Report of the Head of Planning, Sport and Green Spaces

Address 27A & 27B DALEHAM DRIVE HILLINGDON

Development: Retention of 2 semi-detached dwelling houses (Retrospective Application)

LBH Ref Nos: 67783/APP/2015/4003

Drawing Nos: Location Plan (1:1250)

P08/06/130 (For Information Only

CL/15/213/GFFD CL/15/213/ED CL/15/213/LRD

P08/06/110 Rev. A (For Information Only P08/06/120 Rev. A (For Information Only

Design and Access Statemen

CL/15/213/PSP

Date Plans Received: 28/10/2015 Date(s) of Amendment(s): 02/11/2015

Date Application Valid: 28/10/2015

DEFERRED ON 6th January 2016 FOR SITE VISIT.

This application was deferred at the Committee meeting of the 6 January 2016 for members to visit the site. The site visit took place on the 2 February 2016.

1. SUMMARY

This application seeks retrospective consent for the retention of two semi detached dwellings at 27A and 27B Daleham Drive. During the construction of the dwellings, a number of alterations were made to the approved scheme, which included alterations to the roof form, changes to the fenestration locations, materials used in the construction of the buildings, location of the entrances and a reduction in the amount of soft landscaping to the front.

The alterations to the approved scheme have been considered in the context of the site and surrounding street scene, and are considered unacceptable. The addition of gable end roofs to each of the dwellings and all of the elevation alterations combined, result in a development that appears visually at odds and incongruous to the established character and pattern of development within Daleham Drive. The scheme thereby fails to comply with the adopted policies and guidance.

Refusal is therefore recommended.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Refusal - Bulk, scale design

The dwellings as proposed to be retained include gable end features to their roof design which are uncharacteristic and add unacceptable bulk; centrally located front entrances that are visually at odds with the established local character; and external materials, finishes and fenestration that are uncharacteristic of the local character. The development

as built appears wholly incongruous in its setting and fails to harmonise or complement the character, appearance, design, form and finish of the surrounding built environment and street scene. Further, the amount of hard landscaping to the front area of the dwellings, results in a scheme dominated by hard surfacing and built form, which would be uncharacteristic in the context of the site and surrounding area. Overall, it is considered for the reasons given, that the proposed development would be contrary to the National Planning Policy Framework, Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE19 and BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5 and 7.4 of the London Plan(2015) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

INFORMATIVES

1 | 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 (July 2011) 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.
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.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
H4	Mix of housing units
H5	Dwellings suitable for large families
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement,
	Supplementary Planning Document, adopted July 2006
LPP 3.3	(2015) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2015) Quality and design of housing developments
LPP 3.8	(2015) Housing Choice
LPP 7.2	(2015) An inclusive environment

LPP 7.4 (2015) Local character

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. 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 at the far end of Daleham Drive, to the rear of 22, 22A and 24 Dickens Avenue. Prior to its redevelopment with two dwellinghouses, the land was last used as a residential garden for properties on Dickens Avenue.

The surrounding area consists mainly of two storey semi detached dwellinghouses, although the properties immediately to the west of the site are semi detached bungalows.

3.2 Proposed Scheme

This application seeks retrospective consent for the retention of two semi detached properties at 27A and 27B Daleham Drive. During construction, a number of alterations were made to the approved scheme (reference 67783/APP/2011/1077), which are as follows:

- 1. The number of bedrooms within the dwelling has increased from 2 to 3;
- 2. The roof form has been altered on both dwellings from a hip to gable end;
- 3. The eaves of both buildings have increased by 400mm from the approved scheme and the overall height of the buildings to the ridge has increased by 300mm;
- 4. Four rooflights have been added in the front roof slope of the building;
- 5. The height and design of the rear addition to both buildings has altered from a glazed conservatory style structure to brick/render addition;
- 6. The materials used in the construction of the dwelling are not as approved;
- 7. The location of the front doors to both properties has moved to a central location instead of the outer edges of the buildings;
- 8. The internal layout of both buildings has been altered and this has resulted in alterations to the size and location of the fenestration on all elevations of the buildings;
- 9. The landscaping to the front has not been implemented in accordance with the approved details.

As a result of the above alterations to the approved scheme, the applicant has sought to regularise these changes through the submission of this application, and consent is now sought to retain the buildings as constructed on site.

3.3 Relevant Planning History

67783/APP/2011/1077 Land Rear Of 22, 22a & 24 Dickens Avenue Hillingdon

2 x two storey, 2-bed, semi-detached dwellings with associated parking and amenity space and installation of vehicular crossover

Decision: 13-12-2011 Approved

67783/APP/2012/284 Land Rear Of 22, 22a & 24 Dickens Avenue Hillingdon

Approval of details reserved by conditions 3, 4, 5, 8, 9, 20, 22 and 25 of application reference 67783/APP/2011/1077 dated 15/12/2011 (2 x two storey, 2-bed, semi-detached dwellings with associated parking and amenity space and installation of vehicular crossover).

Decision: 05-04-2012 Approved

Comment on Relevant Planning History

67783/APP/2011/1077 - Planning permission was granted for the erection of two semidetached, two-bedroom dwellings fronting Daleham Drive. Two off-street parking spaces and 1 cycle space per dwelling were provided.

67783/APP/2012/284 - This application approved details of the materials, boundary treatments, tree protection, construction management and levels.

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.
BE23	Requires the provision of adequate amenity space.
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LPP 7.2	(2015) An inclusive environment
LPP 7.4	(2015) 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

29 residents were notified of the application and a site notice was displayed at the entrance to the site.

6 objections were submitted and a petition was also received with 33 signatories.

The comments received by residents to the application are summarised as follows:

- Permission was granted for 2 x 2 bed properties, however 2 x 4 bed properties were constructed, windows were also added where not approved and landscaping not carried out in accordance with approved details. The scheme has therefore not been implemented in accordance with the approved plans.

The objections raised within the petition are as follows:

- The properties contravene the planning application and retrospective consent be rejected;
- The consent was for 2 x 2 bed properties, not the 4 bed properties that have been constructed;
- The builder has removed/damaged protected trees within the boundary of the site;
- The completed houses had no sewerage or water drainage initially;
- There are many things wrong with the application and the petitioners demand the Council refuse the retrospective consent.

Internal Consultees

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The principle of using this site for residential development has been established through the previous applications on this property.

7.02 Density of the proposed development

Not applicable to the consideration of this application.

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

Not applicable to the consideration of this application.

7.04 Airport safeguarding

There are no airport safeguarding issues associated with this application.

7.05 Impact on the green belt

Not applicable to the consideration of this application as the site is not located within the green belt.

7.07 Impact on the character & appearance of the area

The National Planning Policy Framework (NPPF) advises the Government to attach great importance to the design of the built environment stating that developments should be visually attractive as a result of good architecture. The NPPF advises that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Policy 3.5 of the London Plan states that the design of all new housing developments should enhance the quality of local places, taking into account physical context and local character and Policy 7.4 states that buildings, should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass, and allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area is informed by the surrounding historic environment.

Policy BE1 of the Hillingdon local Plan: Part One - Strategic Policies states that the Council will require all new development to improve and maintain the quality of the built environment. This policy seeks to ensure that all new development achieves a high quality of design which enhances the local distinctiveness of the area, are designed to be appropriate to the identity and context of the buildings, and make a positive contribution to the local area in terms of layout, form, scale and materials, and seek to protect the amenity of surrounding land and buildings.

Policy BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved Policies state that development will not be permitted if the appearance fails to harmonise, complement or improve the existing street scene or other features of the area that the Local Planning Authority considers it desirable to retain or enhance.

The existing approval (reference 67783/APP/2011/1077) sets a baseline of a form of development that the Council has found to be acceptable for this site. The main issues for consideration of this application are whether the proposed alterations to the approved scheme, which include the addition of gable ends, increase in the height of the dwellings, centrally located entrances and materials that contrast with the surrounding built form, would be appropriate in the context of the surrounding area.

The surrounding area is predominantly residential in character and consists mainly of two storey semi detached dwellinghouses, with hipped roofs, brick facades and entrances located adjacent to the edges of the building. The approved scheme

(67783/APP/2011/1077) was for two dwellinghouses, which in terms of their detailed design and form, complemented the built form, character and appearance of the surrounding street scene. In terms of the alterations to the detailed design of the dwellings with the addition of gable ends, centrally located entrances and red brick construction, these are considered wholly unacceptable in the context of the surrounding street scene.

Within Daleham Drive, gable end roofs are not a specific characteristic or feature of the street scene. Part of the established character and appearance of this road, is the largely uniform and modest proportions, design and form of the dwellings. Similarly, the altered location of the entrance to both properties, so that this is central, rather than sited at the edges of each dwelling, is at odds with the predominant design and appearance of the dwellings in the road.

In respect of the alterations to the roofs of each dwelling, it is noted that reference has been made to properties within adjoining streets that have gable ends, specifically those in Dickens Avenue to the south and Craig Drive to the north. However, given the siting of the dwelling, and main entrance to these properties being from Daleham Drive, the building is read more within the context and setting of the dwellings within Daleham Drive rather than the adjacent roads. The alterations to the two dwellinghouses, introducing gable ends to both and centrally locating the entrances, appears wholly incongruous and visually at odds with the established character of development, and adds unacceptable massing to each. The dwellings that have been constructed are considered to present a development that fails to harmonise or complement the character, appearance and form of the surrounding built environment.

The incongruous nature of the dwellings is further emphasised through their design and finish, and alterations to the elevations. Application 67783/APP/2012/284 approved materials for the development, and it was proposed for the dwellings to be constructed from Weinerberger 'Hurstwood Multi', which was similar to the bricks used within the construction of the other houses within the surrounding roads. The 'as built' properties are constructed from a red/orange brick, which contrasts to the subdued and neutral palette of the road, and therefore fails to match any property within the surrounding area. The windows in the elevations have also been reduced in size and altered in their location, with most of the brick detailing that was previously proposed, deleted. To the rear, the alterations to the rear addition and siting/size of the windows result in an extension which appears to dominate this elevation to an unacceptable degree. All of these alterations to the approved scheme only serve to highlight the unacceptable bulk, scale, massing and uncharacteristic nature of the alterations to the approved development.

With regards to the increase in the eaves and ridge height of the building, when considered on their own merits, the modest increases in both are not considered unacceptable. However, when considered in relation to all of the other alterations to the dwellings as built, such as the siting of the fenestration within the elevations and alterations to the brick work, such increases only serve to emphasise the unacceptable scale and design of the buildings, and emphasise the incongruous nature of the altered elements.

Overall, the application fails to comply with the Councils adopted Policies and Guidelines.

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 daylight/sunlight (Policy BE21) and privacy (Policy BE24) are also assessed.

Paragraph 4.9 of the SPD, the Hillingdon Design & Accessibility Statement: Residential Layouts (July 2006) further advises that all residential developments and amenity spaces should receive adequate daylight and sunlight and that new development should be designed to minimise the negative impact of overbearing and overshadowing. Generally, 15m will be the minimum acceptable distance between buildings. Furthermore a minimum of 21m overlooking distance should be maintained.

Paragraph 4.11 of HDAS Residential Layouts states that the 45° principle will be applied to new development to ensure the amenity of adjoining occupiers and future occupiers are protected. Paragraph 4.9 states that a minimum acceptable distance to minimise the negative impact of overbearing and overshadowing is 15m. Paragraph 4.12 requires a minimum of 21m distance between facing habitable room windows to prevent overlooking and loss of privacy. Policy BE21 states that planning permission will not be granted for new buildings which by reason of their siting, bulk and proximity would result in significant loss of residential amenity.

The siting of the dwellings as constructed has not altered from the approved scheme, and therefore in terms of the separation distances, these remain acceptable and as consented previously. The development is sited approximately 22 metres from front windows of 29 Daleham Drive, 26 metres from rear windows of 27 Daleham Drive, 20 metres from the rear of 24 Dickens Avenue and 21 metres from the rear of 22A Dickens Avenue.

7.09 Living conditions for future occupiers

INTERNAL FLOOR SPACE

In terms of the size of the units, it is noted that the completed houses have been marketed as 4 bed units. Notwithstanding such, the London Plan classifies a room above 7.5sqm as a single bedroom and 11.5sqm as a double room. The room sizes within the dwellings have been measured and three of the rooms on the first and second floors exceed 7.5sqm. These are therefore counted as bedrooms within the buildings as could be used for such, and include the two rooms labelled as 'bedrooms' on the first floor and the 'playroom' on the second floor, which has a floor area of 31sqm.

The London Plan (March 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. This scheme provides 2 x three storey 3 bed houses. The London Plan standards for the accommodation proposed is as follows:

3-bed 5-person - 102 sq.m

The gross internal floorspace of both dwellings would be in excess of these requirements at 121.7 sq.m. In terms of the internal layout of the proposed units, these are generally considered acceptable and therefore the level of residential amenity provided for future occupiers would be considered to be in accordance with Policy 3.5 of the London Plan.

EXTERNAL AMENITY SPACE

The Hillingdon Local Plan: Part Two Policy BE23 states that new residential buildings should provide or maintain external amenity space which is sufficient to protect the amenity

of existing and future occupants which is useable in terms of its shape and siting. Developments should incorporate usable, attractively laid out and conveniently located garden space in relation to the dwellings they serve. It should be of an appropriate size, having regard to the size of the units and character of the area.

In terms of the garden space requirements, these units would require 60 sq.m of amenity space to be provided. The development provides a private garden area of approximately 197 sq.m and 104 sq.m respectively. The amenity space for both houses is in line with Council's minimum standard of 60 sq. m.

It is noted that one of the garden areas would be partially covered with protected trees and the number and size of the trees would mean that a significant amount of this garden would taken up with tree trunks (i.e. not useable) and that much of it would be shaded. Having reviewed the previous application, it was considered that the garden space would be attractive, and on balance given that there is a desire to keep the protected trees, it is considered that the compromise in terms of the functionality of the garden in this instance would on balance not cause such harm to the future residential amenity of occupiers as to warrant refusal.

The amenity space detailed is therefore considered to comply with the Councils adopted policies and guidance.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

London Plan policy 6.1 seeks to ensure that the need for car use is reduced and Table 6.2 sets out the parking requirements for developments.

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.

Given the PTAL of the site, the development would be expected to provide two off street parking spaces for each unit. Little alteration has been made to the size of the front garden area and the parking is as approved to which no objection was raised within the previous scheme.

7.11 Urban design, access and security

See section 7.07.

7.12 Disabled access

The dwellings have been constructed in accordance with the relevant standards.

7.13 Provision of affordable & special needs housing

Not applicable to the consideration of 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.

There are several trees on and close to the site, including four with Tree Preservation Orders. As the buildings have been constructed, and this application seeking to retain the

alterations to the approved scheme, the proposals are not considered to have a detrimental impact on the trees within the site.

Notwithstanding such, there are concerns with the lack of landscaping present, particularly within the parking area to the front, which is dominated by hardstanding. The approved scheme and subsequent details submitted and approved as part of the discharge of conditions application for the site, included a comprehensive hard and soft landscaping proposal. The proposed landscaping for the site included the addition of soft landscaping to an area adjacent to the western boundary at the front of the site and a large area of planting along the front of the dwelling, specifically between the two front doors. The revised layout and design of the buildings is such that the landscaping proposed to the front of the dwellings cannot be implemented and no revised proposals have come forward as part of this application. Further, the area along the front boundary of the site, has been paved with no soft landscaping introduced.

The result of the altered design of the development is a site dominated by hard landscaping to the front, which does little to soften or enable the development to harmonise with the surrounding street scene.

7.15 Sustainable waste management

Not applicable to the consideration of this application.

7.16 Renewable energy / Sustainability

Not applicable to the consideration of this application. This as addressed within the original consent for the site.

7.17 Flooding or Drainage Issues

The site is not located with in a flood risk zone area. There are no flooding issues relating to the site. A condition was added to the previous consent to secure Sustainable Urban Drainage and this was discharged within application 67783/APP/2012/284.

7.18 Noise or Air Quality Issues

The site is located within a largely residential area. It was considered within the approval for the site that the addition of two dwellinghouses would not give rise to noise over and above that which would be expected from a typical residential use. The addition of one further bedroom in each unit is not considered to create a significant increase in noise or disturbance sufficient to justify refusal.

7.19 Comments on Public Consultations

The comments raised by residents have been addressed within the main body of the report

7.20 Planning obligations

Not applicable to the consideration of this application.

7.21 Expediency of enforcement action

The relevant enforcement action will be considered by the Council separately.

7.22 Other Issues

There are no other issues for consideration with 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

Not applicable to the consideration of this application.

10. CONCLUSION

The alterations to the approved scheme have been considered in the context of the site and

surrounding street scene, and are considered unacceptable. The addition of gable end roofs to each of the dwellings and all of the elevation alterations combined, result in a development that appears visually at odds and incongruous to the established character and pattern of development within Daleham Drive. The scheme thereby fails to comply with the adopted policies and guidance.

11. Reference Documents

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

HDAS: Residential Layouts
The London Plan 2015

The Mayor's London Housing Supplementary Planning Document

National Planning Policy Framework

Contact Officer: Charlotte Goff Telephone No: 01895 250230



Notes:



Site boundary

For identification purposes only.

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Site Address:

27A and 27B Daleham Drive Hillingdon

Planning Application Ref: 67783/APP/2015/4003 Scale:

1:1,250

Planning Committee:

Central and South

Date:

February 2016

LONDON BOROUGH OF HILLINGDON Residents Services

Planning Section

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