

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

**Address** LAND BETWEEN 2 & 6 WOODSIDE ROAD NORTHWOOD

**Development:** Two storey, 3-bed, detached dwelling with habitable roofspace, with associated parking and amenity space and installation of vehicular crossover to front

**LBH Ref Nos:** 70377/APP/2015/3826

**Drawing Nos:** WS/PL/102  
WS/PL/103  
WS/PL/104  
WS/PL/200  
WS/PL/201  
WS/PL/202  
WS/PL/101  
WS/FS/203  
WS/PL/300  
WS/PL/301  
WS/EX/001  
WS/EX/002  
WS/PL/100  
WS/PL/302  
Design and Access Statement

**Date Plans Received:** 15/10/2015                      **Date(s) of Amendment(s):**

**Date Application Valid:** 16/11/2015

### 1. SUMMARY

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene, and BE19 states the LPA will seek to ensure that new development within residential areas compliments or improves the amenity and the character of the area.

The proposed dwelling is not acceptable in design terms and would result in a bulky and incongruous addition to the street scene to the detriment of the Area of Special Local Character.

It is therefore recommended for refusal.

### 2. RECOMMENDATION

**REFUSAL for the following reasons:**

#### 1 NON2 Non Standard reason for refusal

The proposal, by reason of its size, scale, bulk and design, would represent a visually unsympathetic form of development that would detract from the character, appearance and visual amenity of the wider Area of Special Local Character. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE5, BE6, BE13, BE15 and BE19 of the Hillingdon Local Plan:

Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

## **INFORMATIVES**

### **1 159 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 comprises an area of open land situated on the eastern side of Woodside Road and was formerly an area of garden attached to no. 2. The land is landscaped and well maintained, enclosed on three sides by mature well established hedgerows and partitioned from no. 2 by a closeboard fence.

The street scene is predominantly residential in character and is largely characterised by detached properties located within substantial plots.

The application site lies within the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and within the Gatehill Farm Estate Area of Special Local Character. It is also covered by TPO 99.

### **3.2 Proposed Scheme**

The proposal is for the erection of a two storey, 3-bed, detached dwelling with habitable roofspace, associated parking and amenity space with the installation of vehicular crossover to the front.

### **3.3 Relevant Planning History**

70377/PRC/2014/107 Land Between 2 & 6 Woodside Road Northwood

Proposed detached part single, part two storey dwelling house

**Decision:** 20-02-2015 NO

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

The pre application considered the principle of developing the site, which in principle is acceptable. However limited information was received with the submission and only limited advice was provided.

## **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.
- 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.
- BE5 New development within areas of special local character
- BE6 New development within Gate Hill Farm and Copsewood Estates areas of special local character
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE5 Siting of noise-sensitive developments
- OE8 Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
- LPP 3.5 (2015) Quality and design of housing developments
- LPP 5.13 (2015) Sustainable drainage
- LPP 5.14 (2015) Water quality and wastewater infrastructure
- HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
- LDF-AH Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

### 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- **18th December 2015**

### 6. Consultations

#### External Consultees

The following neighbours were consulted for a period of 21 days expiring on the 9 December 2015 as follows:

- 2 Woodside Road
- 7 Gatehill Road
- 3 Woodside Road
- 6 Woodside Road
- 5 Woodside Road
- 1 Woodside Road
- Hurley
- 4 Gatehill Road
- 8a Wieland Road

Nine responses were received from near by neighbours who raise the following points:

- Impact on the character of the area
- Set a precedent to allow people to develop gardens for separate dwellings in the Gate Hill Estate
- Loss of amenity to the neighbouring houses
- No 2 would have no rear garden
- This is a green field site and there has never been any structure on it
- Loss of light to house and garden
- Loss of privacy
- Removal of hedges will impact on the local landscape character
- The 3 properties will all be very close and cramped in appearance
- Not an undeveloped plot but is a garden
- Land ownership
- The applicant is a property developer and claims he will be the end user of the house
- Design and Access Statement fails to demonstrate robust assessment of the area
- No details of boundary treatments
- Fails to analyse typology by illustrating a section through the street and considering building line
- Fails to demonstrate lifetime home standards
- Contrary to policy
- Insufficient space for a new dwelling
- Vehicle exit on a blind bend and would be dangerous

Officer response:

Each application is assessed on its own merits, with regard to the site, the proposal and relevant policies. The lack of a tree survey and details for the boundary treatments have been considered by the Tree/Landscape Officer. Issues of land ownership are not planning considerations. All other issues are addressed in the report.

A petition of 38 signatories was also submitted against the proposal.

Gatehill Residents Association

The GRA formally object on the following issues

- The land up until recently was the garden for no.2 and has now been separated by a 2m high fence, although both are still the same ownership
- Loss of garden for no.2
- Loss of light of the existing side windows of no.2
- No reference is made to the loss of light to the side windows of no.6
- The building is overly high in proportion to its width in comparison to the surrounding properties
- If minded to approve permitted rights should be removed for the conversion of the garage

Northwood Residents Association:

No response

Northwood Hills Residents Association:

- Dispute over the use of the land. This is garden grab and contrary to NPPF
- No tree survey
- The development states a 3 bed dwelling however 2 additional rooms named as studies. This should be for a 5 bed house
- Reduce the garden for no.2
- Out of keeping with the area
- Extends beyond the rear building line of no. 6 causing overshadowing of the private amenity space enjoyed by the residents.

### **Internal Consultees**

Access Officer:

The submitted plans indicate that the proposed development could satisfy the requirements for a Category 2 dwelling. Acceptable subject to a suitable planning condition.

Highways:

In principle the vehicle access would be acceptable, however should be reduced in size to an acceptable standard.

Conservation and Urban Design:

The design of the proposed new house is of a poor quality, which is both uncharacteristic of, and thus inappropriate for, this ASLC. It has been designed around the planning standards and the restrictions of its wedge shaped plot to maximise floor space, rather than designed as an appropriate and attractive entity in itself. For example, the roof form is unattractive, being very convoluted with a narrow crown, whilst the rear dormer and front roof lights are over dominant within the roofs. The gable is too weak and the glazing out of proportion with the walling. The single storey extensions on three of its four sides give the building a very strange and off-balanced appearance. The front of the house appears to extend too far forward on the site, and the loss of more than half of the front hedge is very regrettable.

Trees/Landscaping:

The site is covered by TPO99 however there are no protected trees remaining on site and none which merit a protection order. The site layout provides appropriate amenity space and conditions should be imposed to ensure that the proposal preserves and enhances the character of the surrounding natural and built environment.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

Concern has been raised with regard to garden grabbing contrary to the NPPF, which identifies Local Authorities should consider the case for setting out policies to resist inappropriate development of residential gardens. In line with this Policy H12 of the Hillingdon Local Plan (November 2012) advises proposals for backland development will only be considered if no undue disturbance or loss of privacy is likely to be caused. However the NPPF also has a requirement to encourage the effective use of land by re-using land. This is an existing area of side garden forming part of the residential unit no. 2 Woodside Road, which within planning considerations is considered to be a brownfield site. The fact that the numbering goes from 2 to 6 would suggest this plot of land was originally intended for an additional residential unit, before being incorporated within no. 2 as part of the garden.

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).

Given the residential character of the surrounding area, there is no policy objection to the development of the site to provide residential accommodation, subject to an appropriate density and design, and the proposal being in accordance with all of the relevant planning policies and supplementary guidance.

#### **7.02 Density of the proposed development**

Policy 3.4 of the London Plan (2015) 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**

With specific reference to the site location within an Area of Special Local Character, Policy BE5 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) states that new development should harmonise with the materials, design features, architectural style and building heights predominant in such areas. This is supported by Policy 7.4 of the London Plan (2015) which requires developments to have regard to local character.

The Gatehill Farm Estate was originally built during the inter-war period, in the early 1920s. The sales brochure stated that spacious and gracious were obvious characteristics of the area. The houses were to be individually designed to harmonise with their environment and to provide an interesting variation of style. Therefore the addition of a new property would need to respect the established character of the area.

The proposed dwelling measures 9.05m in width by 12.2m in depth and has a small crown roof with a maximum height of 8.3m. This includes a two storey front and side projection and a single storey front, side and rear element, with a pitched roof of 3.75m high. The roof form is unattractive, being very convoluted with a narrow crown, whilst the rear dormer and front roof lights are over dominant within the roofs. The gable is too weak and the glazing out of proportion with the walling. The single storey extensions on three of its four sides give the building a very strange and off-balanced appearance. The front of the house appears to extend too far forward on the site, and the loss of more than half of the front hedge is very regrettable. As proposed the design of the dwelling is considered inappropriate and out of keeping with the style and characteristics of the Gatehill Estate ASLC.

#### **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) 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. 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. Furthermore Policy BE6 advises new dwellings within the Gatehill Estate ASLC should be constructed on plots of a similar average width to the surrounding development; be constructed within a similar building line and be of a similar proportion to the adjacent houses and reflect the architectural style. Policy BE19 also seeks to ensure that new development will compliment or improve the character of the area. The NPPF 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.'

There are a diverse range of styles, designs and materials in the makeup of the existing properties within the street scene. This comprises two storey and two and a half storey properties, many of which have been extended. Part two storey front projections are not uncommon, however single storey front projections are. The proposed single storey wrap around with varying roof pitches is an incongruous feature within the street scene, as is the crown roof detail. It is acknowledged that the proposed crown roof detail is smaller than the few that were approved historically within the area, however due to the ridge at the same height and running at right angles to the main roof line, when viewed from the street scene this would appear larger. As such in terms of design the proposal is considered out of keeping with the character and appearance of the surrounding Area of Special Local Character and that its visual impact is unacceptable.

Therefore the proposal fails to reflect the architectural character and appearance of the Gate Hill Estate ASLC and fails to comply with the requirements of Policies BE5, BE6, BE13, BE15 & BE19 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

#### **7.08 Impact on neighbours**

With regard to the impact of the amenities on the adjoining occupiers, Sections 4.9 of the SPD: New Residential Layouts, in relation to new dwellings, states all residential developments and amenity space should receive adequate daylight and sunlight. The daylight and sunlight available to adjoining properties should be adequately protected. Where a two or more storey building abuts a property or its garden, adequate distance should be maintained to overcome possible over-domination.

The proposed dwelling would extend 3.25m beyond the rear of the adjacent property no.6 and is set back from the boundary by 1.5m, giving a total distance of separation of 2.5m with the single storey element and 3.9m to the side of the two storey element. It is noted that there are windows on the side elevation of no. 6 facing the application site and these include 2 at ground floor, 2 at first floor and 1 serving the loft space; however these are all secondary windows, serving the lounge and dining room at ground floor level; two bedrooms at the first floor and a games room in the loft space. The only window proposed in the new dwelling on the side elevation facing no.6 is for a ground floor wet room which could be conditioned to be obscure glazed and fixed shut below 1.8m. The proposal does not compromise the 45 degree line of sight from the first floor rear windows. However given the depth of the rear projection beyond the adjacent property, if all other aspects of this proposal were considered acceptable, a condition would be required to remove permitted development rights for further extensions, to ensure the preservation of the level of amenity to the neighbouring property.

To the south of the new dwelling the rear of the proposed dwelling is in line with the rear of the main dwelling of no. 2 and set back from the rear of the single storey side and rear extensions. It is set back 2.5m from the side wall of the single storey element (just 1.2m from the side boundary). It is noted there are windows on the side elevation of no. 2 facing the application site. The first floor windows are set back 9.35m from the proposed flank wall of the new dwelling; however the ground floor windows, although not significantly impacted by the proposed dwelling, now face a 1.8m high boundary fence set 1.1m away. However there is no indication that these windows serve habitable rooms. There is a garage to the front and there are additional windows to the rear. There are no proposed side windows facing no.2.

In order to protect privacy, the design of the 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. It is not considered that the proposed dwelling increases overlooking to that already experienced from the adjacent two storey buildings. The impact on the amenities of the neighbouring properties is therefore considered to be satisfactory.

As such it is not considered that the proposal is an un-neighbourly form of development and complies with the requirements of Policies BE20, BE21 & BE24 of the Hillingdon Local Plan Part 2 Saved 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 intends to adopt the new national technical standards through a minor alteration to The London Plan. This alteration is in the form of the Housing Standards Policy Transition Statement and it sets out how the existing policies relating to Housing Standards in The London Plan should be applied from October 2015. Appendix 1 of the Transition Statement sets out how the standards stemming from the policy specified in the 2012 Housing SPG should be interpreted in relation to the national standards.

The London Plan Transition Statement 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. The propose dwelling has floor are of 144.5sqm in excess of the minimum requirements and therefore is considered acceptable. All bedrooms exceed the minimum area requirements.

It is considered that all the proposed habitable rooms, would have an adequate outlook and source of natural light, and therefore comply with the SPD: New Residential Layouts: Section 4.9.

The proposal provides 105sqm of usable private amenity space in excess of the Council's adopted standard. The proposal therefore complies with policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). Concern has been raised regarding the loss of a rear garden for no. 2 as a result of this proposal. However this property has a large fully enclosed side garden to the south of the property providing in excess of 350sqm of usable private amenity space. If the scheme had been found acceptable a condition would be recommended to secure the maintenance of the landscaping, or other suitable means of



boundary treatment, along the frontage with the public footpath to ensure the garden area for number 2 remains private.

Concern has been raised that the proposal identifies 2 study rooms which should be considered as additional bedrooms. Only one has sufficient space to be considered as a single bedroom and given the scale of proposal, would still meet the above requirements for a four bedroom property.

#### **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 the proposed development is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards. These require a provision of 2 spaces per dwelling.

The proposed dwelling is served by an integral garage with a further space to the front. The Highway Officer has raised no objection in principle to the proposed access alterations to and from the public highway. However he has advised that minor changes would be required to slightly reduce the width of the crossover to an acceptable standard. Therefore subject to a slight revision of these plans, the proposal would be acceptable. A refusal on highway grounds is not recommended and could not be substantiated on appeal, as this matter can be controlled by planning condition, in the event that permission is granted.

#### **7.11 Urban design, access and security**

Secured by Design is now covered by Part Q of the Building Regulations.

The proposed garden area to number 2 would sit alongside the public footpath. If the scheme had been found acceptable a condition to secure suitable boundary treatment along this frontage would be recommended.

#### **7.12 Disabled access**

The Access Officer has not raised any objections to the proposal. If the scheme had been found acceptable a condition would be recommended to secure the development was built to M4(2) in accordance with Policy 3.8 c of the London Plan.

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

Not applicable to this application

#### **7.14 Trees, Landscaping and Ecology**

Although the site is covered by TPO 99, no protected trees remain on the site and there are none which merit a protection order. The plans indicate the retention of the north boundary hedge and the retention or replacement of the front boundary hedge with a new site entrance at the southern end of the boundary. The site layout provides space and opportunity to provide appropriate amenity space and an attractively landscaped site, which could compliment the landscape character of the area. The landscape officer has raised no objections to the proposal subject to the submission of an appropriate landscape scheme, which could be conditioned if all other aspects of the proposal were acceptable.

#### **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 issues raised have been addressed appropriately in the report.

**7.20 Planning Obligations**

The proposal would not necessitate the provision of planning obligations, however based on the information before officers at this stage it would be liable for payments under the Community Infrastructure Levy.

**7.21 Expediency of enforcement action**

Not Applicable.

**7.22 Other Issues**

None.

**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**

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene, and BE19 states the LPA will seek to ensure that new development within residential areas compliments or improves the amenity and the character of the area.

The proposed dwelling is not acceptable in design terms and would result in a bulky and incongruous addition to the street scene to the detriment of the Area of Special Local Character.

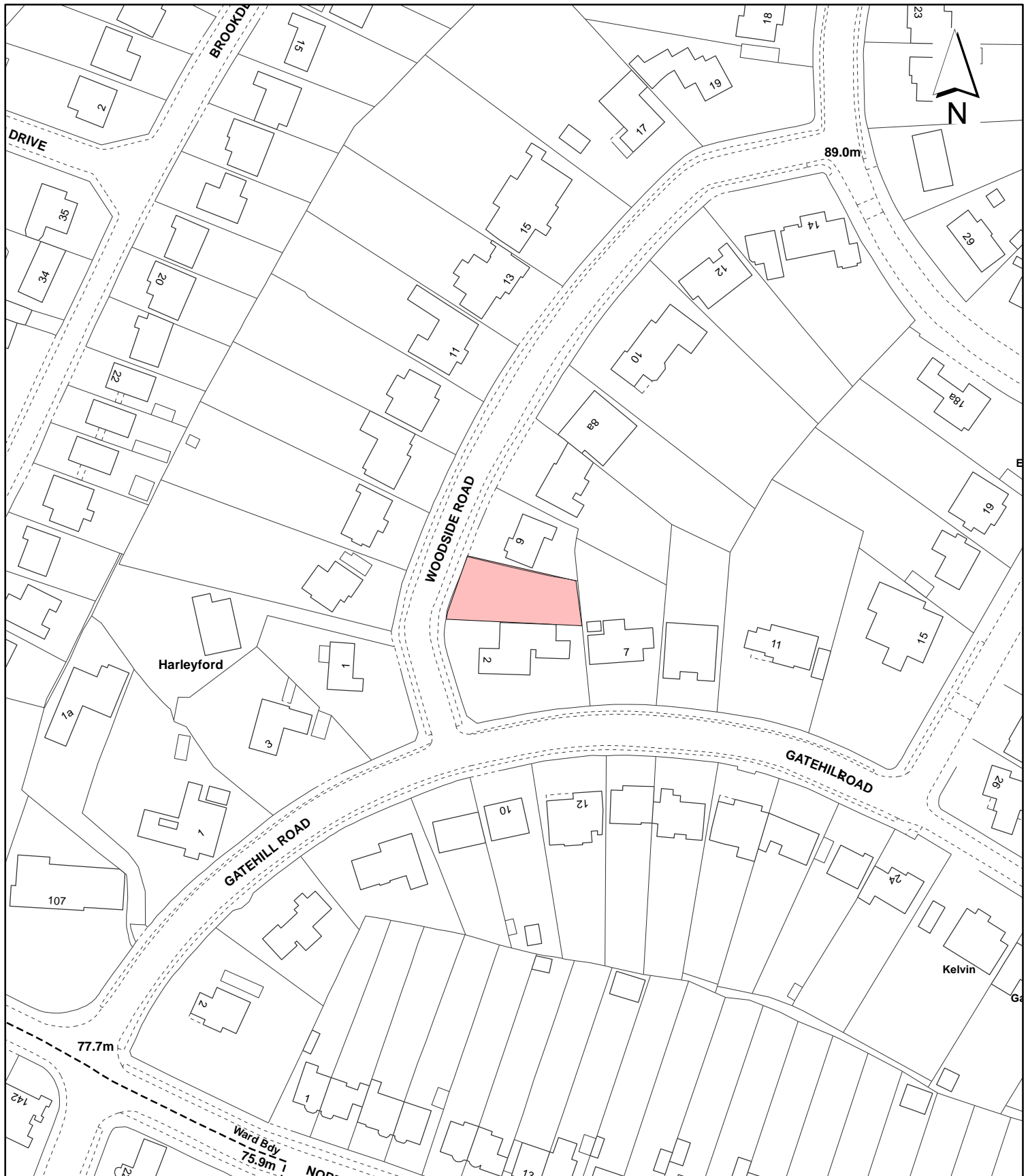
The proposal fails to comply with with policies BE5, BE6, BE13, BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and is therefore recommended for refusal.

#### **11. Reference Documents**

Hillingdon Local Plan Part 1 - Strategic Policies (November 2012)  
Hillingdon Local Plan Part 2  
The London Plan (2015)  
Supplementary Planning Document 'Accessible Hillingdon'  
National Planning Policy Framework

**Contact Officer:** Liz Arnold

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**Notes:**

 Site boundary

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Site Address:

**Land Between  
 2 & 6 Woodside Road**

**LONDON BOROUGH  
 OF HILLINGDON**

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

Planning Application Ref:  
**70377/APP/2015/3826**

Scale:  
**1:1,250**

Planning Committee:  
**North**

Date:  
**January 2016**



**HILLINGDON**  
 LONDON