

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

**Address** 2 LINKSWAY NORTHWOOD

**Development:** Part two storey, part first floor side extension, single storey rear extension, conversion of double garage to habitable use, installation of canopy to front and raising of roof to allow conversion of roof space to habitable use to include 3 rear dormers, 1 front dormer and 2 new gable end windows to front (Part Retrospective)

**LBH Ref Nos:** 36910/APP/2016/3323

**Drawing Nos:** A102  
A201  
A202  
A203  
A101

**Date Plans Received:** 02/09/2016

**Date(s) of Amendment(s):**

**Date Application Valid:** 09/09/2016

### 1. CONSIDERATIONS

#### 1.1 Site and Locality

The site is a triangular corner plot which separates Copse Wood Way (to the west) from Linksway (to the east), located at the northern end of Linksway.

Prior to its redevelopment, No. 2 Linksway was one of the original dark red brick houses on the estate, designed to face the corner of Linksway and Copse Wood Way, of modest size, vernacular design and surrounded by mature trees. The site has since been extended to the north and south with two storey extensions.

The site has an existing vehicular access located at the southern end of the curtilage, with access taken from Linksway. A large grass verge is located immediately north of the site at the junction between Linksway and Copse Wood Way.

To the south of the site is No.4 Linksway, a two storey detached property and to the rear of the site is No.3 Copse Wood Way, which is also a two storey detached dwelling.

The site forms part of Copsewood Estate Area of Special Local Character as set out within the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), and is also covered by Tree Preservation Order 391.

#### 1.2 Proposed Scheme

This application seeks consent for a number of alterations to the 'as built' scheme. The applicant has implemented application 36910/APP/2015/621 on the site, which granted consent for a "Part two storey, part first floor side extension, single storey rear extension, conversion of double garage to habitable use, installation of canopy to front and raising of roof to allow conversion of roof space to habitable use to include 3 rear dormers, 1 front

dormer and 2 new gable end windows to front".

During the construction of these extensions on the site, the Council was informed that the development was not being built in accordance with the approved plans. Following a visit by the Councils Enforcement Team, it was identified that there were a number of internal and external discrepancies between the approved scheme and the extensions being constructed on site. A full survey of the building has been carried out by the Architect and the plans detail that the following amendments have been carried out to the approved scheme:

1. Eaves height of the extension has increased from 4.5 metres to 5.4 metres - Increase of 0.92 metres;
2. Ridge height of the extension has increased from 8.7 metres to 9.5 metres - Increase of 0.8 metres;
3. Width of the ground and first floor extensions has decreased by approximately 1.2 metres, the ground floor extensions are now set off the boundary by 1.3 metres;
4. The height of the single storey additions have increased from 2.9 metres to 3.4 metres;
5. Size of the first floor rear windows have increased in width and height;
6. Internal alterations have occurred on the ground, first and second floors. The most relevant are the alterations to the first and second floors as the location of bathroom and bedroom windows has altered.

### 1.3 Relevant Planning History

36910/APP/2012/1981      2 Linksway Northwood

Two storey, detached, 7-bed dwelling with habitable roofspace and detached single storey garage involving the demolition of the existing detached dwelling and detached garage

**Decision Date:** 18-10-2012      Withdrawn      **Appeal:**

36910/APP/2013/107      2 Linksway Northwood

Two storey, detached, 6-bedroom, dwelling involving the demolition of the existing detached dwelling and detached garage

**Decision Date:** 26-06-2013      Withdrawn      **Appeal:**

36910/APP/2013/2338      2 Linksway Northwood

Two storey, 5-bed, detached dwelling with habitable roofspace involving demolition of existing dwelling.

**Decision Date:** 25-03-2014      Refused      **Appeal:**22-JUL-14      Dismissed

36910/APP/2014/2869      2 Linksway Northwood

Two storey, 5-bed, detached dwelling with habitable roofspace involving demolition of existing dwelling

**Decision Date:** 05-02-2015      Approved      **Appeal:**

36910/APP/2014/3930      2 Linksway Northwood

Part two storey, part first floor side extension, single storey rear extension, conversion of double garage to habitable use, raising of roof to allow conversion of roof space to habitable use to include 3 x rear dormer and 1 x front dormer and 2 new gable end windows to front and installation of canopy to front

**Decision Date:** 10-02-2015      Approved      **Appeal:**

36910/APP/2015/1797      2 Linksway Northwood

Details pursuant to discharge condition Nos. 4 (Site Levels) and 6 (Method Statement) of planning permission Ref: 36910/APP/2015/621 dated 28/04/2015 (Part two storey, part first floor side extension, single storey rear extension, conversion of double garage to habitable use, installation of canopy to front and raising of roof to allow conversion of roof space to habitable use to include 3 rear dormers, 1 front dormer and 2 new gable end windows to front)

**Decision Date:** 01-07-2015      Approved      **Appeal:**

36910/APP/2015/621      2 Linksway Northwood

Part two storey, part first floor side extension, single storey rear extension, conversion of double garage to habitable use, installation of canopy to front and raising of roof to allow conversion of roof space to habitable use to include 3 rear dormers, 1 front dormer and 2 new gable end windows to front

**Decision Date:** 28-04-2015      Approved      **Appeal:**

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

There are a number of planning applications associated with this site.

The most relevant previous applications are:

36910/APP/2014/3930 - Part two storey, part first floor side extension, single storey rear extension, conversion of double garage to habitable use, raising of roof to allow conversion of roof space to habitable use to include 3 x rear dormer and 1 x front dormer and 2 new gable end windows to front and installation of canopy to front. Approved at committee 10.02.2015.

Planning application 36910/APP/2014/2869 - Two storey, 5-bed, detached dwelling with habitable roofspace involving demolition of existing dwelling. This application was referred to the North Planning Committee on 21st January 2015 with a recommendation for refusal. However Councillors overturned the Officer's recommendation and approved the scheme, considering that the design, scale and siting of the building was acceptable within the street scene and in terms of its impact on the neighbouring properties.

Also of relevance also to the consideration of the application are the following applications:  
- 36910/APP/2013/2338 - application for the demolition of the existing house and garage and erection of a new 5 bed detached dwelling. This application was refused at planning committee.

This applicant appealed this planning decision, however the scheme was dismissed on appeal on the 22nd July 2014. Within the appeal decision, the Inspector made the following comments:

1. The proposals mass would change the character of the site from one within which a house nestles amongst trees to one where built development would become the sites dominant feature.
2. The existing house fits comfortably in the site and any replacement dwelling should be appropriately scaled in order for it to be respectful of the character of the surrounding area
3. The proposed house would be unduly dominant and would fail to be respectful of the area's character, resulting in unacceptable harm being caused to its appearance.

4. Whilst the scheme is not considered to cause an unacceptable loss of privacy for either the occupiers of No. 3 or occupiers of the proposed house, there is concern that the proposed dwelling would have an overbearing impact, and result in a loss of outlook in the south eastern of No. 3.

As a result, the Inspector considered that the proposal would have a harmful effect on the character and appearance of the area and the outlook for the occupiers of No. 3 Copse Wood Way and dismissed the appeal.

## **2. Advertisement and Site Notice**

2.1 Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- Not applicable

## **3. Comments on Public Consultations**

5 comments were received which raised the following concerns:

1. The height of the extension is now the same as application 36910/APP/2013/2338. The appeal was rejected on the grounds that the development would be overbearing in nature, this submission should therefore be refused;
2. The development needs to comply with the approved plans;
3. The roof space is already habitable and overlooks No. 3 Copsewood Way, no further applications should be permitted on this site;
4. The application includes work to 4 Linksway, the plans do not show the correct boundaries and a passageway should remain between the site;
5. Concern with drainage pipes, inspection chambers, gas flue, rainwater down pipes and rear patio.

OFFICER COMMENTS - In respect of comment 4. The plans of the 'as built' scheme correct the site boundary for the property, and show the extensions retaining the gap between No. 2 and No. 4.

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

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.HE1 (2012) Heritage

Part 2 Policies:

AM14 New development and car parking standards.

AM7 Consideration of traffic generated by proposed developments.

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.
BE5	New development within areas of special local character
BE6	New development within Gate Hill Farm and Copsewood Estates areas of special local character
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2016) Quality and design of housing developments
LPP 7.4	(2016) Local character
LPP 7.6	(2016) Architecture
LPP 7.8	(2016) Heritage assets and archaeology

## 5. MAIN PLANNING ISSUES

The main issues for consideration in determining this application relate to the effect of the alterations on the character and appearance of the original dwelling, and the impact on the visual amenities of the surrounding area, the impact on residential amenity of the neighbouring dwellings.

### CHARACTER AND APPEARANCE

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seek to ensure that new development complements and improves the character and amenity of the area. Policy BE5 requires new developments within Areas of Special Local Character to harmonise with the materials, design features, architectural style and building heights predominant in the area.

This is a prominent key site at the entrance to the Estate and the surrounding area, is characterised and defined by large detached dwellings set within spacious plots.

In respect of the 'as built' alterations to the building, it is noted that the width of the extensions has decreased, to which no objection is raised. This has brought the ground and first floor away from the boundary with No. 4 Linksway to ensure that the works do not encroach on land within the ownership of No. 4. Similarly, no objections are raised to the alterations to the ground floor fenestration, which by virtue of its location, would not detract from the appearance of the building within the street scene.

Notwithstanding such, there are concerns with regards to the alterations that have occurred to the height of the extensions. The eaves and ridge of the extension has increased from 4.5 metres to 5.4 metres once built and the ridge height has increased

from 8.7 metres to 9.5 metres. These substantial increases in the overall height of the building have meant that the roof, dormers and first floor windows, appear more prominent in view from the surrounding area.

Within the appeal decision for a replacement dwelling on this site (APP/R5510/A/14/2217522), the Inspector described the character of the immediate area of consisting of "...dwellings of individual design, set within spacious plots". The Inspector considered that a replacement dwelling of approximately 9.8 metres in height and 23.3 metres in width would possess a much greater mass than the existing dwelling. Paragraph 6 of this decision is of particular relevance to the consideration of this case and states:

"The proposal's mass would change the character of the site from one within which a house nestles amongst trees to one where built development would become the site's dominant feature. The proposed house would therefore not be well proportioned when viewed from within Linksway and would be visible, given that the bases of the trees' crowns are between 2.0 and 3.0 metres above the site's ground level...The excessive mass of the proposed development would be accentuated by its corner location, exposing it to views from both Linksway and Copse Wood Way".

Whilst it is noted that the overall width of the 'as built' extensions are less than that of the appeal scheme (21.6 metres), the 'as built' height of the building is only 0.3 metres below that of the appeal scheme. When visiting the site, it was apparent that the development is highly prominent in view from Linksway and Copse Wood Way, by virtue of its height, design and finish. The increase in the height and scale of the roof, in combination with its prominent corner location, is therefore considered to result in a development which dominates the street scene to an unacceptable degree, and detracts and conflicts with the modest proportions and form of the existing development adjacent.

The unacceptable scale and massing of the development now built is further emphasised by the disproportionate increase in the height of the single storey additions to the side and rear. These have increased by 0.5 metres and now extend close to the cill level of the enlarged first floor windows. The result of such, is that the proportions of the building appear visually at odds with the scale and form of the host building and dominate the ground floor to an unacceptable degree. These also make these additions more prominent in view from surrounding properties/street scene and result in the elevations appearing cramped and contrived in form.

The first floor windows on the rear elevation have been enlarged and are now proposed to match the size of those in the other elevations of the dwelling. From a design perspective, it is considered that the enlarged first floor windows appear more in keeping with the overall design and appearance of the dwelling, and help to break up the massing of the rear elevation of the building. Notwithstanding such, there are concerns in respect of the impact of these windows on the adjoining residents, which will be assessed in later paragraphs of this report.

Overall, the 'as built' alterations to the height of the approved extensions are considered unacceptable. The resultant scale and massing of the extensions are considered to dominate the prominent corner setting to an unacceptable degree. The alterations would detract from, and fail to harmonise with, the character, form and modest scale of development within the surrounding street scene and Area of Special Local Character to the detriment of the building's appearance. The scheme would thereby be contrary to Policies 3.5 and 7.4 of the London Plan, policy BE1 of the Hillingdon Local Plan: Part One -

Strategic Policies, BE5, BE13 and BE19 of the Hillingdon Local Plan - Saved policies and HDAS ' Residential Extensions'.

#### NEIGHBOUR IMPACT

HDAS Residential Extensions states that the 45° principle will be applied to extensions to ensure the amenity of adjoining occupiers and future occupiers are protected. A minimum of 21m distance between facing habitable room windows to prevent overlooking and loss of privacy is required. 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 extensions are located approximately 10 metres away from the side flank wall of No. 3 Copse Wood Way to the west of the site. No.3 Copse Wood Way has windows in the side elevation which face towards the rear elevation of the proposed dwelling, however these are obscure glazed and of a secondary nature including a narrow bedroom window and staircase. Whilst the extensions as altered would not breach the 45 degree guideline when taken from the rear elevation of No.4 Linksway, there are however concerns with the visual impact of the 'as built' extensions following the increase in the size of the extensions, and overlooking which can occur to the garden area of the neighbour.

Within application 36910/APP/2015/621, to which this application seeks amendments, the presence of windows on this rear elevation was not considered to result in a loss of privacy given the orientation of the windows in the proposed extension relative to those within No. 3 Copse Wood Way. Further, a number of the windows at first and second floor served ensuite bathrooms and were therefore to be obscurely glazed.

The main changes between this application and those previous, is that the internal layout of the first and second floors of the extensions has altered, meaning that the dormer and first floor rear windows serve bedrooms. The location of the bathrooms on this elevation has also altered meaning that the windows most prominent in view from No. 3 Copse Wood Way, would not be obscurely glazed.

Of relevance to the consideration of this alteration is an appeal decision on the opposite side of Copse Wood Way. An appeal at Woodlands, Northgate to the north west of No. 2 Linksway presented a scheme with a similar set of circumstances in relation to the impact on the neighbour to the rear. Within this appeal decision (APP/R5510/D/16/3151565) the Inspector considered the impact on No. 4 to the south of the application site and specifically the impact on the privacy of this neighbour. No. 4 Copse Wood Way is positioned at an angle to Woodlands and has a relatively small enclosed garden. Within this scheme, the rear extension extended closer to the boundary between the two dwellings resulting in a separation distance between the rear of the application dwelling and boundary of 8-9 metres. It was not considered that the angles between the two sites would give rise to a loss of privacy to the occupants of No. 4 Copse Wood Way when they were inside their dwellings. However, the Inspector considered that the reduction in the separation distance between the appeal site and garden of No. 4 would result in an increased threat to their privacy when they were in their garden, as the bedroom windows on the rear elevation of the application dwelling would face directly towards the amenity space of No. 4. The appeal was dismissed on the grounds that the scheme would be detrimental to the occupiers enjoyment of their property and garden.

A very similar set of circumstances exist between No. 2 Linksway and No. 3 Copse Wood Way. The extensions at No. 2 bring the building within 8-9 metres of the boundary with No.

3 Copse Wood Way, and No. 3 has part of their main garden located adjacent to this boundary. The first and second floor windows in the extension at 2 Linksway face this garden space. Given the orientation of the site and location of the windows, the alterations are not considered to result in a loss of privacy to the windows and internal space of No. 3. Notwithstanding such, given the conclusions of the Inspector in respect of the site opposite, the proximity, number and size of the windows facing the garden of No. 3 Copse Wood Way, and the increase in the height of the extensions, making these more prominent and visible on the rear elevation of the building, the 'as built' alterations are considered to have a detrimental impact on the garden area of No. 3. It is considered that the alterations that have occurred would be detrimental to the occupiers enjoyment of their property and make their garden less private. This matter hinges on the level of neighbour impact and what constitutes an acceptable level of harmful impact. The difference between this scheme and those previously approved is considered to be material and to represent a harmful neighbour impact.

In terms of the visual impact of the extension on the occupiers of No. 3, previous schemes for new dwellings and extensions in this location have been refused and upheld on appeal, as it was considered that the greater mass created would reduce the outlook from the south eastern corner of No. 3's rear garden to an unacceptable degree.

The bulk and scale of this application is much increased beyond this scheme for extensions approved under application (36910/APP/2015/621) to the existing dwelling. The 'as built' increase to the height and scale of the extensions is considered to result in additions that appear unduly dominant and overbearing when viewed from the surrounding area and particularly No. 3 Copse Wood Way.

The alterations are not considered to have a detrimental impact on the amenities of No. 4 Linksway, or other surrounding properties, as the depth of the extensions has not increased to an unacceptable degree and other properties are located some distance from the application site.

Overall, the alterations are considered to result in a development that would appear unduly dominant and overbearing when viewed from the neighbours garden at No. 3 Copse Wood Way. Further, by reason of the proximity, siting, size and alteration to the internal layouts of the extension, the extension is considered to overlook the private garden of No. 3 to an unacceptable degree, to the detriment of the privacy and living conditions occupiers.

#### LIVING CONDITIONS

HDAS advises in Paragraph 4.15 that four bedroom plus houses should have a minimum private amenity area of 100 square metres. The proposed development exceeds amenity standards and it is therefore considered that the proposed development would be in accordance with Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### PARKING

No changes are proposed to the parking provision on the site. Two spaces are proposed on the site, which is the same as the existing, and as per Policy 6.13 of the London Plan and in compliance with Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). The proposed development would make use of the existing crossover at the site.

Overall, for the reasons referred to within the report, the application is recommended for



refusal.

## **6. RECOMMENDATION**

### **REFUSAL for the following reasons:**

#### **1 NON2 Scale and bulk**

The resultant scale and massing of the 'as built' extensions are considered to dominate the prominent corner setting to an unacceptable degree. The alterations would detract from, and fail to harmonise with, the character, form and modest scale of development within the surrounding street scene and Area of Special Local Character to the detriment of the building's appearance and setting. The scheme would thereby be contrary to Policies 3.5 and 7.4 of the London Plan, policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies, BE5, BE13 and BE19 of the Hillingdon Local Plan - Saved policies and HDAS 'Residential Extensions'.

#### **2 NON2 Impact to neighbours**

The 'as built' alterations to the extension by reason of the proximity, siting, size of the windows and alteration to the internal layouts of the extension, are considered to overlook the private garden of No. 3 Copse Wood Way to an unacceptable degree, to the detriment of these occupiers. The application would thereby erode the privacy and living conditions of these occupants to an unacceptable degree. Further, the increase in the height of the extensions would result in a scheme that would appear unduly dominant and visually overbearing to the detriment of the amenities of No. 3 Copse Wood Way. The application therefore fails to comply with the NPPF, Policies BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved Policies and HDAS 'Residential Extensions'.

## **INFORMATIVES**

**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** The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

AM14 New development and car parking standards.

AM7 Consideration of traffic generated by proposed developments.

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.
- BE5 New development within areas of special local character
- BE6 New development within Gate Hill Farm and Copsewood Estates areas of special local character
- HDAS-E) Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
- LPP 3.5 (2016) Quality and design of housing developments
- LPP 7.4 (2016) Local character
- LPP 7.6 (2016) Architecture
- LPP 7.8 (2016) Heritage assets and archaeology

### **Standard Informatives**

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

#### Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.HE1 (2012) Heritage

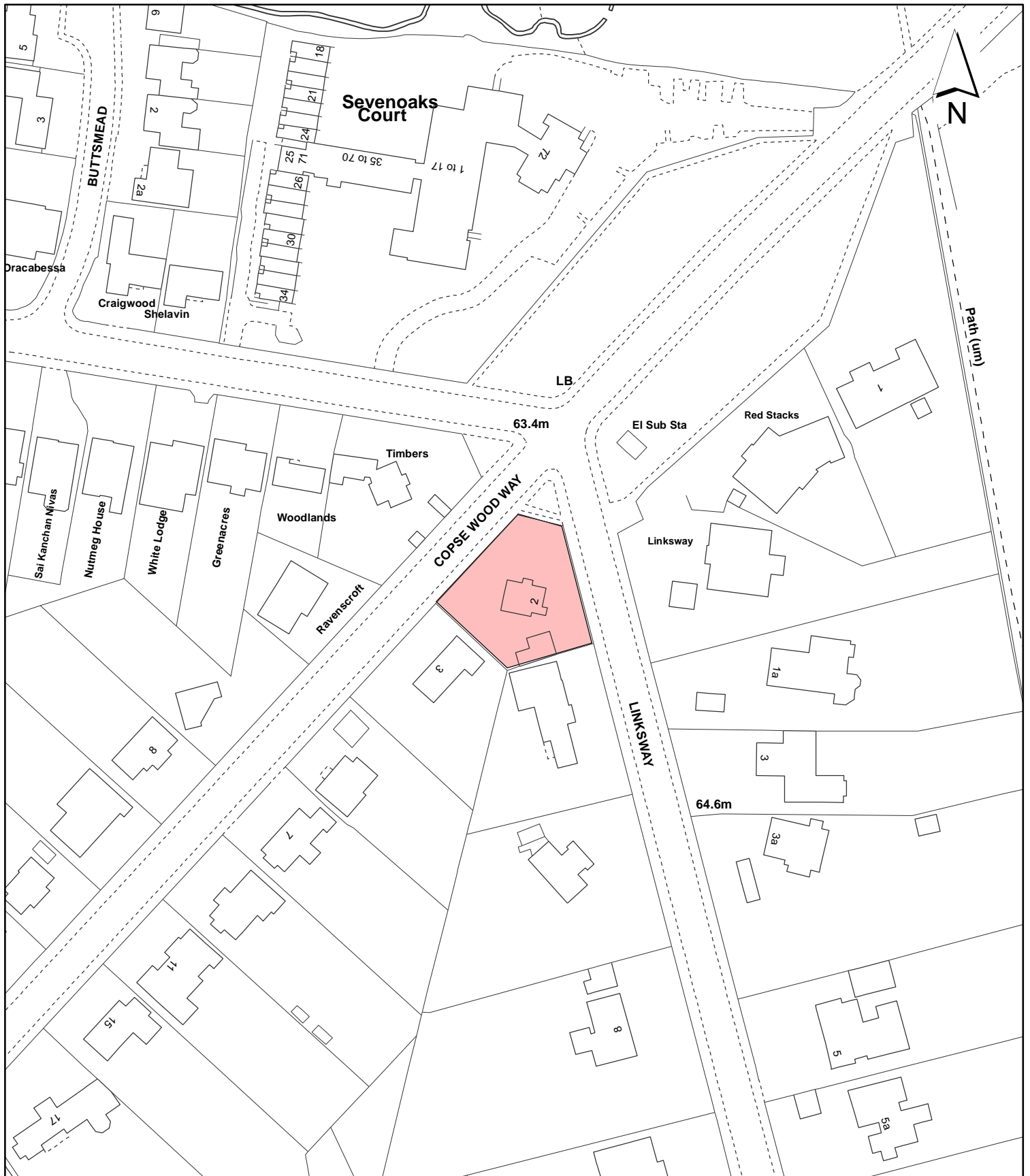
#### Part 2 Policies:

- AM14 New development and car parking standards.
- AM7 Consideration of traffic generated by proposed developments.
- BE13 New development must harmonise with the existing street scene.

BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
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LPP 3.5	(2016) Quality and design of housing developments
LPP 7.4	(2016) Local character
LPP 7.6	(2016) Architecture
LPP 7.8	(2016) Heritage assets and archaeology

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**Notes:**

 Site boundary

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Site Address:

**2 Linksway  
 Northwood**

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

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

Planning Application Ref:

**36910/APP/2016/3323**

Scale:

**1:1,250**

Planning Committee:

**North**

Date:

**December 2016**



**HILLINGDON**  
 LONDON