approved details prior to first occupation and thereafter retained as approved.

#### REASON

To ensure that the proposed development provides secure cycle facilities in accordance with Policy T5 of the London Plan (2021).

## INFORMATIVES

- 1 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 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, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.
- 2 The decision to GRANT 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 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. Before commencement of works the

development parties must notify the London Borough of Hillingdon of the commencement date for the construction works (by submitting a Commencement Notice) and assume liability to pay CIL (by submitting an Assumption of Liability Notice) to the Council at [planning@hillingdon.gov.uk](mailto:planning@hillingdon.gov.uk). The Council will then issue a Demand Notice setting out the date and the amount of CIL that is payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed.

The above forms can be found on the planning portal at:

[www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

**Pre-Commencement Conditions:** These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of the pre-commencement conditions have been discharged/complied with.

4 Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit ([www.hillingdon.gov.uk/noise](http://www.hillingdon.gov.uk/noise) Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

5 The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

**For Private Roads:** Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

The decision to GRANT 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

Part 2 Policies

- DMCI 7 Planning Obligations and Community Infrastructure Levy
- DMEI 10 Water Management, Efficiency and Quality
- DMEI 9 Management of Flood Risk
- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 16 Housing Standards
- DMHB 17 Residential Density
- DMHB 18 Private Outdoor Amenity Space
- DMT 1 Managing Transport Impacts
- DMT 2 Highways Impacts
- DMT 5 Pedestrians and Cyclists
- DMT 6 Vehicle Parking
- LPP D12 (2021) Fire safety
- LPP D13 (2021) Agent of change
- LPP D14 (2021) Noise
- 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 SI12 (2021) Flood risk management
- LPP SI13 (2021) Sustainable drainage
- LPP T5 (2021) Cycling
- LPP T6 (2021) Car parking
- LPP T6.1 (2021) Residential parking

- NPPF11 NPPF 2021 - Making effective use of land
- NPPF14 NPPF 2021 - Meeting the challenge of climate change flooding
- NPPF2 NPPF 2021 - Achieving sustainable development
- NPPF4 NPPF 2021 - Decision-Making
- NPPF5 NPPF 2021 - Delivering a sufficient supply of homes
- NPPF9 NPPF 2021 - Promoting sustainable transport

## **END OF SCHEDULE**

**Address:**

Development Management  
Directorate of Place  
Hillingdon Council  
3 North, Civic Centre, High Street, Uxbridge UB8 1UW  
[www.hillingdon.gov.uk](http://www.hillingdon.gov.uk)

## GRANT OF PLANNING PERMISSION

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### SCHEDULE OF PLANS

PA-2233-04 Rev. A - received 24 Apr 2023

PA-2233-07 Rev. A - received 24 Apr 2023

PA-2233-10 Rev. A - received 24 Apr 2023

PA-2233-11 Rev. A - received 24 Apr 2023

Construction Management Plan Rev 01 - received 24 Apr 2023

BS8233 Noise Assessment Report (dated 13 March 2023) - received 15 Mar 2023

Design and Access Statement - received 24 Jan 2023

PA-2233-02 - received 24 Jan 2023

PA-2233-01 - received 24 Jan 2023

PA-2233-00 - received 24 Jan 2023

Air Quality Management Plan V2, Dated 3rd May 2023 - received 06 May 2023

PA-2233-05 - received 24 Jan 2023

PA-2233-06 - received 24 Jan 2023

PA-2233-08 - received 24 Jan 2023

PA-2233-09 - received 24 Jan 2023

PA-2233-12 - received 24 Jan 2023

PA-2233-03 - received 24 Jan 2023

## RIGHTS OF APPLICANTS AGGRIEVED BY DECISION OF LOCAL PLANNING AUTHORITY

### 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 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](mailto: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.