



# Central & South Planning Committee

Date:

**TUESDAY, 27 JUNE 2017** 

Time:

7.00 PM

Venue:

COMMITTEE ROOM 5 -CIVIC CENTRE, HIGH STREET, UXBRIDGE UB8

**1UW** 

Meeting Details:

Members of the Public and Press are welcome to attend

this meeting

# To Councillors on the Committee

Councillor Ian Edwards (Chairman)

Councillor David Yarrow (Vice-Chairman)

Councillor Shehryar Ahmad-Wallana

Councillor Roy Chamdal

Councillor Alan Chapman

Councillor Brian Stead

Councillor Mo Khursheed

Councillor Peter Money BSC (Hons) MSc

(Res)

Councillor John Morse

Published: Monday, 19 June 2017

Contact: Liz Penny Tel: 01895 250185

Email: epenny@hillingdon.gov.uk

This Agenda is available online at:

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Putting our residents first

Lloyd White

Head of Democratic Services

London Borough of Hillingdon,

3E/05, Civic Centre, High Street, Uxbridge, UB8 1UW

www.hillingdon.gov.uk

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Those attending should be aware that the Council will film and record proceedings for both official record and resident digital engagement in democracy.



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# A useful guide for those attending Planning Committee meetings

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# **Petitions and Councillors**

**Petitions** - Those who have organised a petition of 20 or more people who live, work or study in the borough, can speak at a Planning Committee in support of or against an application. Petitions must be submitted in writing to the Council in advance of the meeting. Where there is a petition opposing a planning application there is also the right for the applicant or their agent to address the meeting for up to 5 minutes.

**Ward Councillors -** There is a right for local councillors to speak at Planning Committees about applications in their Ward.

Committee Members - The planning committee is made up of the experienced Councillors who meet in public every three weeks to make decisions on applications.

# How the Committee meeting works

The Planning Committees consider the most complex and controversial proposals for development or enforcement action.

Applications for smaller developments such as householder extensions are generally dealt with by the Council's planning officers under delegated powers.

An agenda is prepared for each meeting, which comprises reports on each application

Reports with petitions will normally be taken at the beginning of the meeting.

The procedure will be as follows:-

- 1. The Chairman will announce the report;
- 2. The Planning Officer will introduce it; with a presentation of plans and photographs;
- If there is a petition(s), the petition organiser will speak, followed by the agent/applicant followed by any Ward Councillors;

- 4. The Committee may ask questions of the petition organiser or of the agent/applicant;
- 5. The Committee debate the item and may seek clarification from officers:
- The Committee will vote on the recommendation in the report, or on an alternative recommendation put forward by a Member of the Committee, which has been seconded.

# About the Committee's decision

The Committee must make its decisions by having regard to legislation, policies laid down by National Government, by the Greater London Authority - under 'The London Plan' and Hillingdon's own planning policies as contained in the 'Unitary Development Plan 1998' and supporting guidance. The Committee must also make its decision based on material planning considerations and case law and material presented to it at the meeting in the officer's report and any representations received.

Guidance on how Members of the Committee must conduct themselves when dealing with planning matters and when making their decisions is contained in the 'Planning Code of Conduct', which is part of the Council's Constitution.

When making their decision, the Committee cannot take into account issues which are not planning considerations such a the effect of a development upon the value of surrounding properties, nor the loss of a view (which in itself is not sufficient ground for refusal of permission), nor a subjective opinion relating to the design of the property. When making a decision to refuse an application, the Committee will be asked to provide detailed reasons for refusal based on material planning considerations.

If a decision is made to refuse an application, the applicant has the right of appeal against the decision. A Planning Inspector appointed by the Government will then consider the appeal. There is no third party right of appeal, although a third party can apply to the High Court for Judicial Review, which must be done within 3 months of the date of the decision.

# Agenda

# **Chairman's Announcements**

- 1 Apologies for Absence
- 2 Declarations of Interest in matters coming before this meeting
- 3 Matters that have been notified in advance or urgent
- To confirm that the items of business marked Part I will be considered in Public and that the items marked Part 2 will be considered in private

# **PART I - Members, Public and the Press**

Items are normally marked in the order that they will be considered, though the Chairman may vary this. The name of the local ward area is also given in addition to the address of the premises or land concerned.

# **Applications with a Petition**

	Address	Ward	Description & Recommendation	Page
5	16 & 18 NORTHFIELD PARK - 72641/APP/2017/812	Pinkwell	Installation of vehicular crossover to front.  Recommendation: Refusal	1 - 6 56 - 60
6	LAND FORMING PART OF 7 BROOKSIDE - 72693/APP/2017/1026	Uxbridge North	Two storey, 2-bed attached dwelling with associated parking and amenity space and extension to vehicular crossover to front.  Recommendation: Refusal	7 - 18 <b>61 - 67</b>
7	LAND TO THE REAR OF 119 HAREFIELD ROAD - 72673/APP/2017/938	Uxbridge North	Single storey detached storage building (Part Retrospective)  Recommendation: Approval	19 - 28 68 - 71

# **Applications without a Petition**

	Address	Ward	Description & Recommendation	Page
8	280 High Street, Uxbridge - 59263/APP/2016/1707	Uxbridge South	Retrospective application for the installation of kitchen extract and outdoor condensing units at roof level.	29 - 38 72 - 77
			Recommendation: Approval	

# **PART II - MEMBERS ONLY**

The reports listed below are not made public because they contain confidential or exempt information under paragraph 6 of Part 1 of Schedule 12 A to the Local Government (Access to Information) Act 1985 as amended.

9	Enforcement Report	39 - 46
10	Enforcement Report	47 - 54

# PART I - Plans for Central and South Planning Committee 55 - 77



# Agenda Item 5

Report of the Head of Planning, Sport and Green Spaces

Address 16&18 NORTHFIELD PARK HAYES

**Development:** Installation of vehicular crossover to front

LBH Ref Nos: 72641/APP/2017/812

**Drawing Nos:** Location Plan (1:1250)

Supporting Photographs

PL-01 PL-02

Date Plans Received: 06/03/2017 Date(s) of Amendment(s):

**Date Application Valid:** 29/03/2017

# 1. CONSIDERATIONS

# 1.1 Site and Locality

The application site comprises of two terraced dwellings located on the Western side of Northfield Park which lies within the Developed Area as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012). Northfield Park is a narrow road with mature street trees throughout its length. The area suffers from significant parking stress.

# 1.2 Proposed Scheme

The application seeks planning permission for the installation of a vehicular crossover to the front.

# 1.3 Relevant Planning History Comment on Planning History

There is no planning history of relevance to this application site.

# 2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- 24th May 2017

# 3. Comments on Public Consultations

5 Adjoining occupiers consulted. A petition of support has been received with 31 signatories.

Highways Officer:

Northfield Park is a narrow local road on the Council road network with mature street trees throughout its length. There is parking stress present in the street as not all properties have off-street parking available and there is often commuter parking. The proposal is to create a

shared vehicular crossover that would allow vehicular access to both properties and result in the loss of one on-street car parking space. There is a street tree in very close proximity to the works proposed and I would suggest that the tree officer is consulted over the proposals. If the proposal were to be approved the applicant would be responsible for the cost of the works and the relocation of a lamp post along with any tree protection measures. If the Tree Officer has no issues with the proposal then I have no significant highway concerns.

Landscape and Tree Officer:

These houses are situated on the west side of Northfield Park. There is an established street tree ref.01079, a London plane to the north of the existing dropped kerb accessing number 16.

COMMENT: The street tree officer has inspected the tree and considered the proposal. Any work to, or extension of, the dropped kerb will be detrimental to the tree and is likely to result in root severance.

RECOMMENDATION Unacceptable. The proposal is contrary to saved policy BE38. The proposal fails to safeguard the tree in the public realm and the condition/value of the tree does not warrant its removal.

# 4. UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

### Part 2 Policies:

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AIVI /	Consideration of traffic generated by proposed developments.			
AM14	New development and car parking standards.			
BE13	New development must harmonise with the existing street scene.			
BE19	New development must improve or complement the character of the area.			
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.			
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008			

Consideration of traffic generated by proposed developments

# 5. MAIN PLANNING ISSUES

The main issues for consideration in this planning application are the impact of the proposal on the character and appearance of the street scene including a street tree, and the impact upon highway safety.

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), states that 'the local planning authority will consider whether the traffic generated by proposed developments is acceptable in terms of the capacity and functions of existing and committed principal roads only, and will wholly discount any potential which local

distributor and access roads may have for carrying traffic through'.

Northfield Park is a narrow local road on the Council road network with mature street trees throughout its length. There is parking stress present in the street as not all properties have off-street parking available and there is often commuter parking. The proposal is to create a shared vehicular crossover that would allow vehicular access to both properties and result in the loss of one on-street car parking space. The Council's Hlghways Officers has confirmed that no objection is raised in terms of highway and pedestrian safety subject to the applicant meeting the costs for the relocation of a lamp post along with any tree protection measures.

Policy BE38 of the Hillingdon Local Plan: Part Two- Saved UDP Policies (November 2012), states that development proposal will be expected to retain and utilise topographical and landscape features of merit. There is a mature London Plane Street Tree to the front of the site. The Council's Landscape Officer has confirmed that any work to, or extension of, the dropped kerb will be detrimental to the tree and is likely to result in root severance. This conflicts with the conclusions of the arboricultural report submitted by the applicant which advises that this tree is a mature London Plane and represents a typical street tree which has been extensively managed by regular pollard pruning, resulting in a relative poor aesthetic appearance of little more than a main stem with minimal re-growth. This significant reduction of foliage coverage will have a direct impact on the demands of the root system thus the alterations to the surfaces around the tree should not have any significant impact towards the trees health.

The Council's Tree Officer has considered the content of the arboricultural report and has advised that the excavation required to construct the crossover will be well within the root protection area of the tree and is likely to damage or kill it. As such, it is considered that the proposal fails to comply with Policy BE38 of the Hillingdon Local Plan: Part Two- Saved UDP Policies (November 2012).

As such the application is recommended for refusal.

# 6. RECOMMENDATION

# **REFUSAL** for the following reasons:

# 1 NON2 Non Standard reason for refusal

The proposal, by reason of the position and width of the crossover in relation to the existing street tree, would result in damage to and subsequent loss of the street tree to the detriment of the visual amenity of the street scene and the character and appearance of the wider area. The proposal is thus, contrary to Policies BE13, BE19 and BE38 of the Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

### **INFORMATIVES**

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. The Council's supports pre-application discussions.

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.

# **Standard Informatives**

- 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).
- The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

# Part 1 Policies:

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Policies:					

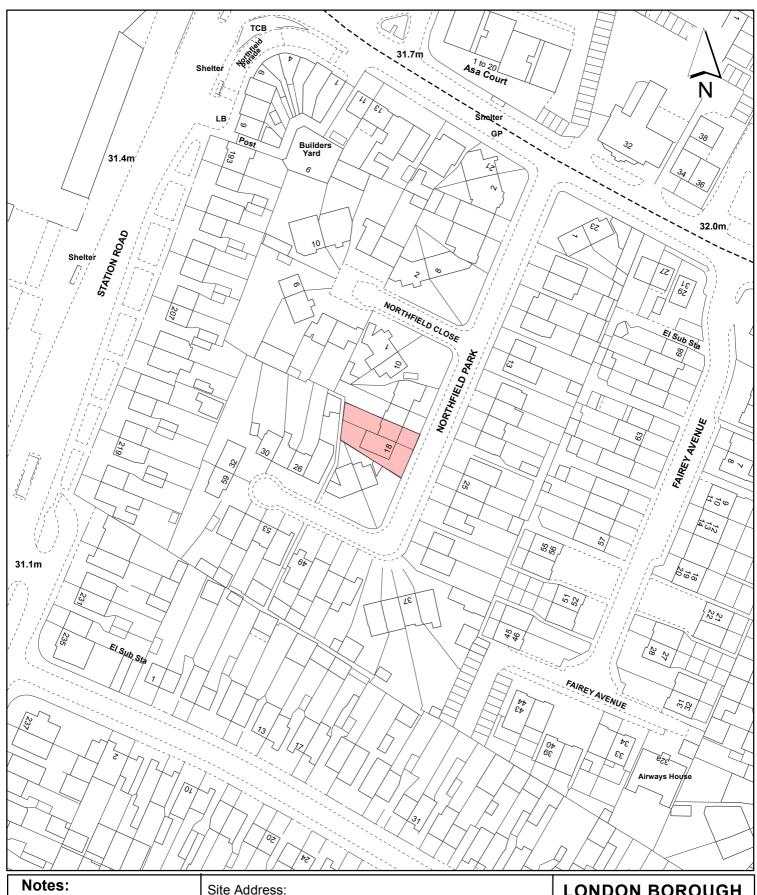
(2012) Built Environment

# Part 2 Policies:

PT1.BE1

. Policies.	
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

Contact Officer: Nicola Taplin Telephone No: 01895 250230





# Site boundary

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# 16 & 18 Northfield Park

Planning Application Ref: 72641/APP/2017/812 Scale:

1:1,250

Planning Committee:

Central & South 5

Date:

**June 2017** 

# **LONDON BOROUGH** OF HILLINGDON **Residents Services**

**Planning Section** 

Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111



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# Agenda Item 6

# Report of the Head of Planning, Sport and Green Spaces

**Address** LAND FORMING PART OF 7 BROOKSIDE UXBRIDGE

**Development:** Two storey, 2-bed attached dwelling with associated parking and amenity

space and extension to vehicular crossover to front

LBH Ref Nos: 72693/APP/2017/1026

**Drawing Nos:** 1235-02 Rev. B

> 1235-04 Rev. A 1235-03 Rev. A 1235-01 Rev. A

Location Plan (1:1250)

Design and Access Statement

31/03/2017 **Date Plans Received:** 20/03/2017 Date(s) of Amendment(s):

**Date Application Valid:** 31/03/2017

# SUMMARY

The application seeks planning permission for the erection of a two storey 2-bed attached dwelling with associated parking and amenity space and extension to vehicular crossover to front. The proposal is not considered to have a negative impact upon the visual amenity of the site or the surrounding area, would not result in an un-neighbourly form of development and would provide a satisfactory living environment to the future occupants. However, due to the excessive width of the crossover that would be required to access the proposed parking spaces, the proposal would make inadequate provision for pedestrian refuge and would therefore prejudice the safety of pedestrians and vehicles using the highway. As a result it would be contrary to policy AM7 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts. The application is therefore recommended for refusal.

### 2. RECOMMENDATION

# **REFUSAL** for the following reasons:

### NON2 Non Standard reason for refusal

The proposed crossover required to access the proposed parking spaces, by reason of its excessive width would make inadequate provision for pedestrian refuge and would therefore prejudice the safety of pedestrians and vehicles using the highway. As a result it would be contrary to Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two -Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

# **INFORMATIVES**

### 152 **Compulsory Informative (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 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) 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.

	· /
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to
DEGO	neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement,
	Supplementary Planning Document, adopted December 2008
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 7.4	(2016) Local character
NPPF1	NPPF - Delivering sustainable development
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design
INI ITI 1	Will Trequiring good design

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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 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

### 3. CONSIDERATIONS

# 3.1 Site and Locality

The application property comprises of a two storey semi-detached house located on the Western side of Brookside, a residential cul-de-sac which is located within the Developed Area as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012).

# 3.2 Proposed Scheme

The application seeks planning permission for the erection of a two storey, 2-bed attached dwelling with associated parking and amenity space and extension to vehicular crossover to front.

# 3.3 Relevant Planning History

# **Comment on Relevant Planning History**

There is no recent planning history of relevance to this application site.

# 4. Planning Policies and Standards

# **UDP / LDF Designation and London Plan**

The following UDP Policies are considered relevant to the application:-

# Part 1 Policies:

PT1.BE1 (2012) Built Environment

# Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
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DEGG	
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HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
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LPP 7.4	(2016) Local character
NPPF1	NPPF - Delivering sustainable development
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design

# 5. Advertisement and Site Notice

- **5.1** Advertisement Expiry Date:- Not applicable
- **5.2** Site Notice Expiry Date:- Not applicable

# 6. Consultations

# **External Consultees**

The North Uxbridge Residents Association and 8 neighbouring properties were consulted by letter dated 5.4.17 and a site notice was displayed to the front of the site which expired on 25.5.17.

1 letter of support has been received and 2 letters of objection have been received. The objections raise concerns relating to:

- 1. Inadequate parking in Brookside.
- 2. A concern that the established semi-detached character of Brookside would be compromised by a development which would turn the semis into a terrace.
- 3. Concerns about drainage.

A petition of objection has also been received signed by 21 residents raising concerns about:

- 1. Out of character with semi-detached dwellings.
- 2. Increased parking stress.
- 3. Increased risk of crime.

North Uxbridge Residents Association:

Our Association has been asked by adjoining owners in Brookside to support their objection to the proposal to form a 2 bedroom house attached to No 7. Many of the Brookside houses have had substantial side extensions, but I understand they are all maintained as single family dwellings. The proposed side area at No 7 is inadequate for a separate house of an appropriate scale and would be markedly out of character with the other properties in this cul de sac. The provision of only 2 car parking spaces for Nos 7 and 7A fails to accord with the Council's adopted standard. Accordingly it is recommended that the application be refused.

# **Internal Consultees**

Highways Officer:

Brookside is a narrow local road on the Council road network subject to weekday waiting restrictions. The site has a PTAL value of 1b (poor) which suggests there will be a strong reliance on private cars for trip making. The existing dwelling has a vehicular crossover that accesses a drive and a garage. Nearly all of the existing dwellings have off-street car parking. The proposals involve demolishing the existing garage and erecting an extension that provides a 2 bed family dwelling. The driveway shown on the layout plans has parking for 1 car for each dwelling whereas the current policy is for 1.5 spaces per dwelling (3 in total for two dwellings).

# COMMENTS ON REVISED DRAWING:

The proposed footway crossover to access the driveway would be over 8 metres in length with no refuge for pedestrians. By reason of its excessive width there are road safety concerns as this would place pedestrians walking along the footway at risk of being hit by a vehicle entering or leaving the driveway. Other road users not least cyclists using the highway would also be placed in a vulnerable situation.

# Landscape Officer:

These houses benefit from generous spacing between the blocks, each with wide side access to the rear gardens. In this case the front garden has already been largely paved over to provide two off-street parking spaces with hedging along the side boundaries. There are no tree / landscape constraints associated with the site.

COMMENT: No change is proposed to the front garden - with two parking spaces indicated. This appears to be inadequate to provide sufficient parking for both the existing and proposed dwellings. If all of the house in this street extended in this way, the character and appearance of the street would be detrimentally changed.

RECOMMENDATION: If the application is recommended for approval, landscape conditions should be imposed: RES9 (parts 1, 2, 5 and 6).

Flood and Water Management:

The site is located in Flood Zone 1 which can be found on the Environment Agency Flood Maps. The development needs to manage surface water on site in order to reduce the pressure on the main surface water sewer.

# 7. MAIN PLANNING ISSUES

# 7.01 The principle of the development

The site lies within an established residential area where there would be no objection in principle to the intensification of the residential use of the site, subject to all other material planning considerations being acceptable, in accordance with the Hillingdon Local Plan (November 2012).

# 7.02 Density of the proposed development

Policy 3.4 of the London Plan seeks to ensure that the new development takes into account local context and character, the design principles in Chapter 7 and public transport capacity development should optimise housing output for different types of location within the relative density range shown in Table 3.2. Development proposals which compromise this policy should be resisted.

The density matrix, however, is only of limited value when looking at small scale development such as that proposed with this application. In such cases, it is often more appropriate to consider how the development harmonises with its surroundings and its impact on adjoining occupiers.

# 7.03 Impact on archaeology/CAs/LBs or Areas of Special Character

Not applicable to this application.

# 7.04 Airport safeguarding

Not applicable to this application.

# 7.05 Impact on the green belt

Not applicable to this application.

# 7.07 Impact on the character & appearance of the area

Policy BE1 of the Hillingdon Local Plan (November 2012) requires that all new development achieves a 'high quality of design in all new buildings, alterations and extensions'. In addition, Policy BE13 of the Hillingdon Local Plan (November 2012) acknowledges that 'development will not be permitted if the layout and appearance fail to harmonise with the existing street scene'. The emphasis placed on the impact of a development upon the character of the surrounding area is further emphasised under Policy BE19 of the

Hillingdon Local Plan (November 2012), which recognises that 'The Local Planning Authority will seek to ensure that new development within residential areas complements or improves the amenity and character of the area'. Paragraph 4.14 of the Residential Layouts HDAS SPD specifies that developments should incorporate usable, attractively laid out and private garden space conveniently located in relation to the property or properties it serves. It should be of an appropriate size, having regard to the size of the dwelling and character of the area. Paragraph 4.27 of the HDAS SPD gives advice that building lines within a new development should relate to the street pattern of the surroundings whilst the height of the development is best determined by reference to the proportions, siting and lines of surrounding buildings.

It is considered that it would be appropriate to consider the proposal against the design criteria set out in the Hillingdon Residential Extensions SPD. HDAS requires side extensions should be set back 1 m from the main front wall of the dwellinghouse at both levels and a gap of 1 m should be provided between the extension and the shared boundary with No. 9. The width and height of the extension in relation to the original house should be considerably less than that of the original house and be between half and two thirds of the main house. The proposal does not strictly comply with the HDAS guidance given that the side extension is not set back at both levels. However consideration is given to the form of the extended adjoining semi detached property at Number 5 which is not set back at ground floor level by the required 1 m. The current proposal would add balance to the pair of semi's and would thus would not detract from the visual amenities of the street scene. As such it is considered that the proposed dwelling would not a negative impact upon the visual amenity of the site or the surrounding area in compliance with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

# 7.08 Impact on neighbours

Policies BE20, BE21 and BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Polices (November 2012) give advice that buildings should be laid out so that adequate daylight and sunlight can penetrate into and between them, and the amenities of existing houses are safeguarded.

Policies BE23 and BE24 of the Hillingdon Local Plan (Part Two) stress the importance of new buildings and extensions providing an adequate amount of external amenity space, that not only protects the amenity of the occupants of the proposed development, but also of those of the surrounding buildings, as well as protecting both parties privacy.

The Council's adopted HDAS SPD: Residential Layouts (July 2006) specifies in paragraph 4.9 that where a two or more storey building abuts a property or its garden, a minimum acceptable distance of 15 m should be maintained, so as to overcome possible overdomination, overbearing and overshadowing. Paragraph 4.11 of the HDAS SPD specifies that the Council's 45 degree principle will be applied and is designed to ensure that adequate daylight and sunlight is enjoyed in new and existing dwellings. The principle involves drawing a line from the mid-point of an existing/new window that is potentially affected by a new dwelling at an angle of 45 degrees towards the new building. Paragraph 4.12 of the HDAS SPD specifies that new residential development should be designed so as to ensure adequate privacy for its occupants and that of the adjoining residential property. It gives advice that the distance should not be less than 21 m between facing habitable room windows.

The proposed dwelling would be partially screened from the host dwelling, with a 3.3 m

projection to the rear. Given that the closest residential window at first floor level of the host dwelling serves a bathroom, the 45 degree angle from the centre point of the first floor rear facing bedroom would not be breached. As such it is considered that the proposal would not result in an unacceptable loss of light or outlook to the occupants of the host dwelling. Given the separation between the proposed dwelling and adjacent number 9 Brookside, the proposed dwelling would also not result in an unacceptable loss of light or outlook. Had the application been acceptable a condition to ensure that the side facing window is obscure glazed and retained as such and that no additional windows are inserted would have been recommended. Therefore, it is considered that the proposed development would not constitute an un-neighbourly form of development in compliance with Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012).

# 7.09 Living conditions for future occupiers

On 25 March 2015, the Government introduced new technical housing standards in England, which comprise of new additional 'optional' Building Regulations on water and access, and a nationally described space standard (referred to as "the new national technical standards"). These new standards came into effect on 1 October 2015. The Mayor of London has adopted the new national technical standards through a minor alteration to The London Plan.

The Housing Standards (Minor Alterations to the London Plan) March 2016 sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. A 2 bedroom 3 person house is required to provide 70 square metres which the proposal complies with.

Policy BE23 of the Hillingdon Local Plan (November 2012) recognises that new residential buildings should 'provide external amenity space which is sufficient to protect the amenity of the occupants of the proposed and surrounding buildings'. Submitted plans demonstrate that the retained dwelling would be served by a garden area measuring 84 square metres and the proposed two bedroom dwelling would achieve a private rear garden area measuring 42 square metres which would comply with the Council's minimum standards.

# 7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety. Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that all development is in accordance with the Council's adopted Car Parking Standards.

Brookside is a narrow local road on the Council road network subject to weekday waiting restrictions. The site has a PTAL value of 1b (poor) which suggests there will be a strong reliance on private cars for trip making. The Highways Officer has requested a revised plan to show the provision of 3 car parking spaces, to meet the Council's Parking Standards. Revised plans have been submitted to reflect this advice. However, the revised plans indicate that the crossover required to gain access to the parking spaces would measure 8.3m in width which significantly exceeds the Council's advice with regard to such crossovers. Due to the excessive width of the crossover that would be required to access the proposed parking spaces, the proposal would make inadequate provision for pedestrian refuge and would therefore prejudice the safety of pedestrians and vehicles using the highway. As a result it would be contrary to policy AM7 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

# 7.11 Urban design, access and security

The issues are addressed in the sections above.

# 7.12 Disabled access

Not applicable to this application.

# 7.13 Provision of affordable & special needs housing

Not applicable to this application.

# 7.14 Trees, landscaping and Ecology

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate. The established garden contains a number of trees and shrubs, with the most significant trees situated on, or close to, the rear boundary. The Council's Landscape Officer has raised no objection to the proposal subject to a condition requiring the retention of trees and hard and soft landscaping by condition.

# 7.15 Sustainable waste management

Not applicable to this application.

# 7.16 Renewable energy / Sustainability

Not applicable to this application.

# 7.17 Flooding or Drainage Issues

The site is located in Flood Zone 1 which can be found on the Environment Agency Flood Maps. The Council's Flood and Water Management Officer as advised that development needs to manage surface water on site in order to reduce the pressure on the main surface water sewer. A condition is therefore recommended accordingly.

# 7.18 Noise or Air Quality Issues

Not applicable to this application.

# 7.19 Comments on Public Consultations

The issues are addressed in the sections above.

# 7.20 Planning obligations

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £35 per sq metre.

# 7.21 Expediency of enforcement action

Not applicable to this application.

# 7.22 Other Issues

No other issues are raised.

# 8. Observations of the Borough Solicitor

# General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning

applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

# Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

# Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

# **Equalities and Human Rights**

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

# 9. Observations of the Director of Finance

Not applicable to this application.

# 10. CONCLUSION

The application seeks planning permission for the erection of a two storey 2-bed attached dwelling with associated parking and amenity space and extension to vehicular crossover to front. The proposal is not considered to have a negative impact upon the visual amenity of the site or the surrounding area, would not result in an un-neighbourly form of development and would provide a satisfactory living environment to the future occupants. However, due to the excessive width of the crossover that would be required to access the proposed parking spaces, the proposal would make inadequate provision for pedestrian

refuge and would therefore prejudice the safety of pedestrians and vehicles using the highway. As a result it would be contrary to policy AM7 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts. The application is therefore recommended for refusal.

# 11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

The London Plan (2016)

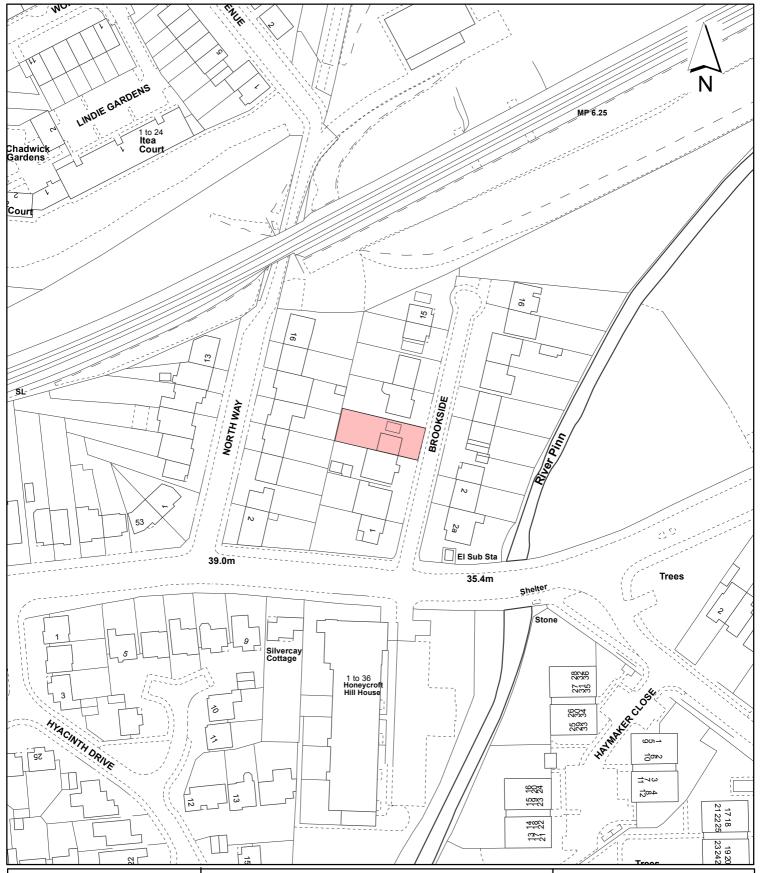
The Housing Standards Minor Alterations to The London Plan (March 2016)

Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)

Hillingdon Design and Accessibility Statement: Residential Layouts Hillingdon Design and Accessibility Statement: Residential Extensions Hillingdon Design and Accessibility Statement: Accessible Hillingdon

National Planning Policy Framework

Contact Officer: Nicola Taplin Telephone No: 01895 250230







# Site boundary

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Site Address:

# **Land Forming Part of** 7 Brookside

Planning Application Ref: 72693/APP/2017/1026 Scale:

1:1,250

Planning Committee:

Central & Soթելից 17



**LONDON BOROUGH** OF HILLINGDON

**Residents Services** 

**Planning Section** 

Civic Centre, Uxbridge, Middx. UB8 1UW

Telephone No.: Uxbridge 250111

Date:

**June 2017** 

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# Agenda Item 7

# Report of the Head of Planning, Sport and Green Spaces

Address LAND R/O 119 HAREFIELD ROAD UXBRIDGE

**Development:** Single storey detached storage building (Part Retrospective)

**LBH Ref Nos:** 72673/APP/2017/938

**Drawing Nos:** 1339/P/02

1339/P/01

Sales Particulars

Date Plans Received: 15/03/2017 Date(s) of Amendment(s):

**Date Application Valid:** 15/03/2017

# 1. SUMMARY

The application seeks part retrosepctive planning permission for the erection of a single storey detached building. The applicant has advised that the building is required to provide secure car parking when going on regular overseas travel and for domestic storage. The applicant has confirmed that the building would not be used for commercial purposes. The building is considered to relate satisfactorily to the character and appearance of the locality and would not result in an un-neighbourly form of development. Subject to a condition preventing commercial or business use of the building, the application is recommended for approval.

# 2. RECOMMENDATION

# APPROVAL subject to the following:

# 1 HO1 Time Limit

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 HO2 Accordance with approved

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan number 1339/P/02.

# REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

# 3 RPD13 Restrictions on outbuildings

The building hereby approved shall only be used for the purpose(s) stated on the application form and approved drawings, as a garage for the parking of private motor vehicles and shall not be used for purposes such as a separate unit of residential accommodation or for any business purposes, including car repairs/maintenance or commercial storage/parking.

REASON

To avoid any future residential or business use, so as to protect the amenity of adjoining residential properties in accordance with Policy BE19, BE20. BE21, OE1 and OE3 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

# **INFORMATIVES**

# 1 | 152 | Compulsory Informative (1)

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).

# 2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) 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.

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2016) Quality and design of housing developments

# 3 | 147 Damage to Verge - For Council Roads:

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).

# 4 |2 Encroachment

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application may have to

be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the applicant's control for which the appropriate Notice under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 has not been served.

# 5 I5 Party Walls

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

in some circumstances, carry out groundworks within 6 metres of an adjoining building. Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

# 6 I6 Property Rights/Rights of Light

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

# 7 I15 Control of Environmental Nuisance from Construction Work

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 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.

# 3. CONSIDERATIONS

# 3.1 Site and Locality

The application site is an area of land to the rear of 119 Harefield Road which has been recently sold and separated from the residential property at Number 119 Harefield Road. Work has commenced on site for the erection of the building to include the foundation and slab. Work has now ceased pending the consideration of this application. The application site is accessed from a driveway from Fairlight Drive and lies within the Developed Area as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012). There are a number of detached timber and prefabricated outbuildings along this driveway.

# 3.2 Proposed Scheme

The application seeks part retrospective planning permission for the erection of a single storey detached building. The proposed building suggests simple fenestration in the form of a roller shutter main door and a pedestrian door on the front elevation, but no other openings. The applicant has advised that the building is required to provide secure car parking when going on regular overseas travel and for domestic storage. The applicant has confirmed that the building would not be used for commercial purposes. Title deeds have been submitted by the applicant to confirm a right of access over the driveway leading to the building.

# 3.3 Relevant Planning History

# **Comment on Relevant Planning History**

There is no recent planning history of relevance to this application site.

# 4. Planning Policies and Standards

# UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

### Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2016) Quality and design of housing developments

# 5. Advertisement and Site Notice

- **5.1** Advertisement Expiry Date:- Not applicable
- **5.2** Site Notice Expiry Date:- Not applicable

# 6. Consultations

# **External Consultees**

The North Uxbridge Residents Association and neighbouring properties were consulted by letter dated 31.3.17

and a site notice was displayed at the site which expired on 20 April 2017.

9 letters and a petition have been received objecting on the following grounds:

- 1. Potential use for commercial purposes.
- 2. The land should not have been sold off to a third party.
- 3. Increased traffic to the access driveway.
- 4. Construction of building to include cavity wall and power indicates potential alternative use.
- 5. Building left unsecured which is a health and safety concern.

# **Internal Consultees**

Not applicable to this application.

# 7. MAIN PLANNING ISSUES

# 7.01 The principle of the development

The application site is located within the Developed Area where the principle of development is considered acceptable subject to compliance with other policies within the Development Plan.

# 7.02 Density of the proposed development

Not applicable to this application.

# 7.03 Impact on archaeology/CAs/LBs or Areas of Special Character

Not applicable to this application.

# 7.04 Airport safeguarding

Not applicable to this application.

# 7.05 Impact on the green belt

Not applicable to this application.

# 7.07 Impact on the character & appearance of the area

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Furthermore policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of existing and adjoining sites.

The proposed building would have a footprint of 38.18 square metres and would be finished with a flat roof measuring 2.8 m in height. There are a number of detached garages and outbuildings located within the immediate vicinity. The scale and design of the proposed building would not appear out of keeping with the established character of the locality and would not have a negative impact upon the visual amenity of the site or the surrounding area in compliance with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and policies BE13 and BE15 of the Hillingdon Local Plan: Part

Two - Saved UDP Policies (November 2012).

# 7.08 Impact on neighbours

Policies BE20, BE21 and BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Polices (November 2012) give advice that buildings should be laid out so that adequate daylight and sunlight can penetrate into and between them, and the amenities of existing houses are safeguarded.

Policies BE23 and BE24 of the Hillingdon Local Plan (Part Two) stress the importance of new buildings and extensions providing adequate amount of external amenity space, that not only protects the amenity of the occupants of the proposed development, but also of those of the surrounding buildings, as well as protecting both parties privacy.

A number of concerns have been raised by the occupants of nearby properties, that the building would be used for commercial purposes and would therefore result in an unneighbourly form of development. The applicant has confirmed that the intended use of the building is for secure parking and domestic storage and that the building would not be used for commercial purposes. It would be reasonable to impose a condition to ensure that the future use of the building is not for commercial or business purposes. The form, bulk and siting of the proposed building would not have an unacceptable impact on light or outlook to the occupants of neighbouring properties and in particular to the closest property at 29 Fairlight Drive. Therefore, it is considered that the proposed development would not constitute an un-neighbourly form of development in compliance with Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012).

# 7.09 Living conditions for future occupiers

Not applicable to this application.

# 7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety. Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that all development is in accordance with the Council's adopted Car Parking Standards.

The proposed use for the parking of 1 car would not result in an unacceptable intensification of the use of the access driveway to the parking area to the rear of Harefield Road and would not displace any parking spaces. As such the proposal would not have an unacceptable impact on either highway safety or car parking provision.

# 7.11 Urban design, access and security

The issues are addressed in the sections above.

# 7.12 Disabled access

Not applicable to this application.

# 7.13 Provision of affordable & special needs housing

Not applicable to this application.

# 7.14 Trees, landscaping and Ecology

Not applicable to this application.

# 7.15 Sustainable waste management

Not applicable to this application.

# 7.16 Renewable energy / Sustainability

Not applicable to this application.

# 7.17 Flooding or Drainage Issues

Not applicable to this application.

# 7.18 Noise or Air Quality Issues

Not applicable to this application.

# 7.19 Comments on Public Consultations

The comments are addressed in the sections above.

# 7.20 Planning obligations

Not applicable to this application.

# 7.21 Expediency of enforcement action

The application is part retrospective and, if refused, the expediency of enforcement action will need to be considered as part of an enforcement report.

### 7.22 Other Issues

Since the end of August 2015 applications which are for development which was not authorised need to be assessed as to whether the unauthorised development was intentional. If so, then this is a material planning consideration. In this case officers have no indication that this was an intentional breach of planning control.

# 8. Observations of the Borough Solicitor

### General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

# **Planning Conditions**

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

# Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

**Equalities and Human Rights** 

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

# 9. Observations of the Director of Finance

Not applicable to this application.

# 10. CONCLUSION

The application seeks part retrospective planning permission for the erection of a single storey detached building. The applicant has advised that the building is required to provide secure car parking when going on regular overseas travel and for domestic storage. The applicant has confirmed that the building would not be used for commercial purposes. The building is considered to relate satisfactorily to the character and appearance of the locality and would not result in an unneighbourly form of development. Subject to a condition preventing commercial or business use of the building, the application is recommended for approval.

# 11. Reference Documents

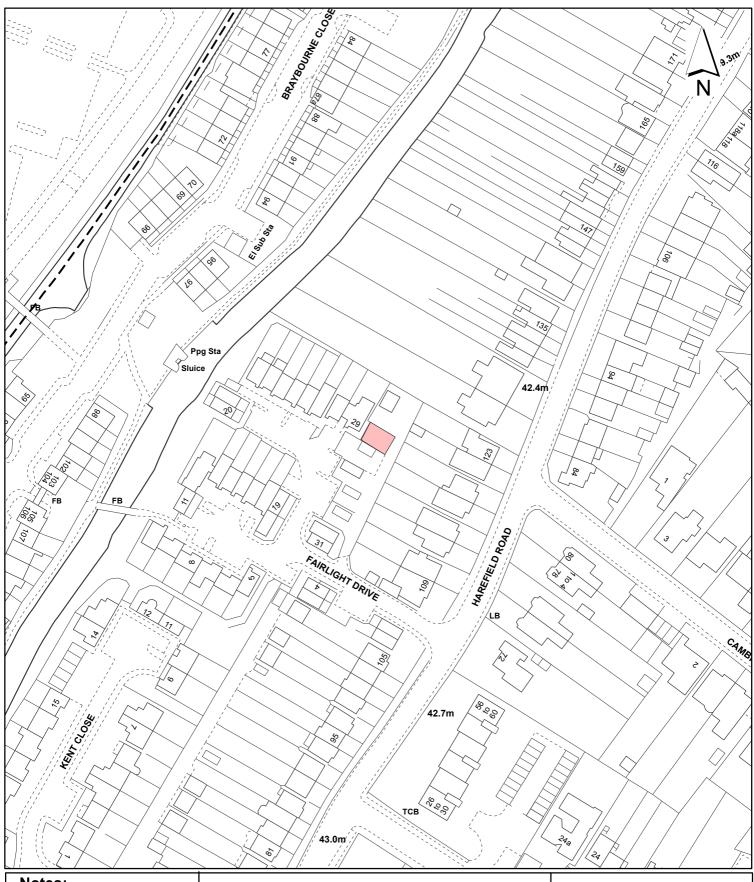
Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

The London Plan (2016)

Hillingdon Design and Accessibility Statement: Residential Extensions

National Planning Policy Framework

Contact Officer: Nicola Taplin Telephone No: 01895 250230



# Notes:



# Site boundary

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Site Address:

# Land to the Rear of 119 Harefield Road

Planning Application Ref: 72673/APP/2017/938 Scale:

1:1,250

Planning Committee:

Central & Soыthe 27

Date:

**June 2017** 

# **LONDON BOROUGH** OF HILLINGDON **Residents Services Planning Section**

Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111



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# Agenda Item 8

# Report of the Head of Planning, Sport and Green Spaces

Address 280 HIGH STREET UXBRIDGE

**Development:** Retrospective application for the installation of kitchen extract and outdoor

condensing units at roof level

**LBH Ref Nos:** 59263/APP/2016/1707

**Drawing Nos:** 1019-3-OS-01 Rev. A

1019-3-OS-02 Rev. A

Drawing/Specification of AC condenser Unit PUHZ-P200YHA3/PUHZ

P250YHA3

Proposed Roof Plan Rev. 1

1019-3-DAS-A(1)

Design and Access Statement (Ref: 1019-3-DAS)

AC Condenser Tech Sheet

Noise Assessment

**Extract Plant Specification Sheet** 

Odour Control Data Extract Air Flow Rate

Date Plans Received: 04/05/2016 Date(s) of Amendment(s):

**Date Application Valid:** 04/05/2016

# 1. SUMMARY

This application is being reported to committee as it seeks to formalise the use of the kitchen extract and air condensing units. The site had been served with an enforcement notice as the condenser units previously failed to comply with the Council's noise standards. This has since been rectified and the enforcement notice has been complied with. EPU and the enforcement team have reviewed this application and supporting information and raise no objection. The extract unit and outdoor condensing unit, due to its siting would not detrimentally harm the character and appearance of the Old Uxbridge/Windsor Street Conservation Area.

# 2. RECOMMENDATION

# **APPROVAL** subject to the following:

# 1 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1019-3-OS-01-A, 019-3-OS-02-A and shall thereafter be retained/maintained for as long as the development remains in existence.

# **REASON**

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

# 2 COM5 General compliance with supporting documentation

The development hereby permitted shall be completed in accordance with the following specified supporting plans and/or documents:

- Design and Access Statement:
- AC Condenser Tech Sheet;
- Noise Assessment (dated April 2017);
- Extract Plant Sheet:
- Odour Control Data; and
- Extract Air Flow Rate;

Thereafter the development shall be retained/maintained in accordance with these details for as long as the development remains in existence

### REASON

To ensure that the development complies with the objectives of Policies . Specify Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

# 3 NONSC Non Standard Condition

All plant and machinery hereby approved shall not give rise to noise and odour nuisance. The equipment shall be maintained in full compliance with the approved measures.

# **REASON**

To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Local Plan: Part Two (November 2012).

# **INFORMATIVES**

# 1 I52 Compulsory Informative (1)

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).

# 2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) 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.

BE4	New development within or on the fringes of conservation areas
BE8	Planning applications for alteration or extension of listed buildings
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the
	area.
BE21	Siting, bulk and proximity of new buildings/extensions.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation
	measures
LPP 7.6	(2011) Architecture
LPP 7.8	(2011) Heritage assets and archaeology

#### 3. CONSIDERATIONS

# 3.1 Site and Locality

The application site is located on the south west side of the High Street. It forms part of a terrace of detached buildings, arranged over three storeys, with the ground floor being used as a restaurant (Use class A3). It is a modest building which dates from the 18th Century, featuring two canted bay windows at the first floor, with a hipped slated mansard roof and tall chimneys. The rear part of the building retains its 18th Century character and appearance with original sash windows.

The site is located within the Primary Shopping Area of Uxbridge Town Centre, is locally listed and is within the Old Uxbridge/Windsor Street Conservation Area and there are several Grade II Listed buildings in the vicinity of the development.

#### 3.2 Proposed Scheme

The proposal seeks retrospective planning permission for the installation of a kitchen extraction system with silencing and odour control units, supply/extract air and 2 outdoor AC condensing units and fridge and freezer condensing units at roof level.

#### 3.3 Relevant Planning History

23853/APP/2003/68 280 High Street Uxbridge

ERECTION OF OPEN SIDED SUN CANOPY TO REAR GARDEN OF PUBLIC HOUSE

**Decision:** 06-03-2003 Approved

59263/ADV/2012/101 280 High Street Uxbridge

Installation of 1 x externally illuminated fascia sign (Retrospective)

**Decision:** 07-03-2013 Approved

59263/APP/2004/451 280 High Street Uxbridge

INSTALLATION OF A NEW SHOPFRONT

**Decision:** 07-04-2004 Approved

59263/APP/2012/3068 280 High Street Uxbridge

Installation of new shop front (Retropsective)

Decision: 07-03-2013 Refused Appeal: 10-01-2014 Dismissed

59263/APP/2014/1780 280 High Street Uxbridge

Alterations to shop front

Decision: 17-07-2014 Approved

59263/APP/2014/3196 280 High Street Uxbridge

Single storey rear extension, single storey side extension and installation of covered seating are

**Decision:** 18-02-2015 Approved

59263/APP/2014/404 280 High Street Uxbridge

Single storey rear extension, single storey side extension and installation of covered seating are

Decision: 17-04-2014 Refused

59263/APP/2015/3372 280 High Street Uxbridge

Installation of new shop front

**Decision:** 26-11-2015 Approved

#### **Comment on Relevant Planning History**

ENF/418/14 - An enforcement notice was served as a result of complaints regarding odour and nuisance. A silencer to the extractor was added as a consequence. The applicant noted that the extraction system existed before the current applicant bought the site. The enforcement notice did not include any reason relating to the appearance of the extraction system or its impact on the street scene. No further complaints have been received since the silencer was added to the extraction system.

#### 4. Planning Policies and Standards

#### **UDP / LDF Designation and London Plan**

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.HE1 (2012) Heritage

## Part 2 Policies:

BE4	New development within or on the fringes of conservation areas
BE8	Planning applications for alteration or extension of listed buildings
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.

BE21 Siting, bulk and proximity of new buildings/extensions.

OE1 Protection of the character and amenities of surrounding properties and the local

area

OE3 Buildings or uses likely to cause noise annoyance - mitigation measures

LPP 7.6 (2011) Architecture

LPP 7.8 (2011) Heritage assets and archaeology

NPPF12 NPPF - Conserving & enhancing the historic environment

#### 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date: - 3rd August 2016

**5.2** Site Notice Expiry Date:- Not applicable

#### 6. Consultations

#### **External Consultees**

15 neighbouring occupiers were consulted on this application. 1 letter of objection was received from No 3 Vine Street.

The objection is summarised below:

- concern raised relating to noise; and
- concern raised relating to smells and odours from cooking.

#### Officer comment:

The applicant has submitted a noise report and extract vent details which addresses the concerns raised by the neighbouring occupier and found to be adequate.

#### **Internal Consultees**

EPU:

No objection raised to the proposal, the noise mitigation measures for both noise and odour have been found to be adequate. The Officer recommended Condition 4.

#### **Enforcement:**

No objections to this application

#### Conservation and Design:

There are concerns in regards to the proposed new kitchen extract and outdoor condensing units. The proposal would add clutter to the rear of the property rather than improve its existing appearance. Should this application be approved it is recommended that the proposed kitchen extract is dull in external appearance.

#### Officer comment:

The extraction system is well setback from the most sensitive views within the Conservation Area, where the extraction system is visible, it is dull in appearance and thus does not detract from the Conservation Area.

#### 7. MAIN PLANNING ISSUES

#### 7.01 The principle of the development

The principle of installing a kitchen extractor and air condenser units to service the existing restaurant is considered acceptable in principle provided the proposal does not harm the amenity of neighbouring occupiers.

#### 7.02 Density of the proposed development

Does not apply to this application.

#### 7.03 Impact on archaeology/CAs/LBs or Areas of Special Character

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires 'special regard' to be given to the desirability of preserving a listed building or its setting.

Section 72 of the (Planning Listed Buildings and Conservation Areas Act) 1990 states the statutory duty of Local Planning Authorities in regard to development affecting conservation areas 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

Policy BE4 of the Local Plan: Part Two (November 2012) notes that developments within or on the fringes of Conservation Areas would be expected to preserve or enhance their features, architectural merit and visual qualities.

Policy BE12 of the Local Plan: Part Two (November 2012) notes that the statutory listed buildings and others of architectural or historic interest such as those on the local list should be preferably remain in their historic use.

The kitchen extract unit and condensers are currently installed upon the roof. The proposal would result in clutter on the roof, however given that height of the building and the siting of the units on the roof, there are very limited views of the extraction system from the surrounding conservation area and it is dull in appearance as such the proposal is not considered to harm to setting of the listed building or the Old Uxbridge/Windsor Street Conservation Area or the character of the locally listed building and such the proposal complies with Policies BE4 and BE12.

#### 7.04 Airport safeguarding

Does not apply to this application.

#### 7.05 Impact on the green belt

Does not apply to this application.

#### 7.07 Impact on the character & appearance of the area

See above.

#### 7.08 Impact on neighbours

Policy OE1 states that planning permission would not normally be granted for uses or structures that are or likely to become detrimental to the character and amenity of the surrounding properties because of noise, vibration, smell or pollutants.

The application has been supported by a noise assessment and details of extraction. The report has been considered by EPU and has been found to be acceptable. The proposal in unlikely to cause adverse impacts to the neighbouring occupiers due to the siting of the installation and the type of equipment that is being installed. The proposal is therefore considered to be consistent with the objective of Policy OE1 of the Local Plan: Part Two (November 2012).

# 7.09 Living conditions for future occupiers

Does not apply to this application.

#### 7.10 Traffic impact, Car/cycle parking, pedestrian safety

Does not apply to this application.

#### 7.11 Urban design, access and security

Does not apply to this application.

#### 7.12 Disabled access

Does not apply to this application.

#### 7.13 Provision of affordable & special needs housing

Does not apply to this application.

#### 7.14 Trees, landscaping and Ecology

Does not apply to this application.

#### 7.15 Sustainable waste management

Does not apply to this application.

#### 7.16 Renewable energy / Sustainability

Does not apply to this application.

#### 7.17 Flooding or Drainage Issues

Does not apply to this application.

#### 7.18 Noise or Air Quality Issues

Does not apply to this application.

#### 7.19 Comments on Public Consultations

None

#### 7.20 Planning obligations

Does not apply to this application.

#### 7.21 Expediency of enforcement action

Does not apply to this application.

#### 7.22 Other Issues

Does not apply to this application.

#### 8. Observations of the Borough Solicitor

#### General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

## Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal.

Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

#### Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

#### **Equalities and Human Rights**

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

#### 9. Observations of the Director of Finance

Does not apply to this application.

#### 10. CONCLUSION

The site had been served with an enforcement notice as the condenser units previously failed to comply with the Council's noise standards. This has since been rectified and the enforcement notice has been complied with. EPU has reviewed the supporting information and raise no objection to the application. The extract unit and outdoor condensing unit, due to its siting would not be harmful to the Old Uxbridge/Windsor Street Conservation Area or locally and statutorily listed buildings.

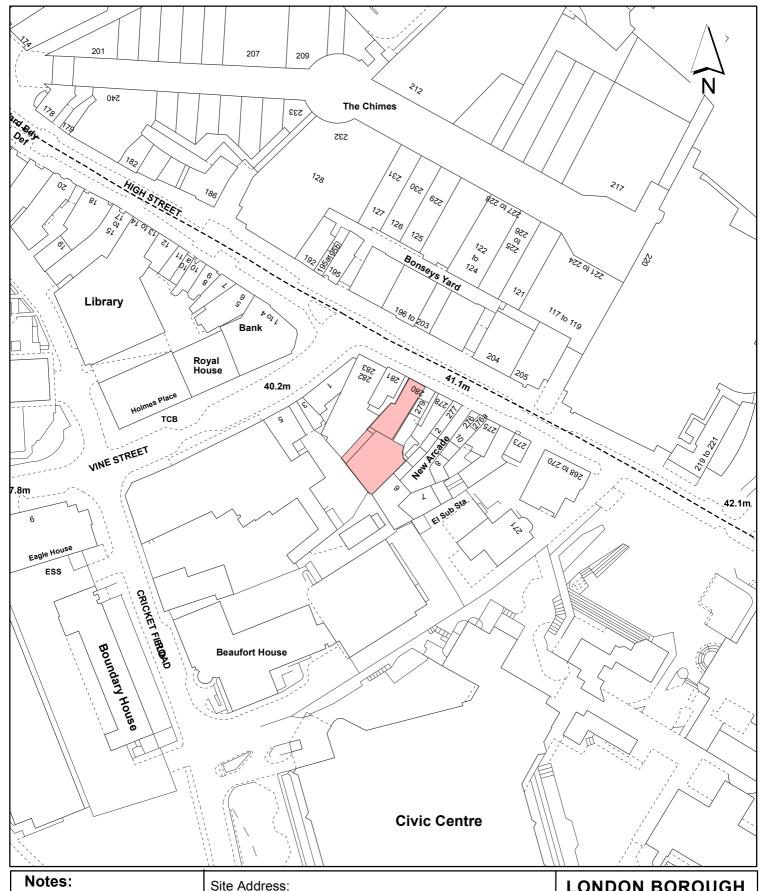
The proposal is therefore in accordance with Policies OE1, BE4 and BE12 of the Local Plan: Part Two (November 2012).

#### 11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012) Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

# The London Plan (2016)

Contact Officer: Zenab Haji-Ismail Telephone No: 01895 250230







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# 280 High Street

Planning Application Ref: 59263/APP/2016/1707

Planning Committee:

Central & Soաբերց 38

Scale:

1:1,250

Date:

**June 2017** 

# **LONDON BOROUGH** OF HILLINGDON **Residents Services**

**Planning Section** 

Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111



# Agenda Item 9

PART II by virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A of the Local Government (Access to Information) Act 1985 as amended.

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# Agenda Item 10

PART II by virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A of the Local Government (Access to Information) Act 1985 as amended.

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# Plans for Central & South Applications Planning Committee

Tuesday 27th June 2017





# Report of the Head of Planning, Sport and Green Spaces

Address 16&18 NORTHFIELD PARK HAYES

**Development:** Installation of vehicular crossover to front.

**LBH Ref Nos:** 72641/APP/2017/812

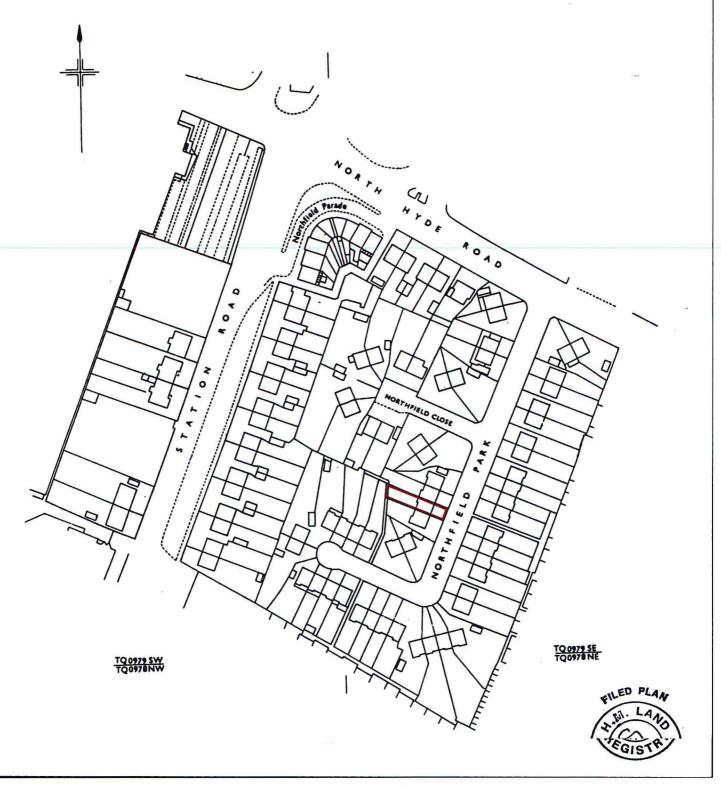
**Date Plans Received:** 06/03/2017 **Date(s) of Amendment(s):** 

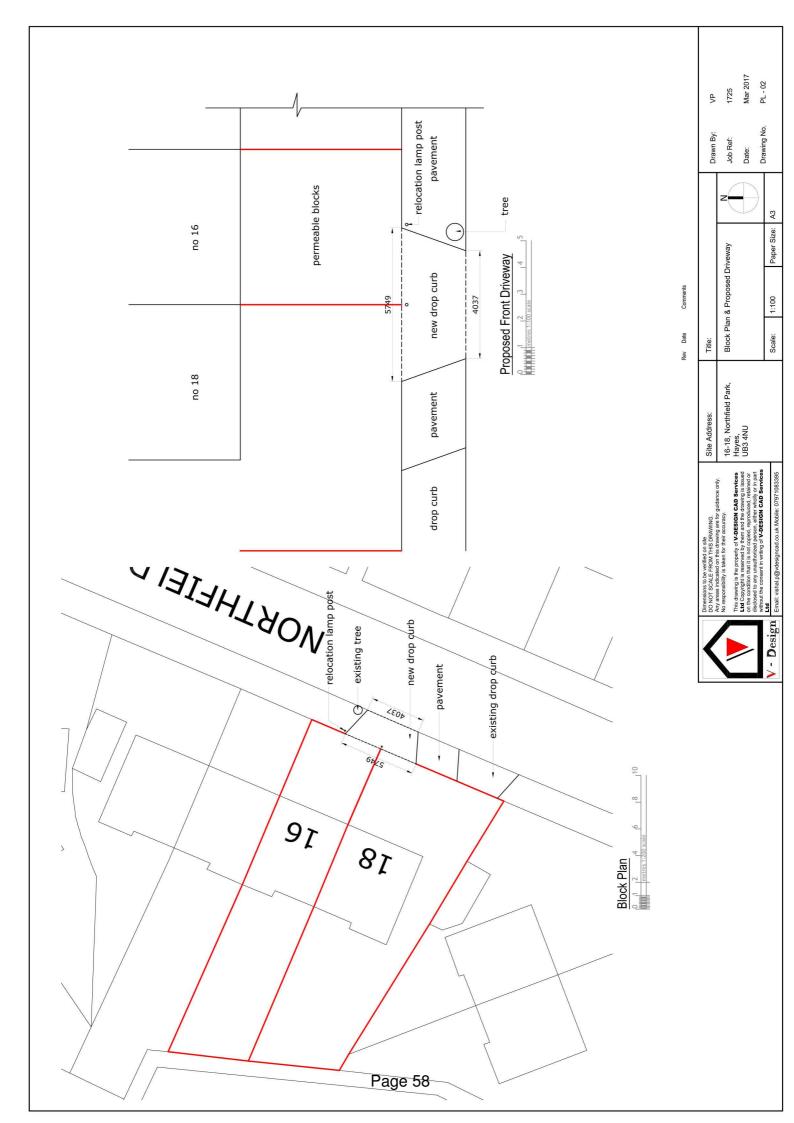
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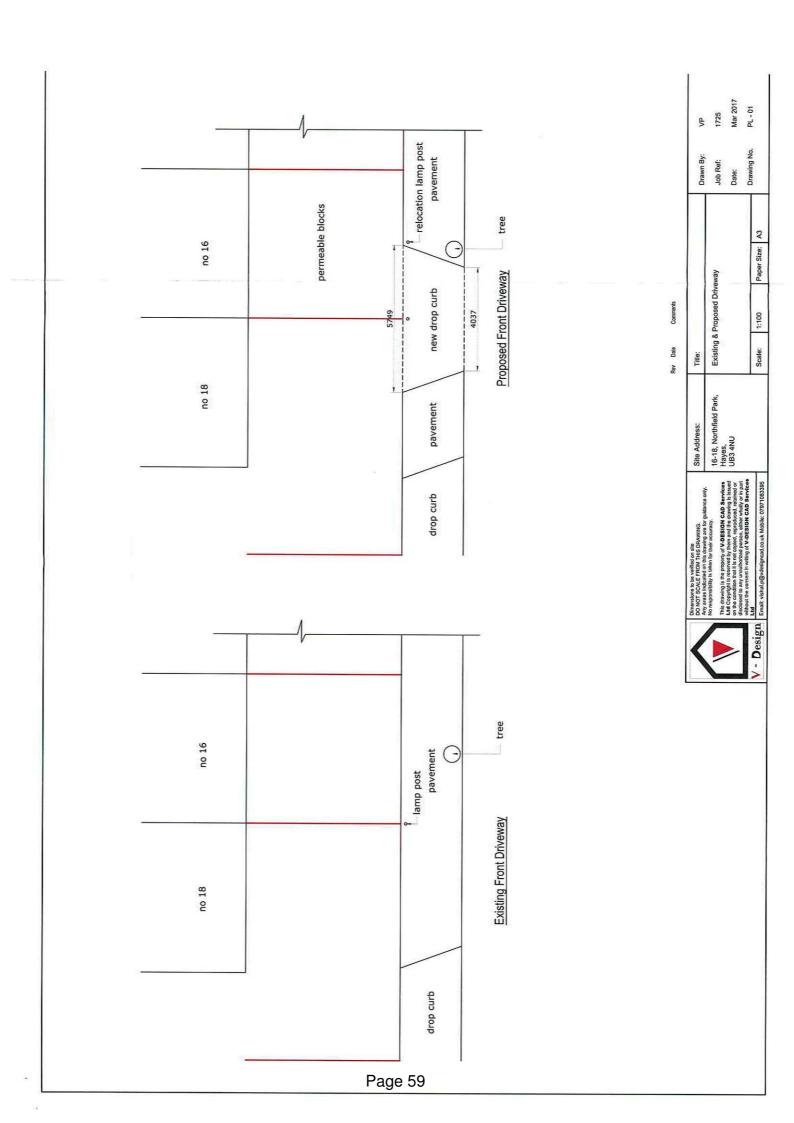
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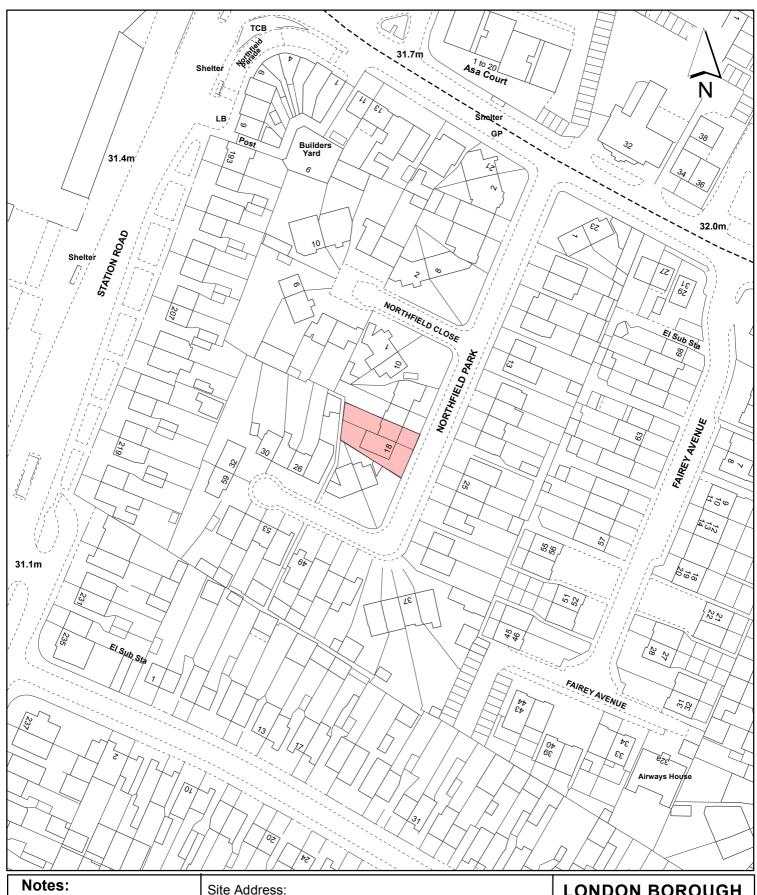
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#### BOROUGH OF HILLINGDON













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#### 16 & 18 Northfield Park

Planning Application Ref: 72641/APP/2017/812 Scale:

1:1,250

Planning Committee:

Central & Soակից 60

Date:

**June 2017** 

# **LONDON BOROUGH** OF HILLINGDON **Residents Services**

**Planning Section** 

Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111



# Report of the Head of Planning, Sport and Green Spaces

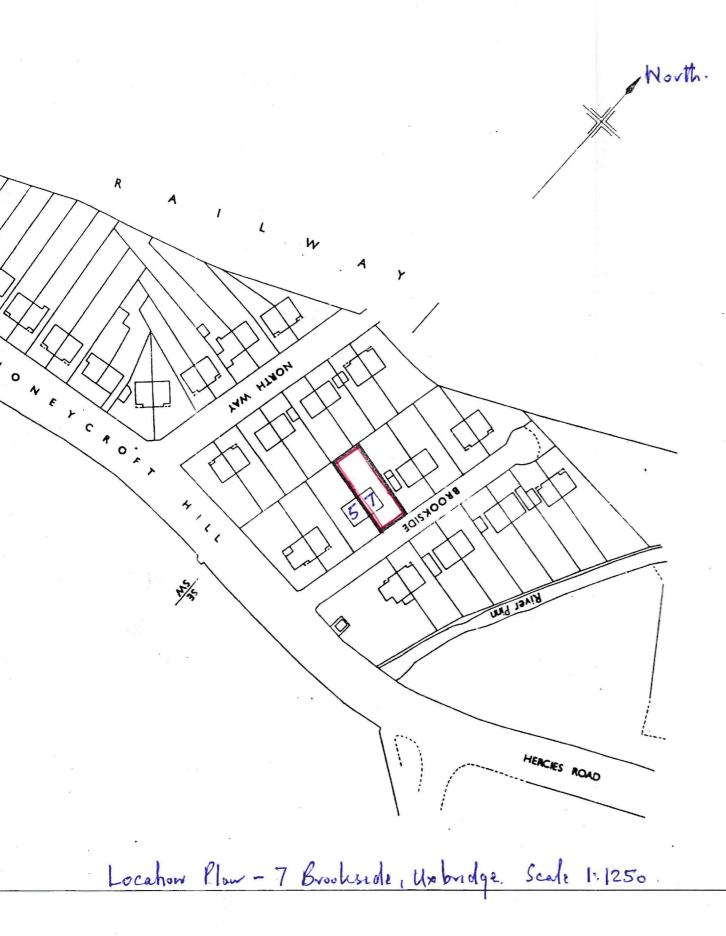
Address LAND FORMING PART OF 7 BROOKSIDE UXBRIDGE

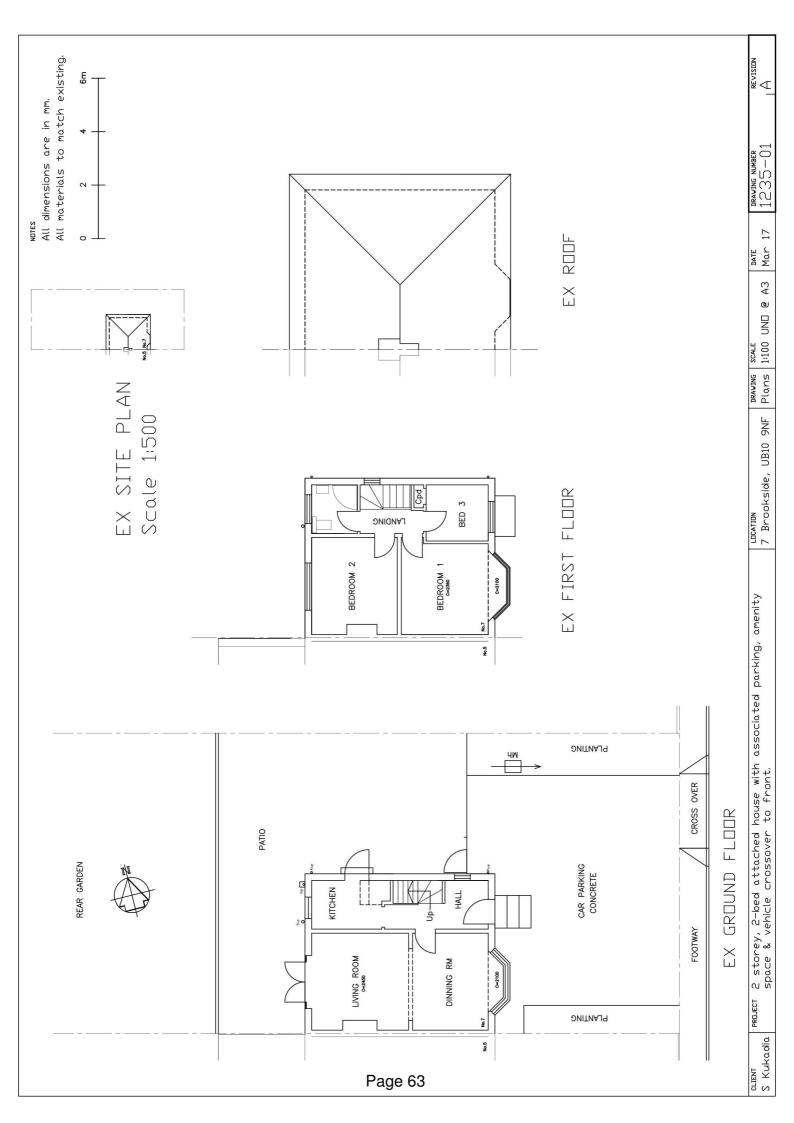
Two storey, 2-bed attached dwelling with associated parking and amenity space and extension to vehicular crossover to front. **Development:** 

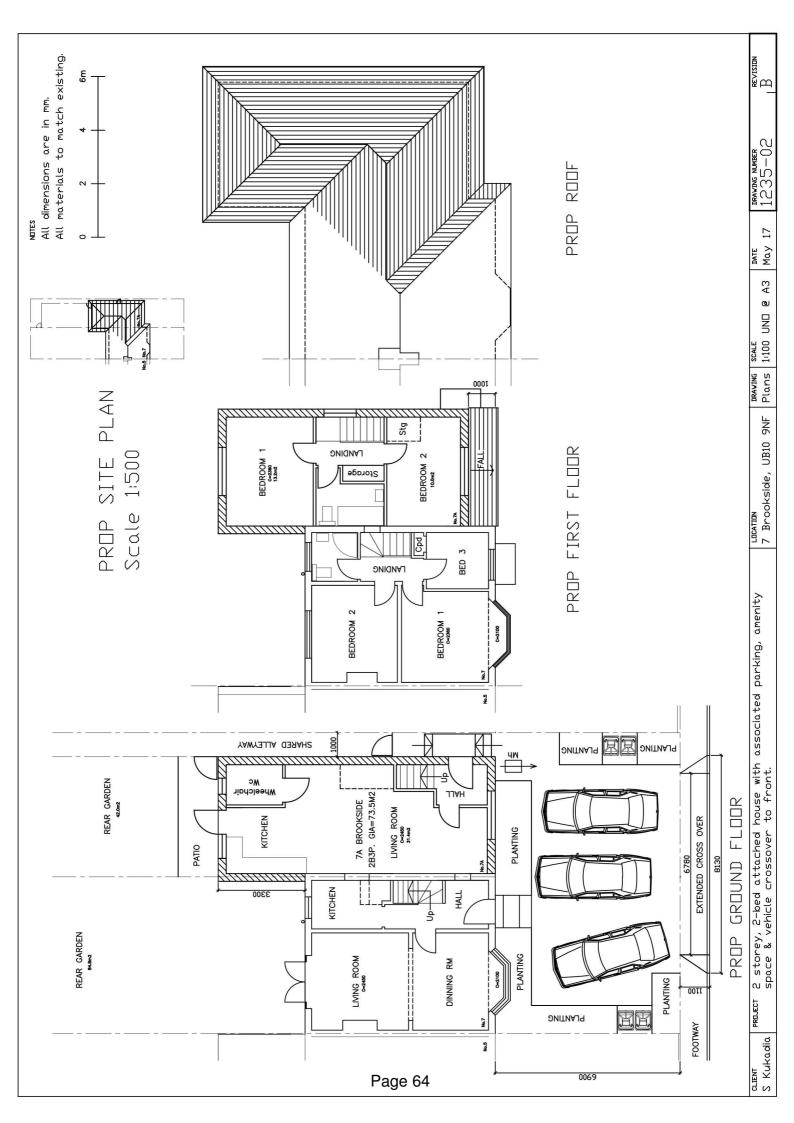
**LBH Ref Nos:** 72693/APP/2017/1026

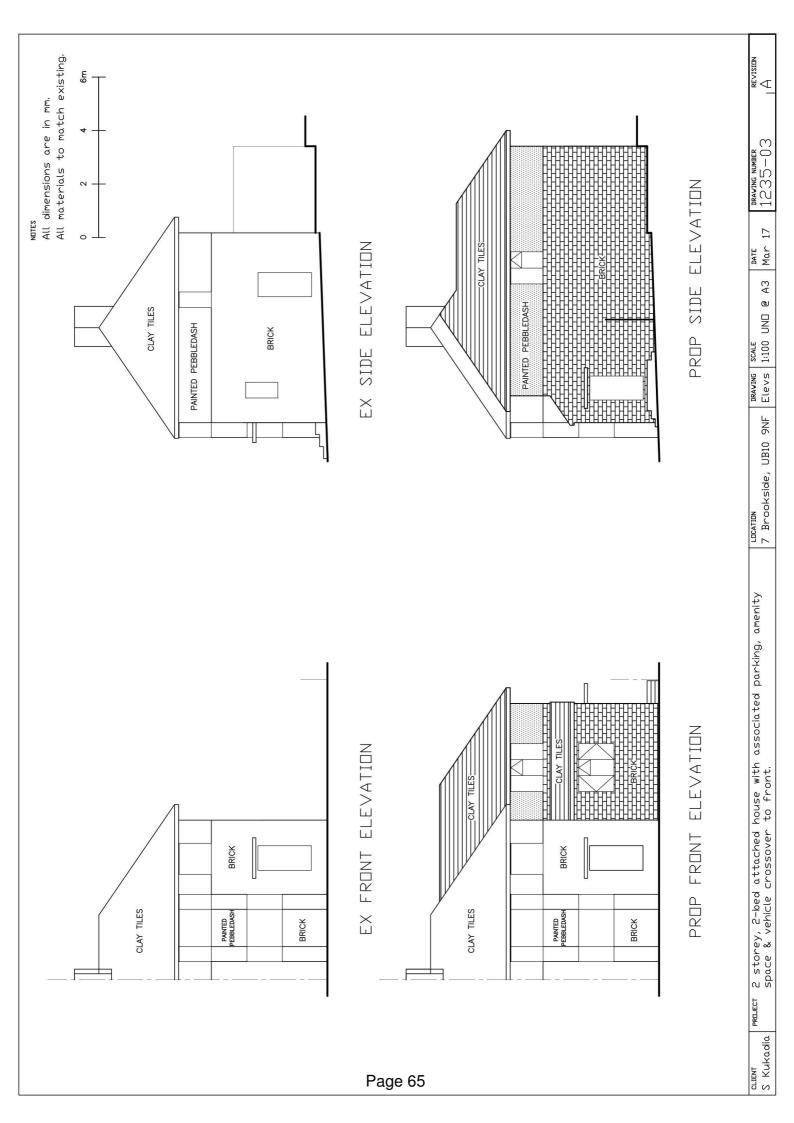
**Date Plans Received:** Date(s) of Amendment(s): 31/03/2017 20/03/2017

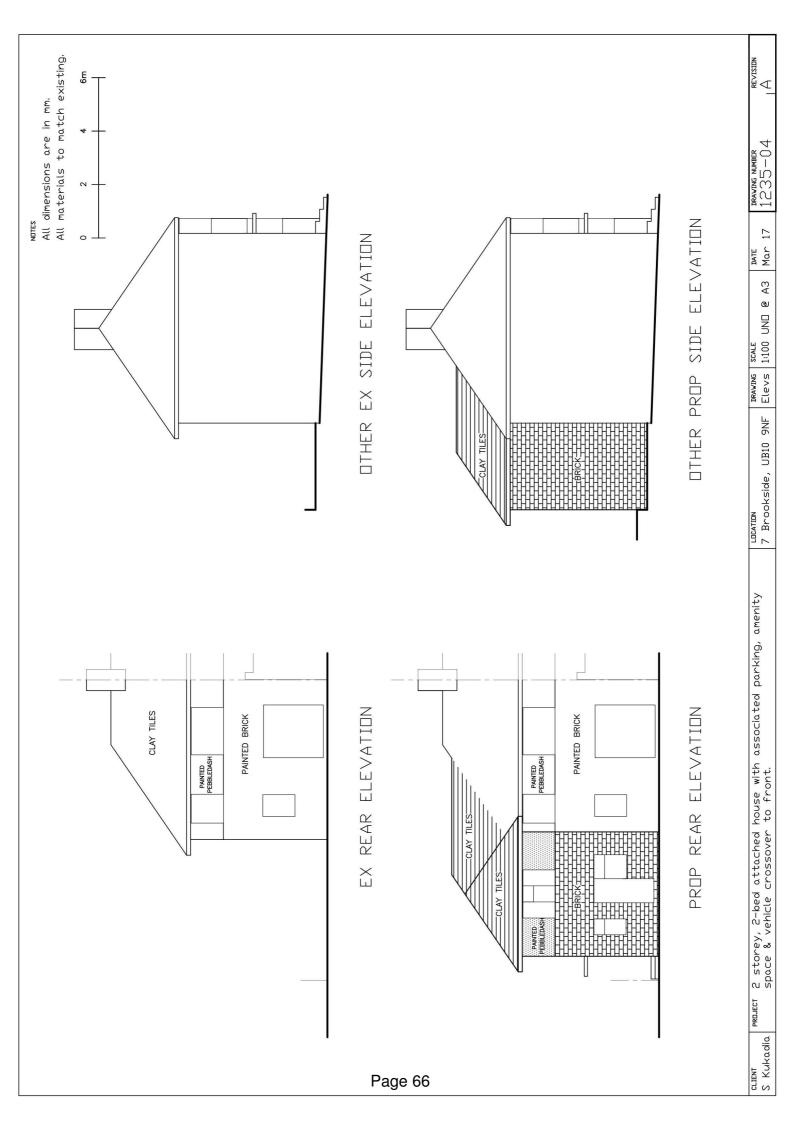
**Date Application Valid:** 31/03/2017

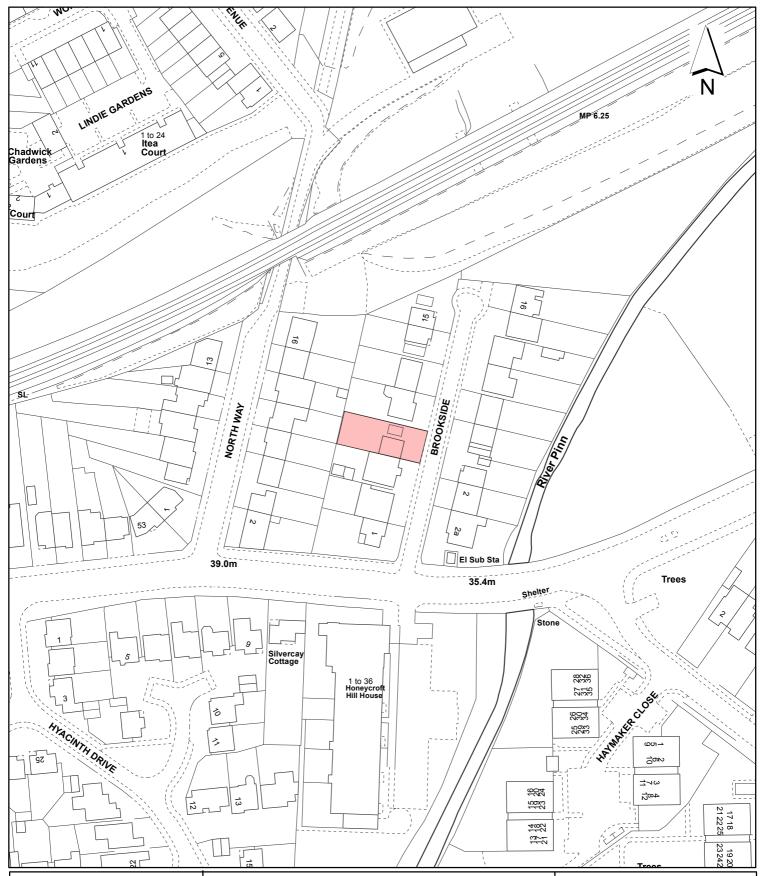
















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# Land Forming Part of 7 Brookside

Planning Application Ref: **72693/APP/2017/1026** 

Scale:

1:1,250

Planning Committee:

Central & Soыthe 67

Date: June 2017

# LONDON BOROUGH OF HILLINGDON Residents Services

Planning Section
Civic Centre, Uxbridge, Middx. UB8 1UW
Telephone No.: Uxbridge 250111



# Report of the Head of Planning, Sport and Green Spaces

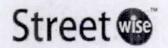
Address LAND R/O 119 HAREFIELD ROAD UXBRIDGE

**Development:** Single storey detached storage building (Part Retrospective)

**LBH Ref Nos:** 72673/APP/2017/938

Date Plans Received: 15/03/2017 Date(s) of Amendment(s):

**Date Application Valid:** 15/03/2017





#### SITE LOCATION PLAN AREA 2 HA SCALE 1:1250 on A4

CENTRE COORDINATES: 505598, 184888

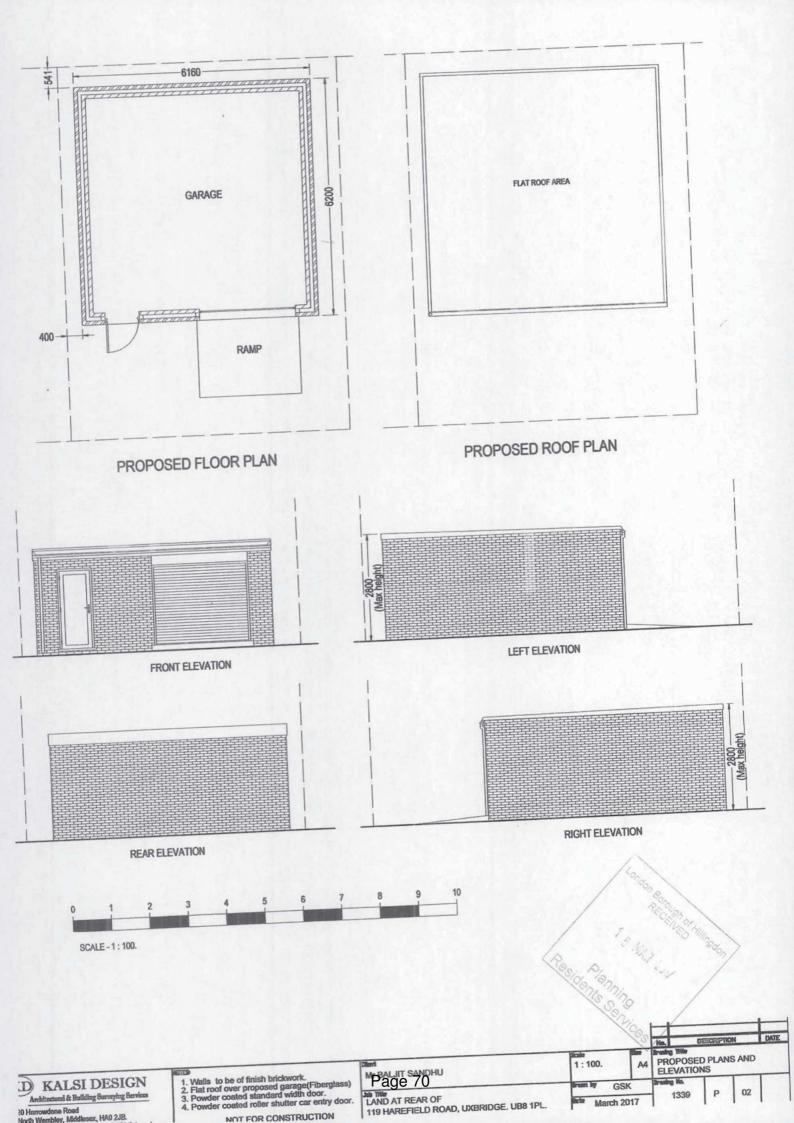


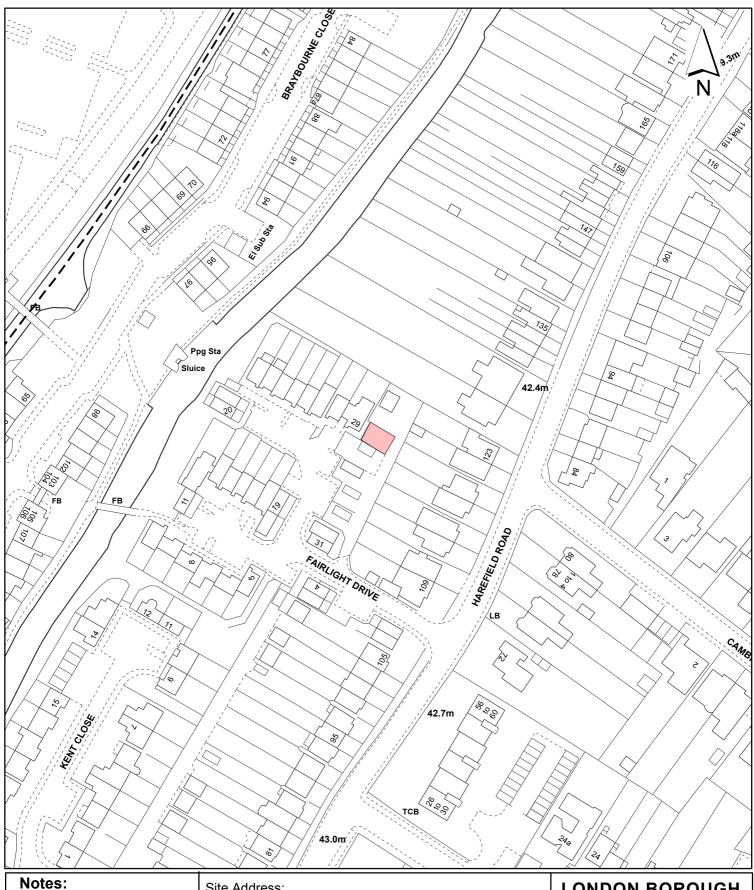


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20 Harrowdene Road North Wembley, Middlesex, HA0 2JB.			LAND AT REAR OF 199 HAREFIELD ROAD, UXBRIDGE. UB8 1PL.				Drawing No. 1339		01	







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Site Address:

# Land to the Rear of 119 Harefield Road

Planning Application Ref: 72673/APP/2017/938 Scale:

1:1,250

Planning Committee:

Central & Souther 71

Date:

**June 2017** 

# **LONDON BOROUGH** OF HILLINGDON **Residents Services**

**Planning Section** Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111



# Report of the Head of Planning, Sport and Green Spaces

Address 280 HIGH STREET UXBRIDGE

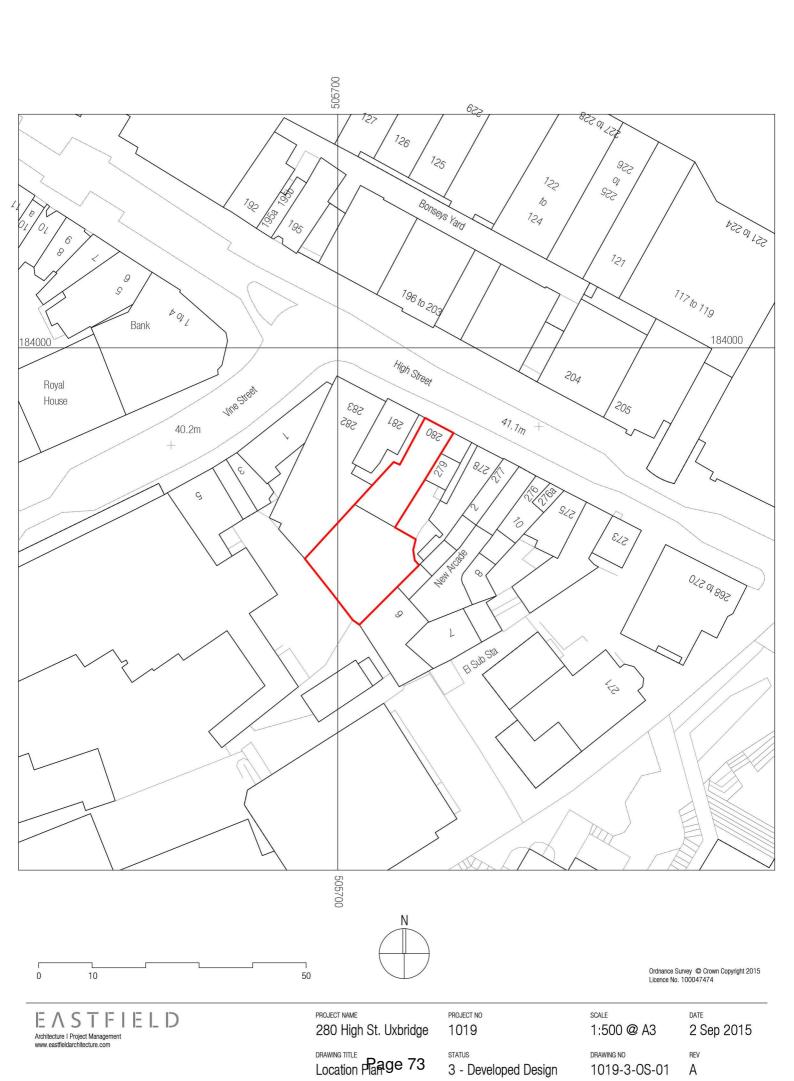
**Development:** Retrospective application for the installation of kitchen extract and outdoor

condensing units at roof level.

**LBH Ref Nos:** 59263/APP/2016/1707

**Date Plans Received:** 04/05/2016 **Date(s) of Amendment(s):** 

**Date Application Valid:** 04/05/2016



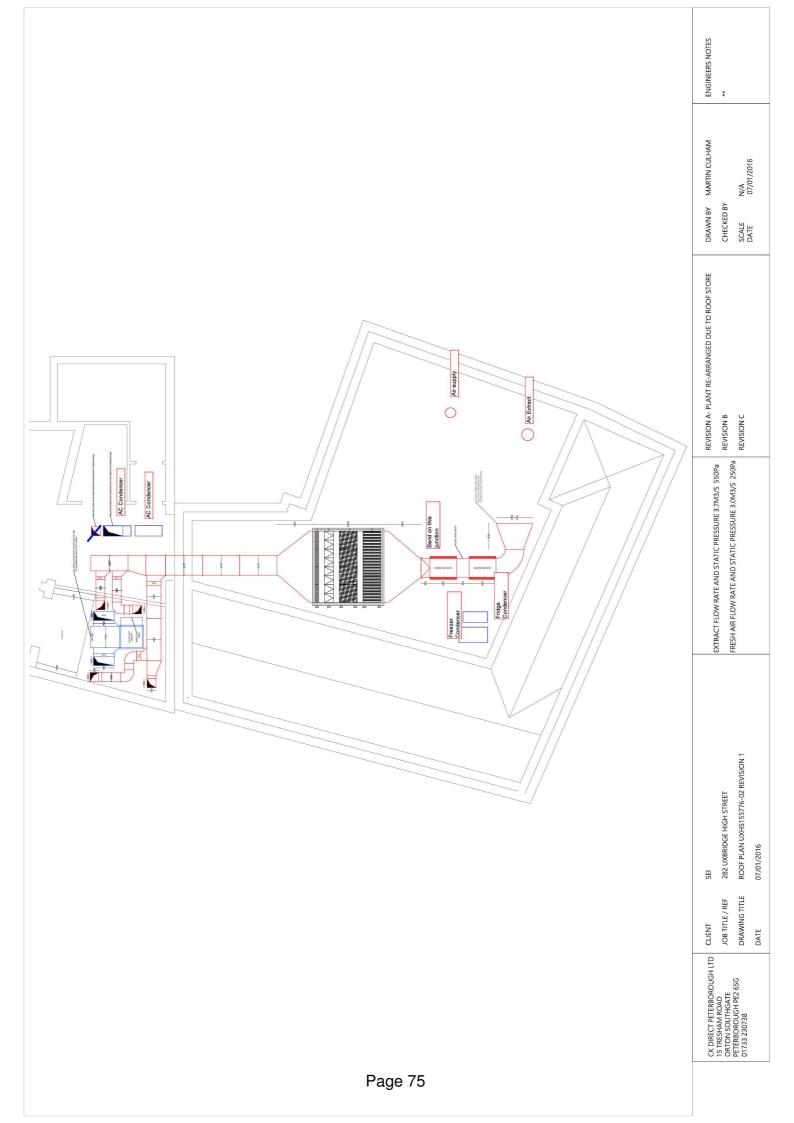


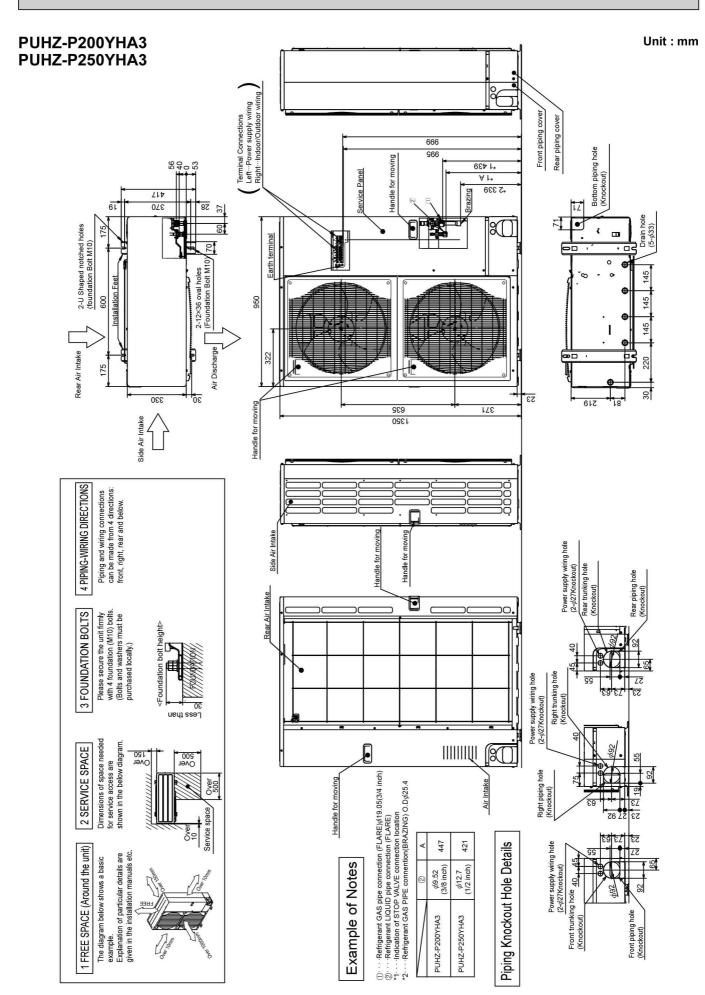
Page 74

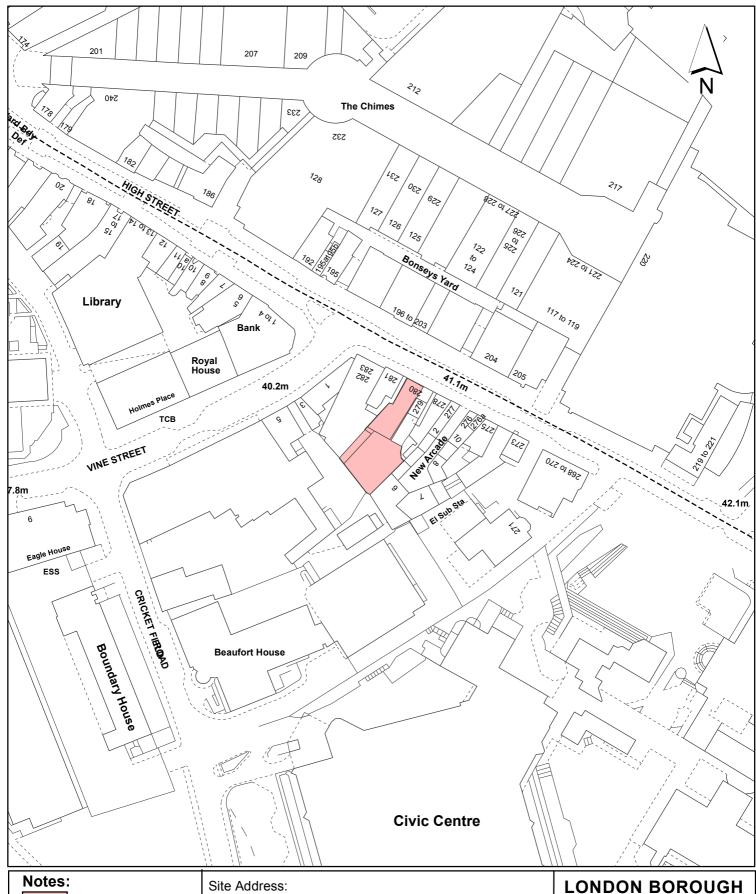
Site plan

3 - Developed Design

1019-3-0S-02 Α











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Site Address:

# 280 High Street

Planning Application Ref: 59263/APP/2016/1707 Scale:

1:1,250

Planning Committee:

Central & South 77

Date:

**June 2017** 



Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111



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