Report of the Head of Planning, Sport and Green Spaces

Address LAND AT 186 GROSVENOR CRESCENT HILLINGDON

Development: Two storey, 2-bed, end-terrace dwelling with associated parking and amenity

space and installation of vehicular crossover to front

LBH Ref Nos: 70396/APP/2015/3385

Drawing Nos: A/2907-03 Rev. A

Location Plan (1:1250)

Design and Access Statement

A/2907-02 Rev. A

A/2907-01

Date Plans Received: 07/09/2015 Date(s) of Amendment(s):

Date Application Valid: 21/09/2015

1. SUMMARY

The proposal seeks planning permission for a two storey, two bedroom attached house.

The proposal has been assessed against current policies and guidance for new housing development in terms of the potential effects of the design, scale and site layout on the character of the surrounding area, the potential impact on the residential amenities of adjoining and nearby occupiers, and on highways related matters such as access for all vehicles, traffic/pedestrian safety and parking in Grosvenor Crescent. The amenities of the future occupants of the proposed and donor dwellings have also been considered.

In summary, the proposal is considered to relate satisfactorily to the character and appearance of the locality, the development would be in keeping to the original building and would comply with policies BE13 and BE15 of the of the Hillingdon Local Plan: Part Two-Saved UDP Policies.

The application has been submitted in order to overcome the previous reason for refusal for a similar development under reference 70396/APP/2015/1977. The sole reason for refusal related to the inadequacy of off-street parking. The proposal now provides two off-street parking spaces plus two for the existing dwelling which meets current standards. However, on 25 March 2015 through a written ministerial statement, the Government introduced new technical housing standards in England and detailed how these would be applied thorough planning policy. The system comprises of new additional 'optional' building regulations on water and access, and national space standards for new homes (referred to as "the new national technical standards"). These new standards came into effect on 1 October 2015.

As a result of these the Mayor of London is intending to bring the London Plan into line with the new standards. Until such time as the Minor Alterations to the London Plan have been adopted, transitional arrangements will apply. Details are set out in the London Plan Housing Standards Policy Transitional Statement. The proposed development fails to meet the requirements of these standards and the application is, therefore, recommended for refusal.

2. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposal would provide an overall internal floor space of an unsatisfactory size and a double bedroom of inadequate size. The proposal would therefore give rise to a substandard form of living accommodation to the detriment of the amenity of future occupiers. The proposal is thus contrary to Policy BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy 3.5 of the London Plan (2015), the Mayor of London's adopted Supplementary Planning Guidance - Housing (November 2012) and the Mayors Housing Standards Policy Transition Statement (2015).

INFORMATIVES

1 I52 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 (2015) 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 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
LDF-AH	Accessible Hillingdon, Local Development Framework,
I DD 0 0	Supplementary Planning Document, adopted January 2010
LPP 3.3	(2015) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential

(2015) Quality and design of housing developments

LPP 3.5

NPPF National Planning Policy Framework

NPPF - Delivering sustainable development

NPPF - Delivering a wide choice of high quality homes

NPPF - Requiring good design

3 I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on Grosvenor Crescent, situated to the east of Hillingdon Court Park. The site comprises part of the rear/side garden and front drive of an end of terrace 3 bedroom dwellinghouse (No. 186 Grosvenor Crescent). The existing property has a large rear garden with a detached garage to the side. The site is situated in a predominantly residential area close to the junction with Leybourne Road forming part of the 'developed area' as identified in the Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012). The character and appearance of the surrounding area comprises a mixture of terraced and semi-detached dwellinghouses.

The site forms part of the 'developed area' as identified in the Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012).

3.2 Proposed Scheme

The proposed scheme is for the erection of an attached end-of-terrace two-storey, two bedroom dwellinghouse to the west side of 186 Grosvenor Crescent. The proposal would involve the demolition of the detached garage. Associated car parking for 1 vehicle would be provided within the front garden and parking for 1 vehicle at the rear, served via an existing rear access. A total of 2 spaces would also be made available for the existing dwelling, 1 at the rear and 1 at the front. Rear amenity space is provided by subdividing the existing rear garden.

The proposed dwellinghouse would be of a smaller size and scale compared to other dwellings in the street and its appearance would be similar to that of No. 186 Grosvenor Crescent including a linked porch. The new dwellinghouse would have a pitched roof matching the adjoining dwellinghouse with a height of 7.6m to the apex. The existing boundary line tapers and the proposal would maintain a 1m set in from the boundary. The proposed dwellinghouse would therefore have a varying width.

The building would accommodate at ground floor level a disabled toilet, a kitchen and a lounge and at the first floor level 2 bedrooms and a bathroom.

3.3 Relevant Planning History

70396/APP/2015/1977 Land Adjcent To 186 Grosvenor Crescent Hillingdon

Two storey, 2-bed, end-terraced dwelling with associated parking and amenity space

Decision: 30-07-2015 Refused

70396/PRC/2014/112 Land At 186 Grosvenor Crescent Hillingdon

Erection of two bedroom attached dwelling house and associated car parking and alteration to

crossover position

Decision: 16-04-2015 OBJ

Comment on Relevant Planning History

Planning permission was refused in 2015 for a two storey, 2 bed end terraced dwelling with associated parking and amenity space Ref: 70396/APP/2015/1977. The reason for refusal was as follows:

The proposal is considered to provide inadequate off-street parking for the proposed and existing properties in accordance with the Mayor's adopted car parking standards and would give rise to an increase in demand for on-street car parking, in an area which is already heavily parked. As such, the proposal would be detrimental to highway and pedestrian safety, contrary to Policy 6.13 of the London Plan (March 2015), Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

The application has been submitted in order to address the sole reason for refusal.

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.
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 neighbours.
BE38	Retention of topographical and landscape features and provision of new planting

	and landscaping in development proposals.
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LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 3.3	(2015) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2015) Quality and design of housing developments
NPPF	National Planning Policy Framework
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

Neighbours were notified on 22/09/2015 and a site notice was displayed on 01/10/2015.

Five responses have been received raising the following issues:

- 1. The local parking situation is very bad in Grosvenor Crescent and often overspills into other streets
- 2. The proposed car parking appears impractical and there will be conflict between traffic movements, including dangerous reversing
- 3. The car parking will cause noise, disturbance and pollution
- 4. The proposal is overdevelopment
- 5. The proposal will result in loss of privacy

The issues raised are discussed below.

The application has been called to Committee by a Ward Councillor.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site lies within an established residential area where the principle of intensification of use of the site for residential purposes is acceptable, subject to all other material planning considerations being addressed.

7.02 Density of the proposed development

Paragraph 4.1 of the HDAS Residential Layouts specifies that in new developments, numerical densities are considered to be more appropriate to larger sites and will not be used in the assessment of schemes of less than 10 units. The key consideration is

therefore whether the development sits comfortably within its environment rather than a consideration of the density of the proposal. These matters are addressed elsewhere in the report.

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.

7.06 Environmental Impact

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) states that all new developments should achieve a high quality of design in all new buildings and the public realm contributes to community cohesion and a sense of place. Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the layout and appearance of new development should "harmonise with the existing street scene or other features of the area." The NPPF (2011) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

In terms of character of the area, this scheme is materially similar to that previously refused on car parking grounds. No adverse issues related to character and appearance were raised at that time.

The proposal is designed as an extension to the existing property. Hillingdon Local Plan: Part Two Policies BE13 and BE19 seek to resist any development which would fail to harmonise with the existing street scene or would not complement the character and amenity of the residential area in which it is situated. Policy BE22 states a requirement for all new buildings of two or more storeys to be set back a minimum of one metre from the side boundary for its full height.

The streetscene is characterised by semi-detached and terraced properties. The addition of a fifth terraced dwelling on the row, similar in design and scale would continue the linear building line of the set of terraced properties which is considered in keeping with the general layout of these buildings.

As regards the gable end roof, this would not be considered out of character for an end-ofterrace, ensuring a sympathetic design within the existing street pattern. The proposed two-storey attached dwelling would be set in from the side boundaries by 1m at ground level to the side boundary and a set in of 1m at first floor which would comply with HDAS-Layouts guidance which recommends a set-in of at least 1m should be retained in order to protect the character and appearance of the streetscene. As such, the impact on the streetscene would not be considered significant.

Furthermore, dimensionally the rear projection element would not exceed the depth limit for two storey rear development at 3.3m as the width of the plot is less that 5m wide as stated in section 6.0 of HDAS-EXT. As such the proposed development would be considered appropriate in appearance. The design of the roof of the two storey rear element would be

considered acceptable as it would minimise the overall bulk and mass above ground floor and its design would be in character with the existing and adjoining properties and would meet the requirements of part 1 Policy BE1 and Part 2 Policies BE13, BE15 and BE19 of the Hillingdon Local Plan (November 2012).

The linked porch would be acceptable as it would match the design of the existing property and thus would not look out of character with the area. Although additional car parking has been provided, this is to the rear, utilizing part of the amenity space for the existing dwelling. The car parking proposed to the front is materially as previously considered in the refused scheme. The proposal retains approximately 50% of the front garden with potential for landscaping and if the recommendation is accepted, it is considered that a condition should be imposed requiring that a minimum of 25% of the front garden shall be soft landscaped for as long as the development remains in existence.

7.08 Impact on neighbours

The Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to safeguard the amenities of neighbouring residents in a number of ways. The effect of the siting, bulk and proximity of a new building on the outlook and residential amenity of these adjoining occupiers are considered under Policy BE20, whilst potential impacts on dominance (Policy BE21) and privacy (Policy BE24) are also assessed.

Paragraph 4.9 of the SPD, the Hillingdon Design & Accessibility Statement: Residential Layouts further advises that all residential developments and amenity spaces should receive adequate daylight and sunlight and that new development should be designed to mitigate the negative impacts of overbearing and overshadowing. Furthermore, it explains that 'where a two storey building abuts a property or its garden, adequate distance should be maintained to overcome possible domination'. Generally, 15m will be the minimum acceptable distance between buildings. Furthermore a minimum of 21m overlooking distance should be maintained.

The proposed dwelling would not breach the 45 degree line from either no. 186 or from no. 188 (the neighbouring dwelling) closest to the proposal. The proposed building would project 3.265m beyond the original rear flank wall at first floor level which is consistent with the recommended 3.3m maximum for terrace houses. Therefore the depth, size, scale and bulk of the two storey rear element will not have an adverse impact on the ground floor windows and the patio area of No. 186, in accordance with Local Plan: Part Two Policies BE19, BE20 and BE21 in this regard.

In order to protect privacy, the design of a dwelling should avoid creating significant opportunities for direct overlooking from any upper floor windows into the private garden, kitchen or any habitable room windows of the neighbouring properties. The proposed building would have a WC and secondary lounge windows at ground floor and bathroom and landing windows within its flank elevations at first floor level. As these windows would face the side blank flank wall of no. 188 no concerns are raised and if planning permission is granted an obscured glazing condition could be imposed to ensure there is no risk of a loss of privacy or perception of it.

7.09 Living conditions for future occupiers

Space standards

The London Plan (2015) in Policy 3.5 sets out the minimum floor areas required for proposed residential units in order to ensure that they provide an adequate standard of living for future occupants. On 25 March 2015 through a written ministerial statement, the Government introduced new technical housing standards in England and detailed how

these would be applied thorough planning policy. The system comprises of new additional 'optional' building regulations on water and access, and national space standards for new homes (referred to as "the new national technical standards"). These new standards came into effect on 1 October 2015.

Until such time as the Minor Alterations have been adopted, transitional arrangements will apply. Details are set out in the London Plan Housing Standards Policy Transitional Statement

The floor space standards therefore need to be assessed against the London Plan Transition Statement. The standard requires a two bedroom/three person dwelling to have a minimum of 70sq.m of internal space, plus 2sq.m built in storage. This is a minimum standard and the the proposal falls well below the proposed standard at 64sq.m. Furthermore, the proposed double bedroom is also slightly below the required 11.5sq.m minimum at 10.9sq.m. The applicant was requested to consider amendment of the scheme to reduce the proposal to one bedroom but requested that it be determined as it stands. The proposal is thus considered unacceptable as it would result in the provision of sub-standard accommodation to the detriment of the amenity future occupiers.

External Amenity Space

The Hillingdon Local Plan: Part Two Policy BE23 states that new residential buildings or extensions should provide or maintain external amenity space which is sufficient to protect the amenity of existing and future occupants which is usable in terms of its shape and siting.

Paragraph 4.15 of the Hillingdon Design and Accessibility Statement: Residential Layouts (July 2006) states that a two bedroom dwellinghouse should have at least 60sq.m of associated usable garden space. A total of 119sq.m would be provided for the proposed new dwelling (a two bedroom dwelling). A larger area is retained for the existing dwelling. Therefore he proposal would meet this requirement comfortably and would not prejudice the donor property in accordance with Local Plan Policy BE23.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan 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. In the officer's report for 70396/APP/2015/1977 it was stated that:

"Parking standards for a two bedroom dwellinghouse is a maximum of 2 spaces as contained in the London Plan. This is an area which has a very low PTAL score of 1a and is heavily parked. On this basis, off-street parking should approach the maximum of 4 spaces and the 2 proposed is considered to be inadequate, that would give rise to additional on street demand that would be prejudicial to highway and pedestrian safety, contrary to Policy 6.13 of the London Plan (March 2015) and the Mayor's adopted car parking standards and Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts."

A total of 4 spaces would be required for the proposed and existing dwelling and six spaces are provided. The provision for existing and proposed dwellings, is considered to be appropriate in terms of Policy 6.13 of the London Plan (March 2015) and the Mayor's

adopted car parking standards and Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

7.11 Urban design, access and security

These issues are generally discussed elsewhere in the report under impact on the character of the area, impact on neighbours, trees and landscape and car parking and traffic. No material security issues are raised by the proposal

7.12 Disabled access

The issues relating to disabled access and lifetime homes is now covered under the building regulations and a condition requiring that the development meets the the requirements of the Approved Document M to the Building Regulations 2015 (Category 2 M4(2) - accessible and adaptable dwelling) would have been recommended had the application been acceptable in all other respects.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires the retention of landscape features of merit and new landscaping and planting where possible. No trees would be lost by the proposal. Both the front and rear gardens area of little landscape merit. Should the scheme be considered acceptable in all other respect, a suitable condition would be imposed to secure additional landscaping.

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

The proposal would be required to achieve appropriate standards of sustainable design and reduce water consumption in accordance with policies contained within section 5 of the London Plan. Had the development been acceptable in other respects this matter could have been dealt with by way of appropriate conditions.

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 issues raised are covered in the main body of the report.

7.20 Planning obligations

The proposed development would be CIL liable and the CIL, including the Mayor of London's levy, would total £9,959.98.

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 proposal has been submitted in order to overcome the sole reason for refusal of the previous application on inadequate car parking grounds. Six car park spaces have been provided on site, two at the front and four at the rear served via an existing car parking area. In all other material aspects the application remains the same as previously refused.

The application been assessed against current policies and guidance for new housing development in terms of the potential effects of the design, scale and site layout on the character of the surrounding area, the potential impacts on the residential amenities of adjoining and nearby occupiers, and on highways related matters such as access for all vehicles, traffic/pedestrian safety and parking in Grosvenor Crescent. The amenities of the future occupants of the proposed and donor dwellings have also been considered.

It is considered that whilst the proposal overcomes the previous reason for refusal, there has been a change in policy and the proposal fails to meet the current requirements in terms of the overall internal size of the dwelling and thus fails to provide an adequate standard of accommodation for future residents and is, thus, 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 (2015)

Mayor of London's adopted Supplementary Planning Guidance - Housing (November 2012

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

National Planning Policy Framework

The London Plan Housing Policy Transition Statement (May 2015)

Contact Officer: Cris Lancaster Telephone No: 01895 250230



Notes:



Site boundary

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Site Address:

Land at 186 **Grosvenor Crescent**

Planning Application Ref: 70396/APP/2015/3385 Scale:

Date:

1:1,000

Planning Committee:

C&S

January 2016

LONDON BOROUGH OF HILLINGDON **Residents Services**

Planning Section

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

