Public Document Pack





North Planning Committee

Date:

THURSDAY, 16

SEPTEMBER 2010

Time:

7.00 PM

Venue:

COMMITTEE ROOM 5 - CIVIC CENTRE, HIGH

STREET, UXBRIDGE UB8

1UW

Meeting Details:

Members of the Public and Press are welcome to attend

this meeting

To Councillors on the Committee

Eddie Lavery (Chairman)
Alan Kauffman (Vice-Chairman)
David Allam (Labour Lead)
Anita MacDonald
Michael Markham
Carol Melvin
David Payne

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2010

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A useful guide for those attending Planning Committee meetings

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Petitions and Councillors

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

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

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

Representatives of Conservation Area Advisory Panels are also members of the Committees and they advise on applications in their conservation area. They do not vote at Committee meetings

How the Committee meeting works

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

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

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

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

The procedure will be as follows:-

- 1. The Chairman will announce the report;
- 2. The Planning Officer will introduce it; with a presentation of plans and photographs;

- If there is a petition(s), the petition organiser will speak, followed by the agent/applicant followed by any Ward Councillors;
- 4. The Committee may ask questions of the petition organiser or of the agent/applicant;
- 5. The Committee debate the item and may seek clarification from officers;
- The Committee will vote on the recommendation in the report, or on an alternative recommendation put forward by a Member of the Committee, which has been seconded.

About the Committee's decision

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

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

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

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

Agenda

- 1 Election of Chairman
- 2 Apologies for Absence
- 3 Declarations of Interest in matters coming before this meeting
- 4 To sign and receive the minutes of the previous meeting
- 5 Matters that have been notified in advance or urgent
- To confirm that the items of business marked Part 1 will be considered in public and that the items marked Part 2 will be considered in private

Reports - Part 1 - Members, Public and Press

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

Non Major Applications with a Petition

	Address	Ward	Description & Recommendation	Page
7	Land to Rear of 51 and 53 Pembroke Road, Ruislip 66982/APP/2010/1004	Manor;	Erection of 2 five-bedroom, two storey detached dwellings with habitable roofspace, associated parking and amenity space.	7 - 22
8	37 Howletts Lane, Ruislip 33165/APP/2010/1011	West Ruislip;	Conversion of existing bungalow to a two, 2 bedroom semi-detached bungalows involving alterations/extensions to existing dwelling.	23 - 40
9	Oakhurst, 1 Northgate, Northwood 30779/APP/2010/1108 - REPORT TO FOLLOW	Northwood ;	1 five-bedroom two storey with basement level detached dwelling with associated parking and amenity space, involving demolition of existing detached dwelling.	

10	Land Forming Part of Oakhurst, Northgate, Northwood 67012/APP/2010/1107 - REPORT TO FOLLOW	Northwood ;	1 five-bedroom two storey with basement level detached dwelling with associated parking and amenity space, involving installation of new vehicular crossover to front.	
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Non Major Applications without a Petition

	Address	Ward	Description & Recommendation	Page
11	Grass Verge opposite Recreation Ground, Moorhall Road, Harefield 67032/APP/2010/1845	Harefield;	Installation of a 12.5m high mobile telecommunications pole and ancillary equipment cabinet (Consultation under Schedule 2, Part 24 of The Town and Country Planning (General Permitted Development) Order 1995)	41 - 52
12	96 Long Drive, Ruislip 7280/APP/2010/1418	South Ruislip;	Erection of a single storey rear extension.	53 - 60

Part 2 - Members Only

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

13 Enforcement Report 14 Any Items Transferred from Part 1 15 Any Other Business in Part 2

Plans for North Planning Committee



Minutes

NORTH PLANNING COMMITTEE

26 August 2010



Meeting held at Committee Room 5 - Civic Centre, High Street, Uxbridge UB8 1UW

	Committee Members Present: Councillors Eddie Lavery (Chairman), Alan Kauffman (Vice-Chairman), David Allam (Labour Lead), Michael Markham, Carol Melvin and David Payne		
	LBH Officers Present: Charles Francis (Democratic Services) Matthew Duigan (Planning officer) James Rodger (Head of Planning and Enforcement) Syed Shah (Principal Highways Engineer) Keith Lancaster (Legal Advisor)		
	Also Present: Councillor Philip Corthorne and Councillor Richard Lewis		
24.	APOLOGIES FOR ABSENCE (Agenda Item 1)		
	Cllr Anita MacDonald substitute Cllr Jazz Dhillon		
25.	DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (Agenda Item 2)		
	Cllr Allan Kauffman declared a personal and prejudicial interest in item 6 of the agenda. Cllr Kauffman left the room for this item.		
26.	TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)		
	The minutes were agreed as an accurate record and signed by the Chairman.		
27.	MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (Agenda Item 4)		
	Item 14 - Enforcement report was considered in private.		
28.	TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART 1 WILL BE CONSIDERED IN PUBLIC AND THAT THE ITEMS MARKED PART 2 WILL BE CONSIDERED IN PRIVATE (Agenda Item 5)		
	Items marked part 1 were considered in public and item 14 in Agenda B was considered in private.		

29. SOUTH RUISLIP LIBRARY, PLOT A, VICTORIA ROAD, RUISLIP - 67080/APP/2010/1419 (Agenda Item 6)

Action by

Members agreed it was good to improve Council library facilities but were disappointed that the scheme did not include any social housing. However, the Committee accepted that there were sound financial reasons why this was so.

Matthew Duigan & James Rodger

In response to a number of concerns, officers explained that the application site was located near playing fields and not the green belt and that following a parking management exercise, 20 car parking spaces was the maximum number of spaces the scheme could accommodate.

Members asked about the florist shop included within the proposal and were informed that condition 47 - use of retail unit, set out the Class A1 usage of the 11 m² retail unit.

It was moved and seconded that the application be approved. On being out to the vote, approval was unanimously agreed.

Resolved - That the application be approved as set out in the officers report and the following amendments in the Addendum:

Replace the wording (no change to the REASON) of Condition 6 with the following:

'No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment, gates and balcony screening to be erected. The approved details shall be installed and completed before the development is occupied and shall be permanently retained for so long as the development remains in existence.'

Replace the wording (no change to the REASON) of condition 25 as follows:

'Development shall not begin until a scheme for the allocation and designation of one parking space to each of the residential units, for their sole use, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the parking spaces shall be allocated and provided for the use of those residential units only for so long as the development remains in existence'.

Delete Condition 30, (Children's play area security).

Delete Condition 31, (Full details of children's play area)

Amend condition 44 by replacing the words:

'[insert number of charging points]' with the number '2'.

30.	RAF WEST RUISLIP, HIGH ROAD, ICKENHAM -	Action by			
	38402/APP/2007/1072 (Agenda Item 7)	Matthew			
	It was noted that the applicant had requested the agreements be amended in order to allow a small level of occupation prior to Substantial Completion of the highway works and this was necessary to ensure the scheme was deliverable.				
	Members were concerned about the timescales for the completion of the highways works and asked for an informative to be added to ensure the applicant could not return to the Committee at a future date with further requests which might delay the implementation of the scheme.				
	In response to concerns about the likely impact on the local road network, the Highways Engineer explained that the works would not have a material impact on the operations of the highway network.				
	It was moved and seconded that the application be approved. On being out to the vote, approval was unanimously agreed.				
	Resolved - That the application be approved as set out in the officers report, the Addendum and the following informative:				
	'You are advised that while agreement has been given to occupation of a small number of units prior to completion of off site highways works, given concerns relating highway safety, further such applications to vary the legal agreement are unlikely to be supported'.				
31.	occupation of a small number of units prior to completion of off site highways works, given concerns relating highway safety, further such applications to vary the legal agreement are unlikely	Action by			
31.	occupation of a small number of units prior to completion of off site highways works, given concerns relating highway safety, further such applications to vary the legal agreement are unlikely to be supported'. RAF WEST RUISLIP, HIGH ROAD, ICKENHAM -	Matthew Duigan &			
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	occupation of a small number of units prior to completion of off site highways works, given concerns relating highway safety, further such applications to vary the legal agreement are unlikely to be supported'. RAF WEST RUISLIP, HIGH ROAD, ICKENHAM - 38402/APP/2010/248 (Agenda Item 8) It was moved and seconded that the application be approved. On being put to the vote, approval was unanimously agreed. Resolved – That the application be approved as set out in the	Matthew Duigan & James Rodger			
31.	occupation of a small number of units prior to completion of off site highways works, given concerns relating highway safety, further such applications to vary the legal agreement are unlikely to be supported'. RAF WEST RUISLIP, HIGH ROAD, ICKENHAM - 38402/APP/2010/248 (Agenda Item 8) It was moved and seconded that the application be approved. On being put to the vote, approval was unanimously agreed. Resolved – That the application be approved as set out in the officer's report. LAND AT 30-32 CHESTER ROAD, NORTHWOOD -	Duigan & James			

Page 3

- In addition to traffic and parking problems, road safety problems would be created as Chester Road is the only access road to Reginald and Roy Roads to Green Lane.
- The area was originally conceived as a social housing development. Over time, the character of the estate has changed and increased car ownership has made it increasingly more difficult to park.
- It is unrealistic that most visitors to the proposal would use public transport as the Tube station is a long walk away.
- The influx of 60 elderly and infirm residents to the area would have a profound effect on local General Practioner services and increase waiting times for local residents.
- The proposal would increase air pollution (from vehicles) and noise pollution (from vehicles / kitchen noise).
- A quiet and peaceful neighbourhood which forms part of the Old Northwood Area of Special Character would be destroyed.

The Applicant / Agent were not present at the meeting.

A Ward Councillor was present and addressed the Committee:

- The Ward Councillor supported and endorsed the petitioner's views.
- The proposal would be over-dominant and would not be in keeping with the local area.
- Visitors to the proposal would cause local parking problems.
- The proposal would be an intrusion into the lives of local residents

It was moved and seconded that the application be refused. On being put to the vote, refusal was unanimously agreed.

Resolved – That the application be refused as set out in the officer's report and the additional informative in the Addendum:

'You are advised that any resubmission of this application should be accompanied by details and plans which demonstrate that appropriately located, sized, secure and covered storage for refuse and recycling facilities would be provided'.

33. REAR OF 54 SWAKELEYS DRIVE, ICKENHAM - 53998/APP/2010/854 (Agenda Item 10)

At the beginning of the item the Chairman explained that the petition in objection to the application had been withdrawn and so there were no speaking rights on the item.

It was moved and seconded that the application be approved. On being put to the vote, approval was unanimously agreed.

Resolved – That the application be approved as set out in the officer's report and addendum and amending Condition 24 by

Action by

Matthew Duigan & James Rodger

	deleting the words 'where possible'.		
34.	FORMER MILL WORKS, BURY STREET, RUISLIP - 6157/APP/2010/1383 (Agenda Item 11)	Action by	
	In accordance with the constitution a Ward Councillor spoke in objection to the application.	Matthew Duigan & James	
	Points raised by the Ward councillor included: • The proposal would not reflect the pattern of development within the Conservation Area	Rodger	
	The proposed gates would be out of keeping with the surroundings and fail to harmonise with the character and appearance of the Ruislip Village Conservation Area.		
	The Applicant / Agent were not present at the meeting.		
	Members were referred to a letter and photographs provided by the agent which had been circulated before the meeting and noted the request for the item to be deferred.		
	During the course of their discussions, Members agreed that the proposal was out of keeping with the character of the area and would have a detrimental effect on the amenity of the Ruislip Village Conservation Area and surrounding street scene.		
	It was moved, seconded that the application be refused. On being put to the vote, refusal was unanimously agreed.		
	Resolved – That the application be refused as set out in the officer's report and Addendum.		
35.	ANY ITEMS TRANSFERRED FROM PART 1 (Agenda Item 12) None		
36.	ANY OTHER BUSINESS IN PART 2 (Agenda Item 13) None		
37.	ENFORCEMENT REPORT - PART 2 (Agenda Item 14)		
	It was moved and seconded that Officer's recommendation be enforced. On being put to the vote, enforcement action was unanimously agreed.	Matthew Duigan & James Rodger	
	Resolved – It was agreed that the Officer's recommendation be enforced, subject to the amendment of section 1.6 of the recommendation and replacing '3 months' with '6 months'.	i (Ougei	
	The meeting, which commenced at 7.00 pm, closed at 8.17 pm.		

These are the minutes of the above meeting. For more information on any of the resolutions please contact Charles Francis on 01895 556454. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public. Page 5

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Agenda Item 7

Report of the Head of Planning & Enforcement Services

Address LAND TO REAR OF 51 AND 53 PEMBROKE ROAD RUISLIP

Development: Erection of 2 five-bedroom, two storey detached dwellings with habitable

roofspace, associated parking and amenity space.

LBH Ref Nos: 66982/APP/2010/1004

Drawing Nos: Location Plan to Scale 1:1250

1012-pl-02 Rev. A

1012-pl-03 1012-pl-01

Design & Access Statement

Date Plans Received: 30/04/2010 Date(s) of Amendment(s):

Date Application Valid: 20/05/2010

1. SUMMARY

Planning permission is sought for the erection of two, 5 bedroom detached houses in the back gardens of nos. 51 and 53 Pembroke Road. The proposal would not harm the residential amenities of nearby properties and a satisfactory residential environment would be achieved for future occupiers of the new houses. However, the proposed development is considered to be detrimental to the form, plan layout and character of the local area.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development, by reason of its siting, design and layout, would fail to harmonise with the existing local and historic context of the surrounding area. The principle of intensifying the residential use of the site to the level proposed through the loss/part loss of private gardens would have a detrimental impact on the character, appearance and local distinctiveness of the area. The proposal is therefore detrimental to the visual amenity of the surrounding area contrary to Policies BE13, BE19 and H12 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), Policies 3A.3, 4B.1 and 4B.8 of the London Plan (Consolidated with Alterations since 2004), Planning Policy Statement 3: Housing (June 2010), and guidance within The London Plan: Interim Housing Supplementary Planning Guidance (April 2010).

2 NON2 Non Standard reason for refusal

The proposed development and in particular the proposed new access road would, by reason of its size, layout and design, be totally out of keeping with the character and appearance of neighbouring properties and the historic context of the area, detrimental to the visual amenities of the streetscene and the surrounding area. The proposal would therefore be contrary to Policies BE13 and BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policies 3A.3, 4B.1 and 4B.8 of the London Plan (Consolidated with Alterations since 2004).

3 NON2 Non Standard reason for refusal

The development is likely to give rise to a significant number of children of school age that would require additional educational provisions, as there is a shortfall of places in schools serving the area. Given that a legal agreement or unilateral undertaking has not been offered to address this issue, the proposal is considered to be contrary to Policy R17 of the Adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and the Council's Planning Obligations, Supplementary Planning Document (July 2008).

INFORMATIVES

152 **Compulsory Informative (1)** 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).

2 153 **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) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national quidance.

BE13 BE15	New development must harmonise with the existing street scene. 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.
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
HDAS	Hillingdon Design & Accessibility Statement (HDAS): Accessible Hillingdon (adopted in August 2006 and to form part of the emerging Local Development Framework documents):

Hillingdon Design & Accessibility Statement (HDAS): Residential Layouts (adopted in August 2006 and to form part of the emerging

Local Development Framework documents):

4.1 Density 4.6 Unit Size

4.9 Sunlight/Daylight 4.12 Privacy 4.15 Garden Space for Houses 4.23 Elevation Treatment 4.24 Rooflines 4.25 Active Frontages 4.26 Boundary Treatment 4.27 Building Lines 4.28 Front/Rear Access 4.33 Car Parking 4.39 Cycle Parking 4.40 Waste Management **LPP 4A.3** London Plan Policy 4A.3 - Sustainable Design and Construction. LPP 3A.5 London Plan Policy 3A.5 - Housing Choice LPP 4B.1 London Plan Policy 4B.1 - Design principles for a compact city. London Plan Policy 4B.5 - Creating an inclusive environment. LPP 4B.5 Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved **CACPS** Policies, September 2007) London Plan Policy 3A.3 - Maximising the potential of sites LPP 3A.3 London Plan Policy LPP 4B.8 - Respect local context and LPP 4B.8 communities

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises land located to the north of nos. 51 and 53 Pembroke Road formed by merging the rear part of the gardens of those properties. It measures approximately 0.15 hectares and is bound to the north by the rear gardens of nos. 5, 6 and 7 Green Walk, which lie within the Ruislip Manor Way Conservation Area, to the east by the rear garden of 55 Pembroke Road and to the west by the side boundaries of 32 Brickwall Lane and 49 Pembroke Road. The land slightly undulates and there are mature trees and hedges along the north, east and west boundaries. The surrounding area is residential in character and appearance comprising the rear gardens of dwellinghouses, and the application site lies within the development area as identified in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

3.2 Proposed Scheme

Planning permission is sought for the erection of two detached 5 bedroom houses to the rear of nos. 51 and 53 Pembroke Road, set 2.2m apart. The proposed houses would be centrally positioned on the plot. Plot 1 would be located some 6.6m from the side boundary with 32 Brickwell Lane, 26m from the rear elevation of 51 Pembroke Road and some 14m widening to 17m from the rear boundary with the properties in Green Walk. Plot 2 would be set 5m from the side boundary with 55 Pembroke Road, 28m from the rear wall of 53 Pembroke Road, and some 10m widening to 14m from the rear boundary.

The proposed houses would be identical in design and appearance. They would each measure 11.5m wide, 8.75m deep, 5.7m high at eaves level and finished with crown roofs with front and rear rooflights, 9m at ridge level. The houses would have rendered 'white' colour elevations, ground floor front bay windows, front canopy, single storey cycle stores and chimney stack along the outer flank walls, and French windows along the rear ground

floor elevation opening out onto a 3m deep rear patio, with rear garden beyond.

The proposed houses would be accessed from a new 6m wide driveway located between nos. 51 and 53 Pembroke Road. The proposed driveway would be 4.2m wide with 1.2m and 0.6m wide footpaths running along the east and west sides of the driveway, respectively. The vehicular and footpath entrances fronting Pembroke Road would be enclosed by gates with a timber fence beyond attached to the flank wall of 53 Pembroke Road. Along the east side, the vehicular gate would be attached to a bin store which would contain 2no. 120ltr bins.

The proposed driveway would be 30m deep and would form a turning head in front of the proposed houses, providing two off-street parking spaces for each house. Footpaths are proposed leading from the driveway to the houses. Timber gates are proposed between the houses to provide access to the rear and the plots would be separated by a 2m high timber fence.

With regards to nos. 51 and 53 Pembroke Road, 2m high close boarded fences have been erected along the side and rear of these houses which delineate their new reduced size plots. The rear section of the timber boundary fencing are some 10m from the front wall of the new houses.

3.3 Relevant Planning History

Comment on Relevant Planning History

There is no planning history relating to this site.

4. Planning Policies and Standards

The London Plan Interim Housing Supplementary Planning Guidance adopted April 2010.

Planning Policy Statement 1: Delivering Sustainable Development

Planning Policy Statement 3: Housing Planning Policy Guidance 13: Transport

Planning Policy Guidance 24: Planning and Noise

Letter to Chief Planning Officers: Development on Garden Land dated 19/01/2010

Supplementary Planning Document - Planning Obligations Supplementary Planning Document - Accessible Hillingdon

UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

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. Retention of topographical and landscape features and provision of new planting **BE38** and landscaping in development proposals. AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity AM7 Consideration of traffic generated by proposed developments. AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities AM14 New development and car parking standards. Hillingdon Design & Accessibility Statement (HDAS): Accessible Hillingdon **HDAS** (adopted in August 2006 and to form part of the emerging Local Development Framework documents): Hillingdon Design & Accessibility Statement (HDAS): Residential Layouts (adopted in August 2006 and to form part of the emerging Local Development Framework documents): 4.1 Density 4.6 Unit Size 4.9 Sunlight/Daylight 4.12 Privacy 4.15 Garden Space for Houses 4.23 Elevation Treatment 4.24 Rooflines 4.25 Active Frontages 4.26 Boundary Treatment 4.27 Building Lines 4.28 Front/Rear Access 4.33 Car Parking 4.39 Cycle Parking 4.40 Waste Management **LPP 4A.3** London Plan Policy 4A.3 - Sustainable Design and Construction. LPP 3A.5 London Plan Policy 3A.5 - Housing Choice LPP 4B.1 London Plan Policy 4B.1 - Design principles for a compact city. LPP 4B.5 London Plan Policy 4B.5 - Creating an inclusive environment. **CACPS** Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007) **LPP 3A.3** London Plan Policy 3A.3 - Maximising the potential of sites LPP 4B.8 London Plan Policy LPP 4B.8 - Respect local context and communities

5. Advertisement and Site Notice

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

6. Consultations

External Consultees

22 adjoining owner/occupiers have been consulted. 5 letters of objection, 2 letters of support and 2 petitions, one for and one against, with 94 and 32 signatories, respectively, have been received

Letters & Petition of objection:

- (i) The proposal would have an overbearing impact on 55 Pembroke Road resulting in a loss of privacy and would violate the pleasant living, open views and light currently enjoyed by the occupiers of that property;
- (ii) Adverse impact on wildlife;
- (iii) Increase in noise and pollution;
- (iv) The proposed houses would appear bulky, dominant and out of character with the surrounding area:
- (v) Infilling of the rear gardens would result in an overcrowding of the environment;
- (vi) Loss of trees:
- (vii) Increase in noise and dust from building works;
- (viii) Create an unfortunate precedent;
- (ix) Unacceptable backland development;
- (x) The proposal would be adjacent to a conservation area and has an adverse impact on that;
- (xi) Increased overlooking into the rear gardens of Pembroke Road, Brickwell Road and Windmill Way.

Petition:

"We, the undersigned, petition Hillingdon Council to take urgent steps to oppose the plans to erect two five-bedroom detached houses with habitable roofspace (making them in effect three-storey houses) with associated parking and amenity space.

We are local residents who will be adversely affected if this development is allowed and oppose it for the following reasons:

- The 'infilling' of back gardens, resulting in an overcrowded environment;
- Building on an oasis of green land with its associated wildlife and probable destruction of mature trees. It will be yet another small piece of planned 'garden suburb' lost for ever;
- The close proximity of two inappropriately large buildings to our houses and gardens, resulting in loss of peace and privacy;
- Noise, dust and pollution during the construction of these houses and noise pollution from the vehicles that the completed buildings will inevitably attract;
- Unwise and dangerous access to and egress from one of the busiest main roads in the area, the entrance/exist also being on the brow of a rise;
- Yet more over-development in this area, following the building of 82 flats on the south side of Pembroke Road, flats on the site of the Windmill pub and flats and shops on the site on the Crown Buildings in Windmill Hill.

We therefore ask Hillingdon Council to refuse this application."

Letters & petition of support: (i) The proposed development would be in keeping with the local area.

Petition: "We, the undersigned, have no objections to the proposed planning application."

Ruislip Residents Association:

"We are writing to express our concerns in respect of the proposed development to erect 2 fivebedroom, two storey detached dwellings with habitable roofspace, associated parking and amenity space. Whilst the application appears to meet the requirements of HDAS is respect of space standards the proposal would affect the amenity of the area and neighbours in that:

- The new building would effectively close the openness between Nos. 51 & 53 when viewed from Pembroke Road. A similar closing of the open space has already occurred on the George Wimpey development further along Pembroke Road.
- The mass of the new houses will inevitably impact on the adjacent properties in Brickwall Lane, Green Walk and Pembroke Road.
- Other factors to be considered: the desirability of additional access points onto an already busy local distributor road and the new government's views on restricting building in back gardens.

We trust that our views may still be taken into account notwithstanding our late submission."

Ward Councillor (1):

"As ward councillors we oppose this application on the grounds that it will be out of character with this part of Pembroke Rd and be overbearing on the properties at the rear of Pembroke Rd, namely Green Walk, Windmill Way & 32 Brickwall Lane.

In addition, the recent development on the gardens of houses on the opposite side of Pembroke means that any further loss of gardens would be detrimental to the whole area.

Finally, the planning authority should have regard to the amended PPS3 that says:

'Land in built-up areas such as private residential gardens, parks, recreation grounds and allotments, which although it may feature paths, pavilions and other buildings, have not been previously developed'."

Ward Councillor (2):

- "1. The development will be out of chracter with the local area:
- 2. The development amounts to building on back gardens which is contrary to local and now national planning priorities;
- 3. The development is adjacent to a conservation area and will have an adverse effect on that;
- 4. There will be a risk of overlooking into the back gardens of Pembroke Road, Brickwall Road and Windmill Way."

Thames Water:

With regard to surface water drainage it is the responsibility of a developer to make provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined sewer, the site drainage should be separated and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contact on 0845 850 2777. Reason: To ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above application

With regard to water supply, this comes within the area covered by Veolia Water Company. For your information the address to write to is - Veolia Water Company The Hub, Tamblin Way, Hatfield

Herts, AL10 9EZ - Tel - 0845 782 3333.

Internal Consultees

Highways:

The site is located on a classified road, which is also designated as a local distributor road within the Council's UDP.

The provision of car parking, access road layout & refuse collection point are acceptable. The width of the access point should be reduced to 5m and should have the requisite pedestrian visibility splays of 2.4m x 2.4m. These issues should be covered through suitable planning conditions.

No surface water should be discharged onto the highway or into the highway drainage system from the private land. This issue should be covered through a planning condition and an informative.

The proposed access road should be lit in accordance with BS5484 EN 13201.

No objection is raised subject to conditions.

Trees/Landscape:

The site comprises the land forming the northern half of the rear gardens of house numbers 51 and 53. The northern boundary of these gardens is immediately to the south of the Ruislip Manor Way Conservation Area. There are no significant trees within the plots, although there are boundary trees and shrubs along the side boundaries (east and west) and an old Hawthorn hedge, now unmanaged and forming small trees along the northern boundary. These are protected by virtue of the Conservation Area status. No tree survey has been submitted, but site plan ref. 01 plots the position and spread of the trees.

The proposal to build 2No. five-bedroom houses with associated parking and amenity space, includes a new gated access road to be built between numbers 51 and 53. The layout makes provision for a large turning head with 2No. parking spaces per new and 2No. spaces for each of the existing houses.

Both the existing houses and the new houses will have rear garden with areas of between 230 - 385 metres square. The new houses will be set well back from the Hawthorn hedge on the northern boundary and no tree loss is proposed. All of the boundary trees can be retained, if protected during the construction phase of development. The Design & Access Statement confirms (s.24 and s.25) that a high quality hard and soft landscape will be implemented and that trees will be protected.

Saved policy BE38 seeks landscape enhancement in association with new development. This can be secured by condition. DCLG/EA guidance seeks the specification of SUDS compliant hard-surfacing or front garden parking. There is a highway tree close to the edge of the dropped kerb which provides access to the site. This tree oversails the access to the site and has not been affected by vehicle movements to date. However, it is unlikely to remain unscathed by the intensification of use by construction traffic. Provision should be made for its protection and/or replacement.

No objection subject to the above comments and conditions TL1, TL2, TL3, TL5 and TL6.

Access:

The scheme should be revised and compliance with all 16 Lifetime Home standards (as relevant) should be shown on plan. Particular attention should be paid to the following:

- 1. In the interests of good design entrance ramps should be avoided. Should it not be possible to achieve level access, a gentle slope (maximum gradient 1:20) leading to the ground floor entrance door should be provided.
- 2. The width of the proposed hallway and doorways should be of sufficient width to allow a wheelchair user to pass through at an angle, should otherwise accord the Lifetime Home Standards as defined on page 15 of the Council's Accessible Hillingdon SPD.
- 3. The bathrooms/ensuite facilities should be designed in accordance with Lifetime Home standards. At least 700mm should be provided to one side of the WC, with 1100 mm provided between the front edge of the toilet pan and a door or wall opposite.
- 4. To allow bathrooms to be used as wet rooms in future, plans should indicate floor gulley drainage.
- 5. The plans should indicate the location of a future through the ceiling wheelchair lift.

The Design & Access Statement should be revised to confirm adherence to all 16 Lifetime Home and Wheelchair Housing standards.

Conclusion: The proposed development in its current form it unacceptable as it would not conform to the above-mentioned policy requirement.

Waste Management:

I would make the following comments on the above application regarding waste management;

There is insufficient storage space allocated for refuse and recycling storage. The plan only indicates 1 \times 120 litre wheeled bin for each household. If building for wheeled bins an enclosure it should be able to accommodate 2 \times 240 litre bins for each household. However, the current collection system is based on sacks and is described below: -

- (i) Weekly residual (refuse) waste using sacks purchased by the occupier (allow for 5 x 70 litre sacks per 5 bedroom dwelling).
- (ii) Weekly dry recycling collection using specially marked sacks provided by the Council (allow for 4 x 70 litre sacks per 5 bedroom dwelling).
- (iii) Fortnightly green garden waste collection using the specially marked reusable bags provided by the Council (3 bags provided to each household).

The residents would be required to present the waste and recycling at the curtilage of the property on the allocated collection days.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Policy BE13 of the Adopted Hillingdon UDP (Saved Policies, September 2007) 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 character of the area.

The adopted Supplementary Planning Document (SPD): New Residential Layouts: Section 3.4 states this type of development must seek to enhance the character of the area. Section 4.10 of the SPD explains careful consideration should be given to the height of new buildings and the surrounding building lines, as a general rule the front and rear building lines should be a guide for the siting of new dwellings.

The site is located within the developed area as shown on the Hillingdon Unitary Development Plan Proposals Map and it is considered that the scheme complies with UDP policies H4 and H5 which encourage the provision of a mix of housing unit sizes, including those suitable for large families. In addition, the subtext at paragraph 7.29 of the Saved Policies UDP, suggests backland development may be acceptable in principle subject to accordance with all other policies and Policy H12 suggests that proposals for tandem/backland development may be acceptable where no undue disturbance or loss of privacy is likely to be caused to adjoining occupiers. Nevertheless, additional guidance on backland development and the interpretation of related policies has recently been published and is an important material consideration in assessing the principle of backland developments such as this.

Key changes in the policy context, since the adoption of the UDP Saved Policies, includes the adoption of The London Plan (consolidated with alterations since 2004), the Letter to Chief Planning Officers: Development on Garden Land dated 19/01/2010, The London Plan Interim Housing Supplementary Planning Guidance adopted April 2010, and new Planning Policy Statement (PPS) 3: Housing adopted June 2010.

In relation to National Policy the Letter to Chief Planning Officers clarifies that "there is no presumption that previously developed land is necessarily suitable for housing, nor that all of the curtilage should be developed" and commits to move this clarification to a more prominent position within the PPS. It further clarifies that "the main focus of the Government's position therefore is that local authorities are best placed to develop policies and take decisions on the most suitable locations for housing and they can, if appropriate, resist development on existing gardens". This guidance was published prior to submission of the application and should be given appropriate weight in the assessment of the application.

The London Plan Interim Housing Supplementary Planning Guidance (April 2010) was published following the national advice above and represents the Mayor of London's guidance on how applications for development on garden land should be treated within the London Region. The thrust of the guidance is that back gardens contribute to the objectives of a significant number of London Plan policies and these matters should be taken into account when considering the principle of such developments.

The guidance requires that "In implementing London Plan housing policies and especially Policy 3A.3, the Mayor will, and Boroughs and other partners are advised when considering development proposals which entail the loss of garden land, to take full account of the contribution of gardens to achievement of London Plan policies on:

- * local context and character including the historic and built environment;
- * safe, secure and sustainable environments;
- * bio diversity;
- * trees:
- * green corridors and networks:
- * flood risk;
- * climate change including the heat island effect, and
- * enhancing the distinct character of suburban London,

and carefully balance these policy objectives against the generally limited contribution such developments can make toward achieving housing targets."

(The various issues are discussed in more detail within the relevant sections of the report.)

Following on from this, Policy 4B.8 emphasises the importance of local distinctiveness, and ensuring proposed developments preserve or enhance local social, physical, cultural, historical, environmental and economic characteristics.

Notably, revised Planning Policy Statement 3: Housing, was published in April 2010 and, as advised in the Letter to Chief Planning Officers, discussed above, clearly clarifies that not all developed land is necessarily suitable for housing, nor that all of the curtilage should be developed. It also makes it clear that well thought out design and layout which integrates with and complements existing buildings and the surrounding local context is a key consideration which needs to be taken into account when assessing proposals for residential development.

Whilst there is in general no objection to the principle of an intensification of use on existing residential sites it is considered that in this instance the loss of substantial proportions of sizable rear gardens in this location and the necessary creation of a new vehicle access point for several vehicles, would be detrimental to the local and historical context of the area, which is characterised by detached properties with large rear gardens. When balanced against the limited contribution the developments would make toward achieving housing targets in the borough it is considered that the principle of the proposed backland residential development is contrary to Policies 3A.3, 4B.1 and 4B.8 of the London Plan, guidance within The London Plan Interim Housing Supplementary Planning Guidance and Planning Policy Statement 3: Housing. Notably, the Council's Development Plan Annual Monitoring Report 2008/2009 shows that the Council is achieving its housing targets from sites elsewhere in the borough.

7.02 Density of the proposed development

The proposed scheme would have a density of 120 habitable rooms per hectare. This is below the London Plan density range (150-250 habitable rooms per hectare) in respect of habitable rooms per hectare based on the site's Public Transport Accessibility Level (PTAL) score of 3. However, the density of the site is only one factor in determining an application and whilst the proposed density may well be acceptable, in the context of the density of the adjoining development, the proposal is not acceptable for a number of other reasons, discussed elsewhere in the report.

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

This is not applicable to this application.

7.04 Airport safeguarding

This is not applicable to this application.

7.05 Impact on the green belt

This is not applicable to this application.

7.06 Environmental Impact

This is not applicable to this application.

7.07 Impact on the character & appearance of the area

The surrounding area is characterised by houses fronting roads. There does not appear to be any houses constructed in the back garden to these houses fronting this side of Pembroke Road.

The proposed houses have been designed to match the relative scale of the houses in Pembroke Road and are not considered to appear cramped in their respective plots, as they retain sufficient gaps to the side and rear boundaries, in accordance with policy BE22. Furthermore, they would not be visible from Green Walk and as such, would not harm the character and appearance of the adjoining Ruislip Manor Way Conservation Area.

Policy BE13 of the Unitary Development Plan Saved Policies (September 2007) states that the layout and appearance of new development should "harmonise with the existing street scene or other features of the area." PPS3 and The London Plan: Interim Housing Supplementary Planning Guidance, reiterate this, recognising the importance of local context in considering development proposals.

Policy 3A.3 of the London Plan states that "the Mayor will, and boroughs should, ensure that development proposals achieve the maximum intensity of use compatible with local context." London Plan Policy 4B.8 emphasises the importance of local distinctiveness and ensuring that development proposals preserve or enhance local social, physical, cultural, historical, environmental and economic characteristics. The London Plan Interim Housing Supplementary Planning Guidance seeks to provide guidance on how the London Plan policies should be implemented and provides clarity on aspects of policy which bear on gardens. It confirms that private gardens are an important component of what the London Plan terms 'local context' and that they can clearly be very much a part of local characteristics which may warrant respect and protection. It also emphasises the important impact gardens can have on biodiversity, including 'green corridors', the protection of trees, abatement of flooding, addressing the effects of climate change including the 'heat island' effect and the use of green networks to create 'breathing spaces'.

PPS3 reiterates the importance of achieving design which is appropriate to its context stating that "design, which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted. It is clear that new developments should integrate with and complement the neighbouring buildings and local area 'in terms of scale, density, layout and access' and that they should create, or enhance, a 'distinctive character that relates well to the surroundings'.

This part of Pembroke Road, and the surrounding area, is characterised by detached properties with long rear gardens, containing various trees and shrubs typical of a suburban area and the layout, scale and design of development in this area is relatively uniform. Officers are not aware of any other properties/plots in the vicinity of the site which have been redeveloped in the same way as this.

It is considered that the layout of the proposed development, on the large rear gardens of existing properties in this suburban area would be particularly out of keeping with the pattern of surrounding development, out of keeping with the character and appearance of neighbouring properties and detrimental to the visual amenities of the area. The proposal would create a new relatively wide access point off Pembroke Road. This would allow clear views of the proposed development to the rear of the existing properties, which it is considered would be totally out of keeping with the local context and distinctiveness of the area.

The overall layout and design of the proposal, including the creation of backland development and the provision of a new access off Pembroke Road, fails to respect the local context and the distinctiveness of the surrounding area, contrary to UDP Policies BE13, BE19, London Plan policies 3A.3 and 4B.8, paragraphs 3.4 and 4.27 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Layouts, PPS3 and the London Plan: Interim Housing Supplementary Planning Guidance.

7.08 Impact on neighbours

The proposed houses would be over 21m from the private amenity spaces of the houses

in Pembroke Road, Windmill Hill, Green Walk and Brickwell Road. This distance is sufficient to ensure that the proposal would not have an overbearing, overdominant or visually intrusive impact on the residential amenities of the occupiers of the houses in those street. Furthermore, this distance will also ensure that the proposal would not result in a loss of privacy, through overlooking, would not result in a significant increase in overshadowing and loss of sunlight/daylight to those properties, and would create a satisfactory residential environment for the occupiers of the new houses.

The use of the driveway would result in an increase in noise and disturbance to the occupiers of nos. 51 and 53 Pembroke Road, however, this increase is not considered to be so significant as to justify a refusal of planning permission.

It is therefore considered that the proposal would not harm the residential amenities of the occupiers of adjoining houses through overdominance, visual intrusion, overshadowing and overlooking, in accordance with policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007). The new windows would provide an adequate outlook and natural light to the rooms they would serve, in accordance with London Plan Policy 4A.3 and BE20 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and paragraphs 4.9 and 4.12 of the Hillingdon Design & Accessibility Statement: Residential Layouts.

7.09 Living conditions for future occupiers

The internal size of the proposed houses would be over 235q.m which would exceed the requirements of paragraph 4.6 of the Hillingdon Design & Accessibility Statement: Residential Layouts for 5 bedroom houses.

The London Plan Policy 3A.5 requires all new housing to be built to 'Lifetime Homes' standards. The Council's HDAS 'Accessible Hillingdon' also requires all new housing to be built to 'Lifetime Homes' standards. The proposed houses in the main comply with the majority of these standards however, the door widths are below 900mm wide. This can addressed by suitable planning conditions should planning permission be granted.

Over 350sq.m of private amenity space is proposed for plot 1 and over 250sq.m is proposed for plot 2, both of which would meet the requirements of paragraph 4.15 of the Hillingdon Design & Accessibility Statement: Residential Layout. Therefore the proposal would comply with policy BE23 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007), policies 3A.5, 4B.1 and 4B.5 of the London Plan, and the Hillingdon Design and Accessibility Statement: Residential Layouts and Accessible Hillingdon.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The proposed houses would not lead to a significant increase in traffic generation given their number and location within a residential area. As such, the proposal would comply with policy AM2 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

The Council's parking standard requires 2 off-street parking spaces for new houses. The submitted plans show 2 off-street parking spaces for each house, in compliance with the above standard. Sheltered cycle parking is also proposed.

Therefore, it is considered that the proposal is unlikely to result in an increase in on street demand for parking, and would meet sustainability objectives, in accordance with policies AM7(ii), AM9 and AM14 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007), paragraphs 4.33 and 4.39 of the Hillingdon Design &

Accessibility Statement: Residential Layouts, and the Council's Parking Standards (Annex 1, adopted Hillingdon Unitary Development Plan, Saved Policies, September 2007).

Finally, the proposal includes a crossover some 5.8m wide at the back of the footway and 7m wide at the kerbline. This width would exceed the Council's minimum width dimensions for crossovers (2.44m wide at the back of the footway and 4.58m wide at the kerbline) and no pedestrian refuge has been provided. However, this could be reduced by way of a planning condition should planning permission be granted.

7.11 Urban design, access and security

This is addressed elsewhere in this report. With regards to security, a condition could be attached requiring that the property achieve Secure by Design accreditation, should planning permission be granted.

7.12 Disabled access

This is not applicable to this application.

7.13 Provision of affordable & special needs housing

This is not applicable to this application.

7.14 Trees, Landscaping and Ecology

No loss of trees are proposed and the proposed houses would be set a sufficient distance from the existing trees and hedges along the boundary of the site. As such, the proposal would comply with policy BE38 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.15 Sustainable waste management

Sufficient waste facilities would be provided at the entrance of the driveway which would allow access by refuse collectors on Pembroke Road rather than having to access the two houses via the driveway. The proposal would comply with paragraph 4.40 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Layouts.

7.16 Renewable energy / Sustainability

This is not applicable to this application.

7.17 Flooding or Drainage Issues

This is not applicable to this application.

7.18 Noise or Air Quality Issues

This is not applicable to this application.

7.19 Comments on Public Consultations

The third party comments have been addressed in the report.

7.20 Planning Obligations

The proposed houses would result in a net increase of 7 rooms and as such would fall within the threshold for seeking a contribution towards additional school facilities in the Manor ward. Given that a legal agreement or unilateral undertaking has not been offered to address this issue, the proposal is considered to be contrary to Policy R17 of the Adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and the Council's Planning Obligations, Supplementary Planning Document (July 2008).

7.21 Expediency of enforcement action

This is not applicable to this application.

7.22 Other Issues

There are no other relevant issues.

8. Observations of the Borough Solicitor

When making their decision, Members must have regard to all relevant planning

legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are 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).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

9. Observations of the Director of Finance

This is not applicable to this application.

10. CONCLUSION

The proposed development is considered to be contrary to the aforementioned policies and as such, this application is recommended for refusal.

11. Reference Documents

London Plan 2008

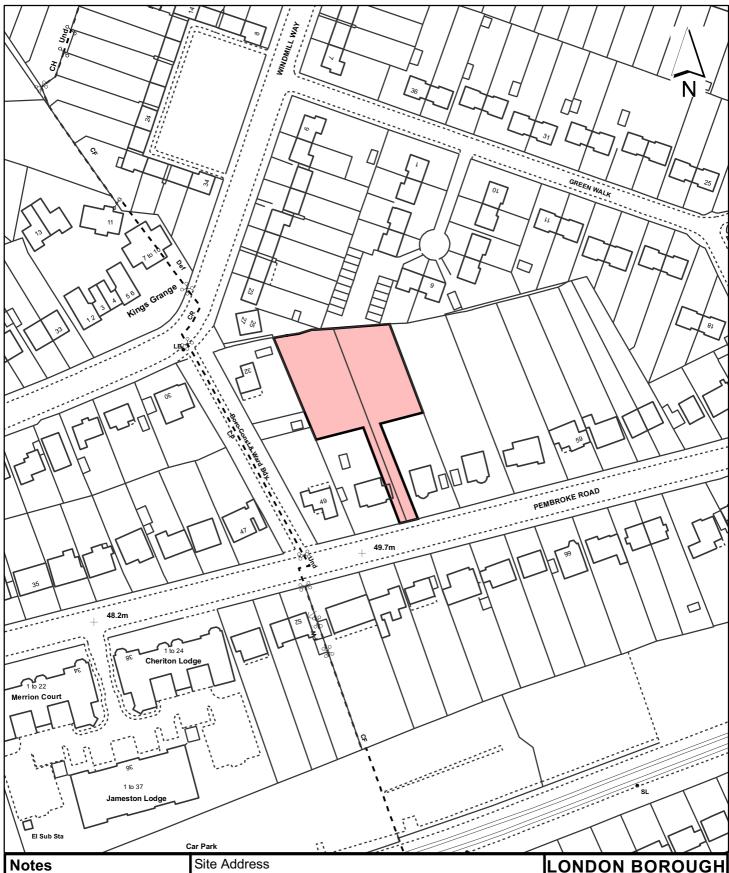
Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007)

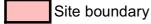
Hillingdon Design & Accessibility Statement: Residential Layouts Hillingdon Design & Accessibility Statement: Accessible Hillingdon

PPS3

London Plan Interim Housing Supplementary Planning Guidance (April 2010)

Contact Officer: Sonia Bowen Telephone No: 01895 250230





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Land to rear of 51 and 53 Pembroke Road Ruislip

Planning Application Ref: 66982/APP/2010/1004 Scale

1:1,250

Planning Committee

North Page 22

Date

September 2010

LONDON BOROUGH **OF HILLINGDON**

Planning, Environment & Community Services

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



Report of the Head of Planning & Enforcement Services

Address 37 HOWLETTS LANE RUISLIP

Development: Conversion of existing bungalow to two x 2 bedroom semi-detached

bungalows involving alterations/extensions to existing dwelling.

LBH Ref Nos: 33165/APP/2010/1011

Drawing Nos: 101

Design & Access Statement

100 102 105/B 107/B 106/B 108/A

 Date Plans Received:
 30/04/2010
 Date(s) of Amendment(s):
 30/04/2010

 Date Application Valid:
 25/05/2010
 12/08/2010

1. SUMMARY

Planning permission is sought for the conversion of the existing bungalow to provide a pair of semi-detached bungalows. The proposal would maximise the use of the land for residential purposes and would provide adequate amenities of future occupiers.

The proposal would not detract from the character and appearance of the street scene and would not harm the residential amenities of adjoining occupiers.

2. RECOMMENDATION

APPROVAL subject to the following:

1 T8 Time Limit - full planning application 3 years

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2 M2 External surfaces to match existing building

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the

plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4 RPD1 No Additional Windows or Doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 35 and 39 Howletts Lane.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 RPD2 Obscured Glazing and Non-Opening Windows (a)

The lounge windows facing 37 and 39 Howletts Lane shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

6 OM5 Provision of Bin Stores

No development shall take place until details of facilities to be provided for the secure and screened storage of refuse bins within the site have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained.

REASON

To ensure a satisfactory appearance and in the interests of the amenities of the occupiers and adjoining residents, in accordance with Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

7 RPD5 Restrictions on Erection of Extensions and Outbuildings

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension to any dwellinghouse(s) nor any garage(s), shed(s) or other outbuilding(s) shall be erected without the grant of further specific permission from the Local Planning Authority.

REASON

So that the Local Planning Authority can ensure that any such development would not result in a significant loss of residential amenity in accordance with policy BE21 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

8 RPD6 Fences, Gates, Walls

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected other than those expressly authorised by this permission.

REASON

To protect the open-plan character of the estate in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

9 RPD9 Enlargement to Houses - Roof Additions/Alterations

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no addition to or enlargement of the roof of any dwellinghouse shall be constructed.

REASON

To preserve the character and appearance of the development and protect the visual amenity of the area and to ensure that any additions to the roof are in accordance with policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

10 NONSC Non Standard Condition

Prior to commencement of works, details of a front garden car parking and landscaping scheme shall be submitted to and approved in writing by the local planning authority. The development shall not be occupied until the car parking space has been implemented, and so maintained. The landscaping works shall be implemented within the next available planting season unless otherwise agreed in writing by the local planning authority, and so maintained.

REASON

To ensure that adequate facilities are provided and in order to preserve and enhance the visual amenities of the street scene and the surrounding area in accordance with policies BE13, BE38 and AM14 of the adopted Unitary Development Plan.

11 NONSC Non Standard Condition

Notwithstanding the access arrangements as shown on drawing 105/B, no development shall take place until details of a joint access arrangement for the proposed bungalows has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and so maintained for as long as the development remains in existence.

REASON

To provide a satisfactory access arrangement that complies with the Council's standards and to maintain highway and pedestrian safety, in accordance with policies AM7 and AM14 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

12 M5 Means of Enclosure - details

Before the development is commenced, details of boundary fencing or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure shall be erected before the development is occupied and shall be permanently retained thereafter.

REASON

To safeguard privacy to adjoining properties in accordance with Policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

13 SUS5 Sustainable Urban Drainage

No development shall take place on site until details of the incorporation of sustainable urban drainage have been submitted to, and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed on site and thereafter permanently retained and maintained.

REASON

To ensure that surface water run off is handled as close to its source as possible in compliance with policy 4A.14 of the London Plan (February 2008) /if appropriate/ and to ensure the development does not increase the risk of flooding contrary to Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), polices 4A.12 and 4A.13 of the London Plan (February 2008) and PPS25.

14 DIS5 Design to Lifetime Homes Standards & Wheelchair Standards

All residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards as set out in the Council's Supplementary Planning Document 'Accessible Hillingdon'.

REASON

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (February 2008) Policies 3A.5, 3A.13, 3A.17 and 4B.5.

INFORMATIVES

1 | 152 | Compulsory Informative (1)

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the
	area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to
	neighbours.
BE38	Retention of topographical and landscape features and provision of

new planting and landscaping in development proposals.

AM2 Development proposals - assessment of traffic generation, impact

on congestion and public transport availability and capacity

AM7 Consideration of traffic generated by proposed developments. Provision of cycle routes, consideration of cyclists' needs in design AM9

of highway improvement schemes, provision of cycle parking

facilities

AM14 New development and car parking standards.

Hillingdon Design & Accessibility Statement (HDAS): Residential **HDAS**

Layouts (adopted in August 2006 and to form part of the emerging

Local Development Framework documents):

4.6 Unit Size

4.9 Sunlight/Daylight

4.12 Privacy

4.15 Garden Space for Houses

4.23 Elevation Treatment

4.24 Rooflines

4.25 Active Frontages 4.26 Boundary Treatment

4.27 Building Lines 4.33 Car Parking 4.39 Cycle Parking

London Plan Policy 4B.1 - Design principles for a compact city. LPP 4B.1 London Plan Policy 4A.3 - Sustainable Design and Construction. LPP 4A.3 **CACPS** Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved

Policies, September 2007)

11 3 **Building to Approved Drawing**

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

4 12 **Encroachment**

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.

Building Regulations - Demolition and Building Works

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

6 15 **Party Walls**

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

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

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

7 | 16 | Property Rights/Rights of Light

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

8 115 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -

- A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank and Public Holidays.
- B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.
- C) The elimination of the release of dust or odours that could create a public health nuisance.
- D) No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

9 147 Damage to Verge

You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

10 | 146 | Renewable Resources

To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO2) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the north east side of Howletts Lane and comprises a detached bungalow with front projections and an attached garage. To the north west lies 39 Howletts Lane and to the south east lies 35 Howletts Lane, both detached bungalows. The street scene is residential in character and appearance comprising a mix of detached bungalows and houses, and the application site lies within the developed area as identified in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

3.2 Proposed Scheme

Planning permission is sought for the conversion of the detached bungalow into a pair of semi-detached bungalows. The originally submitted scheme proposed a pair of chalet bungalows however the proposal has been amended and the first floor rear dormer extension omitted from the scheme.

The proposed conversion would utilise much of the existing elevations of the bungalow. The application site would effectively be sub-divided into two equal size plots widths; 7.25m wide. Plot 1, located adjacent to 39 Howletts Lane, would involve the erection of a front extension attached to the front elevation of that part of the existing bungalow comprising a front projection and entrance. The proposed extension would measure 7m wide, 2.7m deep and incorporate a bay window. The bay window section would be finished with a hip end dual-pitched roof matching that of the existing front projection and the front entrance element would be finished with a flat roof measuring 2.8m high.

Plot 2, located adjacent to 35 Howletts Lane, would retain the front gable but would involve the part demolition of the front projection of a garage to form a front wall, with entrance door, set 1.1m behind the front gable. A single storey side/rear extension is proposed to the rear of the former garage. It would measure some 4.4m deep, set flush with the rear wall of the existing bungalow, and finished with a flat roof 3m high, matching the existing front element.

Identical part single storey rear extensions are proposed to the rear of the proposed bungalows. They would each be set 1.5m from the side boundaries with the adjoining properties, and would measure 5.8m wide, 4.3m deep and finished with a flat roof, 2.8m high.

At front, two off-street parking spaces and garden landscaping are proposed for each bungalow, a new crossover is proposed for plot 1, and the rear garden would be subdivided to provide two private gardens.

3.3 Relevant Planning History

33165/83/0488 37 Howletts Lane Ruislip

Single storey side extension.

Decision: 27-04-1983 Approved

Comment on Relevant Planning History

There is no relevant planning history.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

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BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
HDAS	Hillingdon Design & Accessibility Statement (HDAS): Residential Layouts (adopted in August 2006 and to form part of the emerging Local Development Framework documents): 4.6 Unit Size 4.9 Sunlight/Daylight 4.12 Privacy

PART 1 - MEMBERS, PUBLIC & PRESS

4.24 Rooflines

4.25 Active Frontages4.26 Boundary Treatment

4.27 Building Lines4.33 Car Parking

4.15 Garden Space for Houses 4.23 Elevation Treatment

- LPP 4B.1 London Plan Policy 4B.1 Design principles for a compact city.

 LPP 4A.3 London Plan Policy 4A.3 Sustainable Design and Construction.
- CACPS Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies,

September 2007)

5. Advertisement and Site Notice

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

6. Consultations

External Consultees

14 adjoining owner/occupiers and the Ruislip Residents' Association were consulted. 11 letters of objection, 1 letter of support and a petition with 29 signatories have been received making the following comments:

Letters of objection:

- (i) The proposal would appear overdominant and would overlook the rear garden of 35 Howletts Lane;
- (ii) Increase in demand for on-street parking;
- (iii) No gardens will be provided;
- (iv) The proposal would be out of character with the street scene and surrounding area;
- (v) Overdevelopment of the site;
- (vi) The car parking is inadequate;
- (vii) No side access to the properties therefore, refuse would be left in the front;
- (viii) The rear roof dormer windows would overlook 41 Howletts Lane;
- (ix) The increase in the roof height would increase overshadowing onto adjoining properties; and
- (x) Proposal would be contrary to policies PT.1.15, BE13, BE19 and BE24, paragraph 5.24 of the adopted UDP.

Letter of support:

(i) The proposed development would harmonise with the diverse character and appearance of the street scene and encourage a feeling of community engagement.

Petition:

"We the undersigned request Hillingdon Council to refuse planning permission for the conversions of this detached bungalow into two semi-detached dwellings which by reason of their siting, bulk and proximity, would result in a significant loss of residential amenity."

Ruislip Residents' Association:

"We are writing in support of neighbour concerns over the proposed conversion of the existing dwelling to 2 x 3 semi detached chalet bungalows.

Such a development would be out of character with the existing street scene given it would be in particular be overdominant.

Whilst Hillingdon Design & Accessibility Statement (HDAS) does not specifically comment on this type of alteration it would be reasonable to interpret the rules as for houses. Whilst the proposal appears to meet the requirements of HDAS in general terms we would make the following qualifications:

- (i) The new flank walls do not appear to comply with HDAS 4.4 in respect of the 250mm set in required from the boundary.
- (ii) The new rear wall projects more that the 3.6m allowed under HDAS 3.3
- (iii) No external access is provided to rear gardens.

Additional on street parking needs are also likely to arise from the development on a highway already limited by grass islands in the immediate vicinity.

We trust that our concerns can still be taken into account notwithstanding our late submission."

Nick Hurd MP: This application is an example of those cases that are intended to be judged in relation to the newly amended Planning Policy Statement: Housing (PPS3). As you will be well aware, private residential gardens are no longer regarded as previously developed land and are therefore not automatically considered suitable for [residential] development.

The existing character of Howletts Lane would be threatened by the proposed development and I therefore support the petitioners and hope that the Committee will reject the application.

Internal Consultees

Trees/Landscape:

The site is currently occupied by a bungalow within a generous plot. The bungalow is set well back from the footway, by approximately 10 metres and vehicular access is served by a carriage drive. There are no protected trees on the site which might constrain development and no landscape features of merit within the front garden. The Design & Access Statement and plans refer to an unspecified tree within the rear garden which is due to be retained as part of the development.

The proposal to convert the bungalow into two semi-detached houses involves the removal of the carriage driveway and the provision of two separate driveways, which will be accessed via the existing dropped kerbs. The new layout allows for 2No. off-street parking space per house, together with front garden space. The rear garden space will be divide between the two properties and existing trees are scheduled to be retained.

Saved policy BE38 seeks the landscape enhancement of new developments. The scheme provides space and opportunity for landscape improvements which can be secured by condition.

DCLG/EA guidance seeks the provision of SUDS compliant hard-surfacing to front gardens. This should be secured by condition.

No objection subject to conditions TL1, TL2, TL3, TL5 and TL6.

Highways:

Two tandem car parking spaces are proposed for the proposed two dwellings, which is in accordance with the Council's requirements. One dwelling would be served by an existing vehicular crossover and a 3.2m extension to the adjoining vehicular crossover serving no.39 is proposed for the second property. It would be desirable to have a joint access arrangement to avoid having separate accesses and the proposed extended crossover being wider than the Council's current standard crossover width.

Cycle parking can be accommodated within the rear gardens.

The hardstanding should be designed and constructed in a way that surface water from the private land does not drain onto the highway or into the highway drainage system.

No objection is raised, subject to the conditions relating to surface water drainage and revised access arrangements.

Access:

In assessing this application, reference has been made to London Plan Policy 3A.5 (Housing Choice) and the Council's Supplementary Planning Document 'Accessible Hillingdon' adopted January 2010.

In its current form, the proposed development would most likely make what is potentially a fully accessible home, less accessible.

The scheme should be revised and compliance with all 16 Lifetime Home standards (as relevant) should be shown on plan.

The applicant should pay particular attention to the following:

- 1. Level access should be provided into the dwelling. In the interests of good design ramps should be avoided. Further details should be submitted in this regard, prior to any grant of planning permission.
- 2. Bathrooms, including the downstairs WC, should provide at least 700mm to one side of the WC, with 1100 mm provided between the front edge of the toilet pan and a door or wall opposite.
- 3. To allow bathrooms to be used as wet rooms in future, plans should indicate floor gulley drainage.
- 4. The plans should indicate the location of a future 'through the ceiling' wheelchair lift. Joists should be trimmed to provide an area of at least 1500 x 1000 mm with a minimum 2.4 metre head clearance at first floor level.

The Design & Access Statement should be revised to demonstrate how the proposed development has incorporated all 16 Lifetime Home Standards.

Amended plans and further details, including an updated Design & Access Statement should be submitted to ensure that the proposed development is capable of meeting accessible housing policy.

Waste Management:

There is space allocated for a store to accommodate 2 x 240 litre bins, and this is good practice.

However, the current collection system is based on sacks and as described below:-

- (i) Weekly residual (refuse) waste using sacks purchased by the occupier (allow for 3 x 70 litre sacks per 3 bedroom dwelling).
- (ii) Weekly dry recycling collection using specially marked sacks provided by the Council (allow for 3 x 70 litre sacks per 3 bedroom dwelling).
- (iii) Fortnightly green garden waste collection using the specially marked reusable bags provided

by the Council (3 bags provided per household).

The residents would be required to present the waste and recycling at the curtilage of the property on the allocated collection days.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Policy BE13 of the Adopted Hillingdon UDP (Saved Policies, September 2007) 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 character of the area.

Section 4.10 of the adopted Supplementary Planning Document (SPD): Residential Layouts advises that careful consideration should be given to the height of new buildings and the surrounding building lines, as a general rule the front and rear building lines should be a guide for the siting of new dwellings.

On 9th June 2010 PPS3 the definition of Previously Developed land was updated to remove back gardens. This alteration does not in itself introduce any sort of presumption against development of back garden land, but rather alters the classification of back garden land so that such developments no longer count towards the 60% of new housing should be located on brownfield sites under PPS3. In this particular case the proposal does not involve the re-development of rear garden land, other than for the proposed single storey rear extensions and as such the proposal is considered acceptable in this respect.

7.02 Density of the proposed development

The proposed scheme would have a density of 109 habitable rooms per hectare. This is below the London Plan density range of 150-250 habitable rooms per hectare in respect of habitable rooms per hectare based on the site's Public Transport Accessibility Level (PTAL) score of 1b. However, the scheme is considered to be of a high quality which would be compatible with the local context and result in a good standard of amenity for the future occupiers. Accordingly, no objection is raised to the proposed density in this instance.

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

This is not applicable to this application.

7.04 Airport safeguarding

This is not applicable to this application.

7.05 Impact on the green belt

This is not applicable to this application.

7.06 Environmental Impact

This is not applicable to this application.

7.07 Impact on the character & appearance of the area

The street scene is characterised by a mix of detached bungalows and houses. There does not appear to be any semi-detached properties in the street. However, it is considered that given the diverse mix of houses and bungalows in the street, the semi-detached nature of the proposal is not considered to appear out of character with the street scene.

The proposed development would maintain a 'bungalow' style appearance. The rear first floor addition has been omitted and the proposal does not involve an increase in the overall height of the building. The front elevation alterations are acceptable and would relate satisfactorily with other bungalows in the street.

At the rear, the proposed single storey rear extension, by reason of their overall size, siting design and appearance, are considered to harmonise with the character of the bungalows. Although the proposed length of projection would exceed 3.6m deep, by reason of their overall height, the proposed rear extensions are considered to relate satisfactorily with the proportions of the bungalows. The proposed part single storey side/rear extension would also appear subordinate as it would match the height of the existing side extension (former garage).

Overall, it is considered that the proposed semi-detached bungalows would maintain the character and appearance of the street scene and surrounding area generally, in accordance with policies BE15, BE15 and BE19 of the Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) paragraphs 4.23, 4.24, 4.26 and 4.27 of the Hillingdon Design & Accessibility Statement: Residential Layouts.

7.08 Impact on neighbours

The proposed single storey rear extensions would project more than 3.6m deep, contrary to paragraph 3.3 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions. However, as they would be set 1.5m from the side boundaries with nos. 35 and 39 Howletts Lane, and would not be more than 3m high, they would not breach a 45 degree line of sight taken from the rear habitable room windows at those properties, closest to the side boundary with the application properties.

The proposed front extension to Plot 1 would not project beyond the front wall of 39 Howletts Lane and the proposed part single storey side/rear extension at plot 2 would not project beyond the rear wall of 35 Howletts Lane.

As the height of the proposed bungalow would not be increased, the proposal would not result in an increase in overshadowing. Furthermore, the flank windows in the rear extensions can be fitted with obscure glass to prevent overlooking onto the adjoining properties as they would provide a secondary source of natural light to the rooms they would serve.

It is therefore considered that the proposal would not harm the residential amenities of the occupiers of adjoining bungalows through overdominance, visual intrusion, overshadowing and overlooking, in accordance with policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007). The new windows would provide an adequate outlook and natural light to the rooms they would serve, in accordance with London Plan Policy 4A.3 and BE20 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and paragraphs 4.9 and 4.12 of the Hillingdon Design & Accessibility Statement: Residential Layouts.

7.09 Living conditions for future occupiers

The internal size of each of the proposed bungalows would be more than 70sq.m which would exceed the requirements of paragraph 4.6 of the Hillingdon Design & Accessibility Statement: Residential Layouts for 2 bedroom houses, which advises 63sq.m.

Over 200sq.m of private amenity space would be provided for each dwelling and this would meet the requirements of paragraph 4.15 of the Hillingdon Design & Accessibility Statement: Residential Layout, for 2 bedroom houses. The proposal would therefore comply with policy BE23 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.10 Traffic impact, car/cycle parking, pedestrian safety

The proposed bungalows would not lead to a significant increase in traffic generation given its proposed use and location within a residential area. As such, the proposal would comply with policy AM2 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

The area has a PTAL accessibility rating of 1b, within a scale of 1 to 6 where 6 is the most accessible. The area, thus, has a low accessibility level and the Council's maximum parking standard of 2 spaces is required for the proposed dwellings.

The submitted plans show 2 off-street parking spaces at the front for the proposed bungalows, which would accord with the above standard. Furthermore, there is sufficient space at the rear to provide cycle storage. As such, the proposal is unlikely to result in an increase in on street demand for parking and would comply with sustainability objectives, in accordance with policies AM7(ii), AM9 and AM14 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007), paragraphs 4.33 and 4.39 of the Hillingdon Design & Accessibility Statement: Residential Layouts, and the Council's Parking Standards (Annex 1, adopted Hillingdon Unitary Development Plan, Saved Policies, September 2007).

The proposed access arrangement are acceptable, however, the Highway Engineer would prefer to have a joint access arrangement so as to avoid having separate accesses and the proposed extended crossover being wider than the Council's current standard crossover width. As such, a condition is recommended requiring a revised access layout to be submitted to and approved by the local planning authority prior to commencement of works.

7.11 Urban design, access and security

This is addressed elsewhere in this report.

7.12 Disabled access

With regards to the Lifetime Home Standards, the proposal involves the conversion of the existing bungalow and as such, much of the existing internal arrangements have been retained. With regard to meeting the standards for lifetime homes a condition is recommended requiring this.

7.13 Provision of affordable & special needs housing

This is not applicable to this application.

7.14 Trees, Landscaping and Ecology

The proposal would not affected any trees of merit and the additional front landscaping would enhance the amenities of the street scene, in accordance with policy BE38 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.15 Sustainable waste management

This is not applicable to this application.

7.16 Renewable energy / Sustainability

This is not applicable to this application.

7.17 Flooding or Drainage Issues

This is not applicable to this application.

7.18 Noise or Air Quality Issues

This is not applicable to this application.

7.19 Comments on Public Consultations

With regards to the third party objections, points (i), (ii), (iii), (iv), (v), (vi), (ix) and (x) have been addressed in the report. On point (xii), there is sufficient space on the frontage to provide refuse storage. On point (viii), the rear dormer extension has been omitted from

the scheme. The comments of the petitioners and the Ruislip Resident's Association have been addressed in the report.

The comments of the letter of support are noted, and with regards to the comments from Nick Hurd MP, the proposal does not involve back garden development.

7.20 Planning Obligations

The proposed conversion would not result in a net increase of 6 rooms and as such would not fall within the threshold for seeking a contribution towards additional school facilities.

7.21 Expediency of enforcement action

This is not applicable to this application.

7.22 Other Issues

There are no other relevant issues.

8. Observations of the Borough Solicitor

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are 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).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

9. Observations of the Director of Finance

This is not applicable to this application.

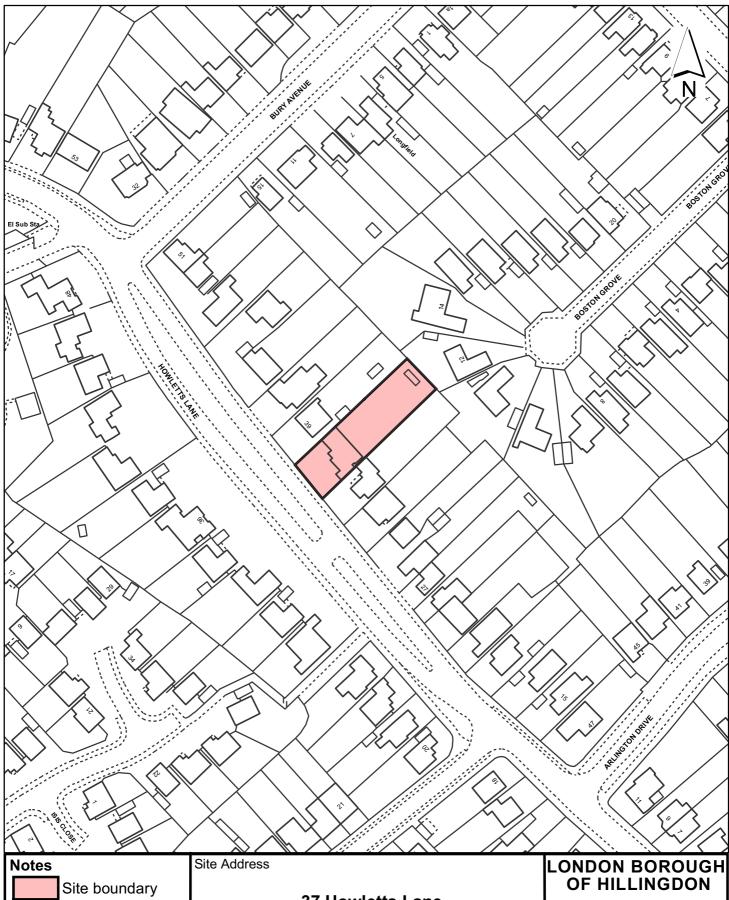
10. CONCLUSION

In conclusion, the proposal would represent and acceptable form of development and would comply with the aforementioned policies. Therefore, planning permission is recommended.

11. Reference Documents

London Plan 2008 Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) Hillingdon Design & Accessibility Statement: Residential Layouts

Contact Officer: Sonia Bowen Telephone No: 01895 250230



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37 Howletts Lane Ruislip

Planning Application Ref: 33165/APP/2010/1011

Scale

1:1,250

Planning Committee

North Page 39

Date

September 2010

Planning, Environment & Community Services

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



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Agenda Item 11

Report of the Head of Planning & Enforcement Services

Address GRASS VERGE OPPOSITE RECREATION GROUND MOORHALL ROAD

HAREFIELD

Development: Installation of a 12.5m high mobile telecommunications pole and ancillary

equipment cabinet (Consultation under Schedule 2, Part 24 of The Town and

Country Planning (General Permitted Development) Order 1995)

LBH Ref Nos: 67032/APP/2010/1845

Drawing Nos: 100 Rev. A

200 Rev. B 300 Rev. C 400 Rev. B

500 Rev. B (Technical Information)
Site Specific Supplementary Information

ICNIRP Declaration

Supporting Technical Information (Coverage plots)

Design and Access Statement General Background Information Photomontage Ref: 10469.1.1 Photomontage Ref: 10469.2.1

Date Plans Received: 10/08/2010 Date(s) of Amendment(s):

Date Application Valid: 10/08/2010

1. SUMMARY

This application has been submitted jointly by Vodafone and O2 and seeks to determine whether prior approval is required for the siting and design of an 12.5m high slim line street works 'monopole' mobile phone mast, incorporating six antennas and one ancillary equipment cabinet, measuring 1.4m x 0.44 x 1.55m high. The installation is required in order to provide future 3G coverage as part of Vodafone's and O2's licence obligations.

The applicants have searched the desired coverage area and concluded that there are no other more suitable locations available. In support of the application, the applicants have supplied copies of technical details of their search/coverage area plans and justification for their site selection.

However, it is considered that the proposed installation would be visually unacceptable in this sensitive location along a busy main road, adjacent to Green Belt land and a Nature Conservation Site of Metropolitan or Borough Grade I Importance. The proposal would result in an unacceptable cumulative impact by introducing a new installation in close proximity to an existing mobile phone mast and associated equipment cabinets at this section of Moorhall Road.

Other sites should be more thoroughly investigated. As such it is recommended that the prior approval of siting and design is required and the details of siting and design be refused.

2. RECOMMENDATION

That subject to no further representations being received, which raise any

significant planning issues not already addressed in the report, delegated powers be given to the Head of Planning and Enforcement to determine the application as follows, following expiry of the public consultation period on 22nd September 2010:

RECOMMENDATION (A) That prior approval of siting and design is required. RECOMMENDATION (B) The details of siting and design are refused for the following reason:

1 NON2 Non Standard reason for refusal

The proposed development would result in an incongruous and visually obtrusive form of development which would result in unwanted street clutter and would be out of keeping with the visual character of the existing street scene, which it would fail to either preserve or enhance. Furthermore, other potential solutions have not been fully investigated. The proposal is therefore contrary to Policies pt.1.8, pt1.11, BE13 and BE37 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

INFORMATIVES

1

The decision to refuse the details of siting and design 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 the details of siting and design has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national quidance.

BE13 New development must harmonise with the existing street scene.

BE37 Telecommunications developments - siting and design

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

3. CONSIDERATIONS

3.1 Site and Locality

The site comprises the grass verge adjacent to the public footway on Moorhall Road in South Harefield. A car park, screened from the road by mature trees (between approximately 10m to 15m high), serves the neighbouring nature conservation area (Denham Quarry) to the south of the site. There is a recreation ground and children's playground on the opposite side of Moorhall Road and the garden of the nearest residential property is just under 30m away to the north east. The site lies immediately adjacent to Green Belt land and a Nature Conservation Site of Metropolitan or Borough Grade I Importance, as designated in the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3.2 Proposed Scheme

The application seeks to determine whether prior approval is required for the siting and design of an 12.5m high slim line street works monopole mobile phone mast incorporating three antennas and one ancillary equipment cabinet measuring 1.4m x 0.44 x 1.55m high. The mast would be coloured grey and the equipment cabinet would be coloured green.

The installation is proposed as a shared facility by Vodaphone and O2, in order to provide future 3G coverage as part of its licence obligations. The applicants has searched this area and concluded that there are no other more suitable locations available. In support of the application, the applicants have supplied technical details of their search/coverage area plans and a supporting statement.

3.3 Relevant Planning History

Comment on Relevant Planning History

On 22/06/05 the Council refused permission for the installation of an 11.7m high monopole mobile phone mast and equipment cabinets 16 metres to the south west of the application site(Ref: 60622/APP/2005/1267). On 18/11/05 an appeal (Ref: APP/R5510/A/05/1186777) against the Council's decision to refuse was dismissed. The Inspector expressed the view that the mast would not appear out of character with the area or surrounding street furniture. However, he dismissed the appeal due to the impact of the proposed 3 equipment cabinets.

On 10 July 2006 details of the siting and appearance of an 11.7 metre high monopole mobile phone mast and ancillary equipment cabinets (ref:60622/APP/2006/1453) were approved.

Pre application advice was provided on 6/7/2010, in connection with the current proposal, in which the applicant was advised that the scheme would be conspicuous from the adjoining Green Belt and street scene and that other locations should be considered, preferably with more mature trees for screening, particularly if a similar highway verge site is chosen. The applicant was also advised to investigate the use of alternative sites, as this site is too close to the existing telecommunications mast and therefore does not achieve adequate spacing in terms of street furniture.

The applicant has submitted the current proposal in the same location that was considered at pre- application stage.

4. Planning Policies and Standards

The application has been assessed principally against Policy BE37 of the Unitary Development Plan and Planning Policy Guidance Note 8: Telecommunications. Both seek to find solutions which minimise the impact of telecommunications development on the appearance of the surrounding area.

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.
- PT1.11 To facilitate the development of telecommunications networks in a manner than

minimises the environmental and amenity impact of structures and equipment.

Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE37	Telecommunications developments - siting and design
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
OL5	Development proposals adjacent to the Green Belt
PPG8	Telecommunications

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- 22nd September 2010

5.2 Site Notice Expiry Date:- Not applicable

8th September 2010

6. Consultations

External Consultees

The application has been advertised as a development likely to affect the character of the Widewater Lock Conservation Area. Consultation letters were sent to 54 local owner/occupiers and the Harefield Tenants' and Residents' Association and a site notice was posted.

To date 1 letter of objection has been received, which raises the following concerns:

- 1. There is no conclusive evidence that such equipment is safe for residents living nearby.
- 2. We have young children and are therefore determined to protect them from exposure to any risk.

Internal Consultees

CONSERVATION OFFICER

COMMENTS: The site is located adjacent to the north eastern entrance to the Wide water Lock Conservation Area. It lies on the southern side of the road on the existing rough grass verge and is bounded to the rear by a simple post and rail fence. Opposite is a large grassed open area from where the site of the antenna is clearly visible. The site also lies close to that of an existing antenna and associated cabinets, which were subject to an Appeal in 2005 and agreed by the Council in 2006.

CONSIDERATION: The existing antenna is of a similar height, finish and proportion to the street lamps. It sits close to and partially within the canopy of a large adjacent tree and the cabinets are located on an up kept grassed area, as a result, whilst visible, the overall impact is fairly neutral.

The proposed antenna, which has been subject to previous discussion (ref PE/00092/2010/APP/2010), would be substantially taller and bulkier than the existing and would not benefit from the screening provided by any nearby trees. Even if painted a dark colour, because of its size it would be intrusive within the street scene. The close proximately to the existing antenna and its cabinets would also result in an unacceptably cluttered appearance to the street scene within the immediate area.

CONCLUSION: Not acceptable, other locations should be considered for this structure, preferably where there are more mature trees for screening. Options for reducing its bulk and improving its appearance, e.g. by using coloured finishes and cloaking, some have previously been disguised as telegraph poles and trees, should be considered.

TREE AND LANDSCAPE OFFICER

BACKGROUND: The site is the grass verge to the south of Moorhall Road. To the south of this is a backcloth of woodland, which is a Site of Importance for Nature Conservation (SINC), situated within an area of designated Green Belt. There are no Tree Preservation Orders on, or close to, the site. Close to the proposed site there are other installations, including a 11.7 metre high T Mobile mast and control cabinet and a 10.0 metre high street lighting column, as shown on drawing ref. 200 Rev. B and 300 Rev. C.

PROPOSAL: The proposal is to install a 12.5 metre high column, with antennas and control cabinet to service Vodafone and O2 telecoms providers. Plans and photomontages illustrate the proposals.

LANDSCAPE CONSIDERATIONS: 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.

- · In this case there is no space or opportunity for supplementary landscaping to screen the installation.
- The visual impact of the installation is, arguably, exacerbated by the cumulative effect of the vertical installations in the area, which is starting to clutter the otherwise rural feel to this area.
- · The existing/adjacent installations are finished in a dove grey, which is a sensitive/recessive colour when viewed against the sky but is too light (and bright) against the dark backcloth of mature woodland. A better alternative might be the use of Invisible Green, a very recessive colour against a dark background (BS ref. 4800/colour:10B29).

RECOMMENDATIONS: No objection subject to confirmation of the colour of the mast and control box.

HIGHWAY ENGINEER - No objections.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The proposed installation does not exceed the limits set out in Part 24 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as Amended). It is not located in an environmentally sensitive area, such as a conservation area, where more restrictive criteria are applicable. Accordingly the proposal constitutes permitted development.

In accordance with Part 24 of the Town and Country planning (General Permitted Development) Order 1995 (as amended) Vodafone is required to apply to the Local Planning Authority for a determination as to whether prior approval of the details of siting and design is required and, if so, for the Local Planning Authority to either approve or refuse those details.

7.02 Density of the proposed development

Not applicable to this application.

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

The site does not fall within a Conservation Area or Area of Special Character. There are no listed buildings in the vicinity of the proposed telecommunications equipment. It is not considered that the proposed apparatus would have a direct impact on the character of the Widewater Lock Conservation Area, which is located to the west of the site, in compliance with Saved Policy BE4 of the Hillingdon Unitary Development Plan.

7.04 Airport safeguarding

The application site is not located within close proximity of an aerodrome and there is no requirement to consult the airport safeguarding authorities regarding this proposal.

7.05 Impact on the green belt

The road verge is characterised by trees and vegetation. Pleasant views of the wooded area south of Moorhall Road are relatively uninterrupted. The proposed column would be in prominent view, representing an alien feature in an otherwise rural backdrop. However, the installation would benefit from some limited tree screening to the rear, which would help to screen views of the monopole of longer views from the adjoining Green Belt. It is therefore not considered that the impact on the visual amenities of the Green Belt is not a sustainable reason to refuse the details of siting and design of the proposed apparatus.

7.06 Environmental Impact

Not applicable to this application.

7.07 Impact on the character & appearance of the area

The application has been assessed principally against Policy BE37 of the Unitary Development Plan and Planning Policy Guidance Note 8: Telecommunications. Both seek to find solutions which minimise the impact of telecommunications development on the appearance of the surrounding area. Also relevant is the recent planning history for similar telecommunications apparatus adjacent to this site.

There is a recreation ground on the opposite side of the road, which adjoins a small business park to the west that falls within the Widewater Lock Conservation Area. A nature conservation area, well used for various recreational activities, exists to the south of the site. The nearest residential property lies approximately 30m to the north east, beyond which are more residential properties in Dellside.

Policy BE37 requires that telecommunications development should not seriously harm the appearance of the townscape or landscape. In the proposed location, the 12.5 metre high monopole mast and equipment cabinet would be clearly visible to users of Moorhall Road and the recreation ground opposite. At 1.55 metres, the cabinet would be comparable in height to some adults. The sizeable equipment cabinet is considered to significantly add to the overall impact of the installation, drawing attention to the mast and adding to its visual impact.

Whilst a monopole design has been chosen to mimic the design of nearby streetlights, it is considered that the proposed mast would stand out and be at odds with the evenly spaced shorter street light poles. At 12.5m high, the proposed mast would be taller than the nearby 8m high streetlights and much of the surrounding vegetation. The Conservation Officer considers that the proposed mast would be substantially taller and bulkier than the existing telecommunications installation and would not benefit from the screening provided by any nearby trees. Even if painted a dark colour, because of its size, it would be intrusive within the street scene.

In addition, the proposed mast would be located only 15.5 metres away from the existing 11.5m T-Mobile mast and 5.5 metres away from an existing street light column. The current proposal would result in 4 equipment cabinets, two masts and one street lighting column all within a stretch of 24 metres of highway verge. The Conservation Officer considers that the close proximately to the existing antenna and its cabinets would result in an unacceptably cluttered appearance to the street scene within the immediate area. It is considered that this would have an overbearing impact on this part of Moorhall Road. This is contrary to policies BE13, BE37 and OE1 of the Hillingdon Unitary development Plan.

It is acknowledged that the applicant has demonstrated that there is a clear need for an installation in this area and discounted numerous sites. In this instance the applicant has provided details of ten different sites, which have been investigated within the desired search area, together with reasons for discounting them. Amongst the options discounted is a rooftop installation on the office buildings opposite.

However, it is considered that there may be more appropriate sites, which would be further away from residential properties and recreational areas. There is a vast amount of privately owned land in the area. Although much of this land is designated as Green Belt, it is considered that a discreet location within this land would be preferable to a prominent street works location, which is close to residential properties. It is therefore considered that the applicants have not exhausted all reasonable options for alternative locations of the proposed mast. As such, it is considered that these options should be further investigated before the proposed prominent street works installation is pursued.

In conclusion, it is considered that the proposed development by reason of its siting and design would result in an incongruous and visually obtrusive form of development, which would be out of keeping with the visual character of the adjoining street scene. Other potential solutions have not been fully investigated. The proposal is therefore contrary to Policies pt1.11, BE13, BE37, and OE1 of the Hillingdon Unitary Development Plan.

7.08 Impact on neighbours

The nearest residential property to the proposed development is just over 30m away and the installation would not be directly overlooked. It is not considered that the proposed installation would impact on residential amenity sufficient to justify refusal.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Telecommunications installations are visited infrequently for maintenance purposes only. As such, it is not considered that the proposed installation would have a significant detrimental impact on the free flow of traffic or highway safety. No objections have been raised by the Council's Highway Engineer.

7.11 Urban design, access and security

See Section 7.07

7.12 Disabled access

Not applicable to this application.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

This section of highway verge, as with many others, contains only grass, highway structures and occasional trees. The Tree and Landscape Officer considers that there is no space or opportunity for supplementary landscaping to screen the installation and that the visual impact of the installation is exacerbated by the cumulative effect of the vertical installations in the vicinity, which is starting to clutter the otherwise rural feel to this area. However, the Tree and Landscape Officer raises no objections on landscape grounds, subject to confirmation of the colour of the mast and control box.

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

Not applicable to this type of 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

Potential health risks have been dealt with elsewhere in this report.

7.20 Planning Obligations

There is no requirement for the applicant to pay any S106 contributions for this type of development

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

HEALTH ISSUES

In terms of potential health concerns, the applicant has confirmed that the proposed installation complies with the ICNIRP (International Commission for Non Ionising Radiation Protection) guidelines. Accordingly, in terms of Government policy advice, there is not considered to be any direct health impact.

Recent court cases concerning telecommunications development, including the Harrogate Case which went to the Court of Appeal on 12.11.04, have clarified the primacy of Government health advice in this field. The Court of Appeal ruled that a proposed telecommunications mast was acceptable despite a planning inspector having dismissed a planning appeal because he was not convinced that the appellants had provided enough reassurance that there would be no material harm to young children at local schools. This significant legal judgement backs Government policy and clearly limits the ability of local planning authorities to resist telecommunications installations close to schools or houses on grounds of any adverse health impacts.

Therefore, further detailed technical information about the proposed installation is not considered relevant to the Council's determination of this application.

8. Observations of the Borough Solicitor

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are 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).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

10. CONCLUSION

It is considered that the proposed telecommunications apparatus will have negligible impact on the residential amenity of nearby properties. However, given the rural setting and the back drop of trees and vegetation, it is considered that the location of the proposed mast and equipment cabinet on the grass verge would be visibly prominent

when viewed from Moorhall Road and the recreation ground opposite. It would also add to the street clutter in the area, given the presence of existing telecommunications apparatus nearby. The proposed installation would therefore have an unacceptable impact upon the street scene.

Given the significant harm to the amenity of the area, it is not considered that the need for telecommunications development in this locality should over ride the other environmental considerations outlined above and that alternative solutions may be appropriate.

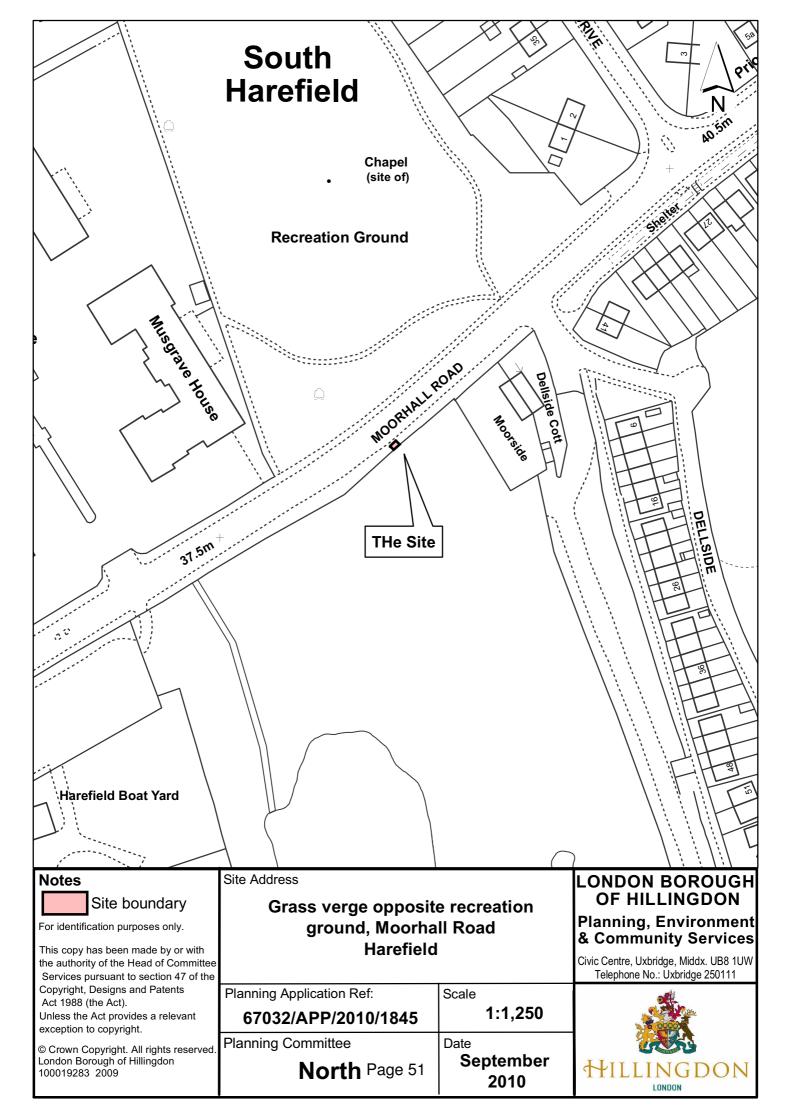
It is therefore recommended that prior approval is required, and that the details are refused.

11. Reference Documents

Hillingdon Unitary Development Plan Saved Policies (September 2007).

PPG8: Telecommunications

Contact Officer: Karl Dafe Telephone No: 01895 250230



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Agenda Item 12

Report of the Head of Planning & Enforcement Services

Address 96 LONG DRIVE RUISLIP

Development: Erection of a single storey rear extension.

LBH Ref Nos: 7280/APP/2010/1418

Drawing Nos: LD-L-100603

Location Plan to Scale 1:2500 1:1250 Tree Location Plan

LD-S/B-100603

LD-S/LP-photos-100515

LD-EFP-100515 LD-EEP-100515 LD-PFP-100515 LD-PEP-100515

Date Plans Received: 17/06/2010 Date(s) of Amendment(s):

Date Application Valid: 08/07/2010

1. CONSIDERATIONS

1.1 Site and Locality

The application site is located on the north west side of Long Drive and comprises a two storey semi-detached house with a front porch. The attached house, 98 Long Drive, lies to the north east and has a single storey rear extension. To the south west lies a shared driveway with 94 Long Drive beyond, a two storey semi-detached house with a detached garage in the rear garden along the side boundary with the application site. The street scene is residential in character and appearance comprising two storey semi-detached houses, some with rear extensions and the application site lies within the developed area as identified in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

1.2 Proposed Scheme

Planning permission is sought for the erection of a single storey rear extension. The proposed extension would measure 5.7m wide, for the full width of the application property, 3.6m deep, and be finished with a mono-pitched roof, 2.4m high at eaves level and 3.4m high at its highest point.

1.3 Relevant Planning History Comment on Planning History

None

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

67 adjoining owner/occupiers and the South Ruislip Residents' Association consulted. No comments received.

NATS: No safeguarding objections.

MOD Safeguarding: No safeguarding objections.

4. UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
AM14	New development and car parking standards.
HDAS	Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions (adopted in August 2006 and to form part of the emerging Local Development Framework documents): 3.0 Rear Extensions and Conservatories: Single Storey

5. MAIN PLANNING ISSUES

LPP 4A.3

The main issues for consideration relate to the effect of the proposal on the character and appearance of the original house, on the surrounding area generally, and on residential amenity.

London Plan Policy 4A.3 - Sustainable Design and Construction.

The proposed single storey rear extension by reason of its size, siting, design, appearance and length of projection is considered to harmonise with the character, proportions and appearance of the original house. It would appear subordinate, as it

would be set sufficiently below the cill of the rear first floor windows. The proposed rear extension would not be out of character with the surrounding area as there are other single storey rear extensions to houses in the terrace, notably at nos. 98 and 100 Long Drive. It is therefore considered that the proposal would comply with policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and section 3.0 of the Hillingdon Design & Accessibility Statement: Residential Extensions.

The proposed single storey rear extension would not be more than 3.6m deep and 3.4m high in accordance with paragraph 3.3 and 3.7 of the Hillingdon Design & Accessibility Statement: Residential Extensions. This length of projection and height are considered to be sufficient to ensure that the proposal would not have a visually intrusive and overdominant impact on the residential amenities of the occupiers of 94 and 98 Long Drive.

No windows are proposed facing 98 Long Drive and the existing rear extension at that house would screen the impact of any increase in overshadowing onto that house. Two high level side windows are proposed facing 94 Long Drive, however these are shown fitted with obscure glass to prevent overlooking. Furthermore, as that property lies to the south west of the application property, no overshadowing will result.

It is therefore considered that the proposal would not harm the residential amenities of nearby residential properties, in accordance with policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007). The new windows would provide an adequate outlook and natural light to the rooms they would serve, in accordance with London Plan Policy 4A.3.

Over 60sq.m of private amenity space would be retained and off-street parking will not be affected by the proposed development in accordance with policies BE23 and AM14 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

For the reasons outlined above, and given that the development complies with the aforementioned policies of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007), this application is recommended for approval.

6. RECOMMENDATION

APPROVAL subject to the following:

1 HH-T8 Time Limit - full planning application 3 years

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2 HH-M2 External surfaces to match existing building

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 HH-OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4 HH-RPD1 No Additional Windows or Doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 94 and 98 Long Drive.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 HH-RPD2 Obscured Glazing and Non-Opening Windows (a)

The windows facing 94 Long Drive shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

INFORMATIVES

Standard Informatives

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

Policy No.

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
AM14	New development and car parking standards.
HDAS	Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions (adopted in August 2006 and to form part of the emerging Local Development Framework documents): 3.0 Rear Extensions and Conservatories: Single Storey
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.

- You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.
- You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.
- Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact Planning, Enviroment and Community Services, Building Control.

3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

You have been granted planning permission to build a residential extension.

When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).

- 7 The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
 - carry out work to an existing party wall;
 - build on the boundary with a neighbouring property;
 - in some circumstances, carry out groundworks within 6 metres of an adjoining building.

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

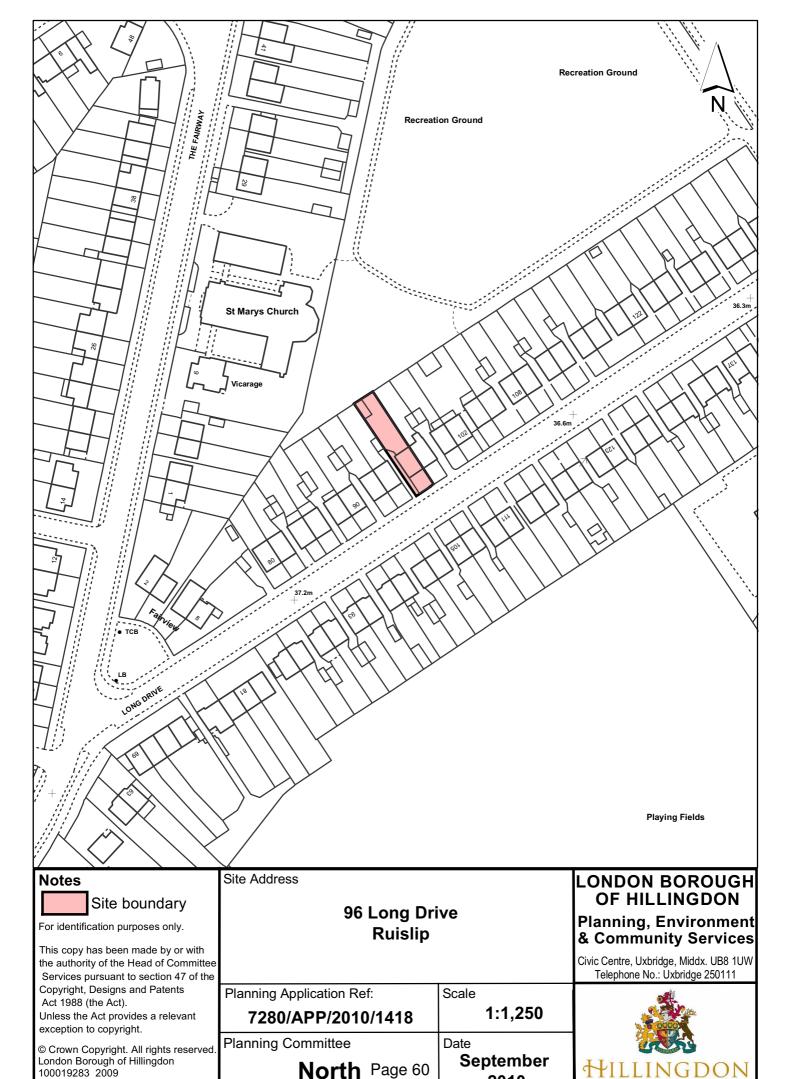
- 8 Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.
- 9 Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -
 - A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays Bank and Public Holidays.
 - B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.
 - C) The elimination of the release of dust or odours that could create a public health nuisance.
 - D) No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit, 3S/02,

Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

- You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act.
- To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO2) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.
- You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact Highways Maintenance Operations, Central Depot Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

Contact Officer: Sonia Bowen Telephone No: 01895 250230



2010

LONDON

Agenda Item 13

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

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Plans for North Planning Committee

16th September 2010





Report of the Head of Planning & Enforcement Services

Address LAND TO REAR OF 51 AND 53 PEMBROKE ROAD RUISLIP

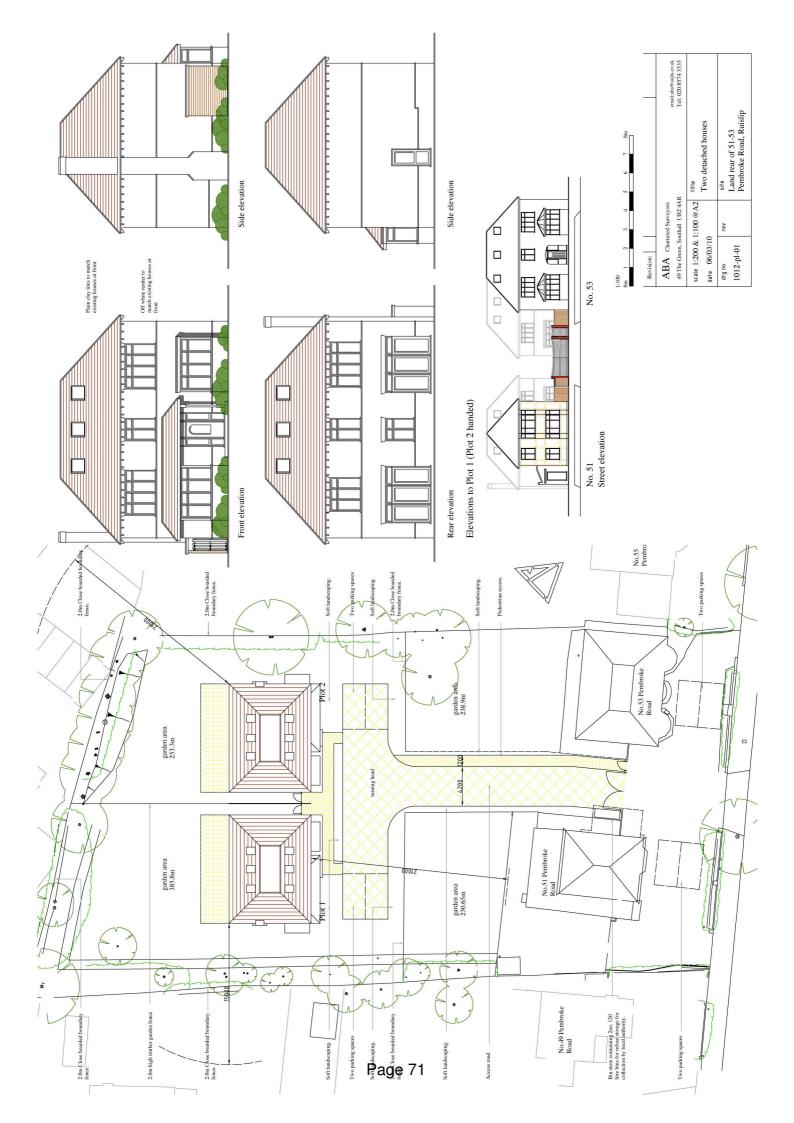
Development: Erection of 2 five-bedroom, two storey detached dwellings with habitable

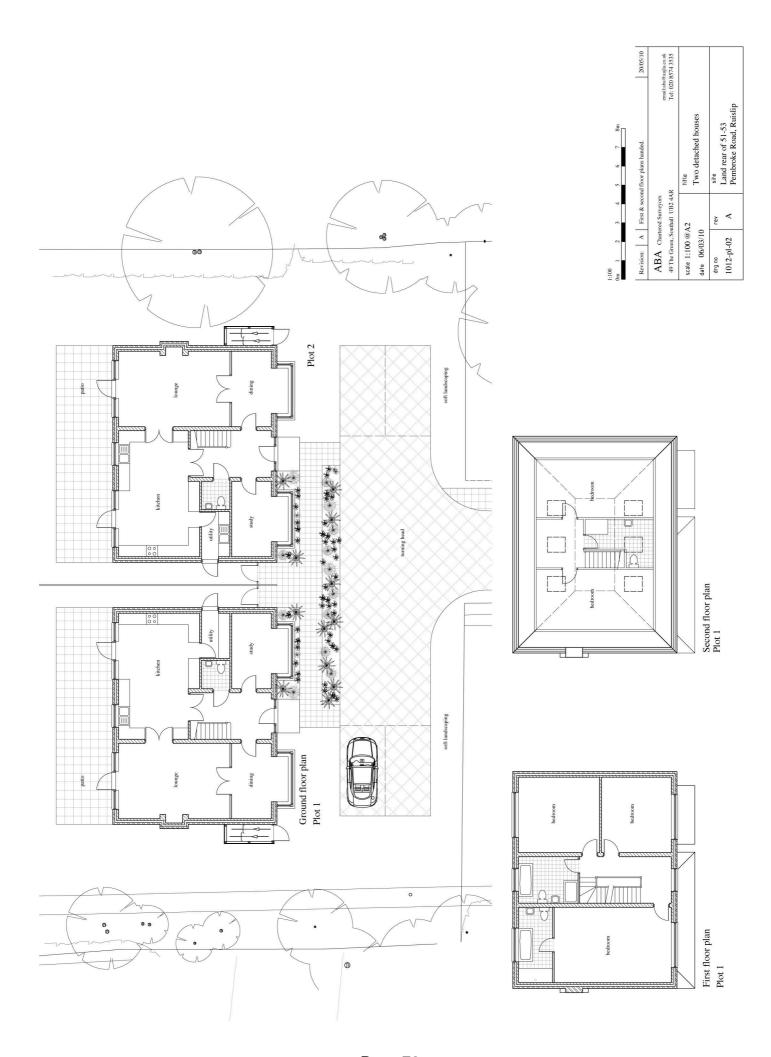
roofspace, associated parking and amenity space.

LBH Ref Nos: 66982/APP/2010/1004

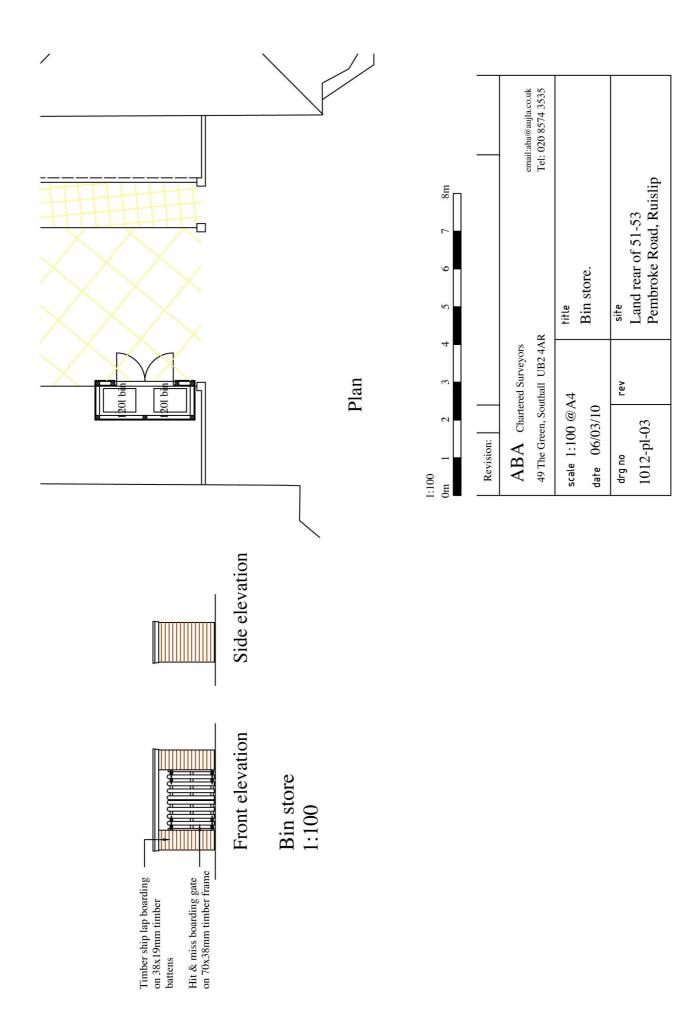
Date Plans Received: 30/04/2010 Date(s) of Amendment(s):

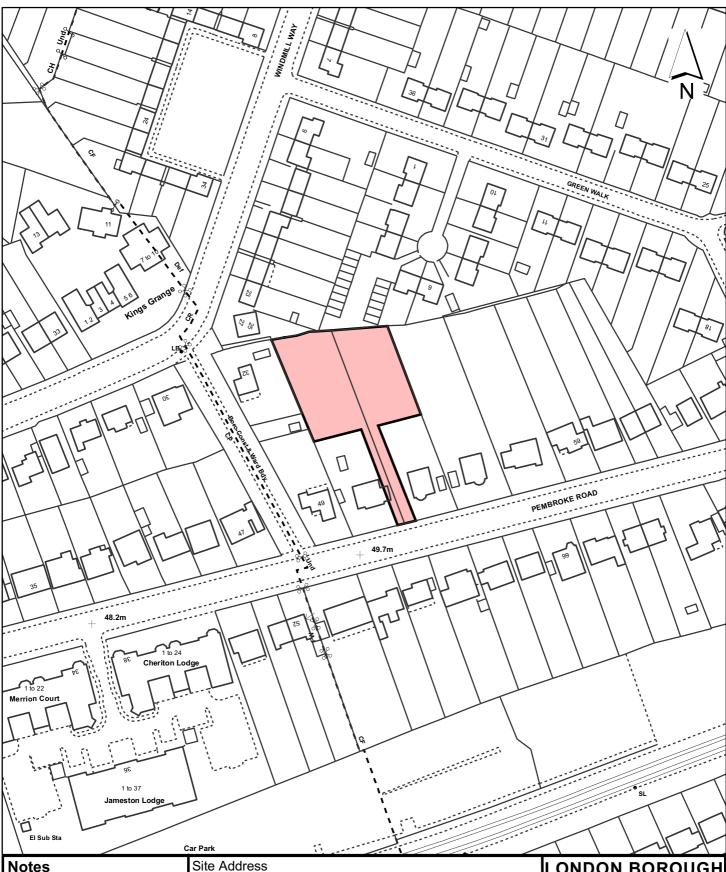
Date Application Valid: 20/05/2010



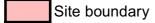


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Notes



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Land to rear of 51 and 53 Pembroke Road Ruislip

Planning Application Ref:

66982/APP/2010/1004

Planning Committee

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Scale

1:1,250

Date

September 2010

LONDON BOROUGH **OF HILLINGDON**

Planning, Environment & Community Services

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



Report of the Head of Planning & Enforcement Services

Address 37 HOWLETTS LANE RUISLIP

Development: Conversion of existing bungalow to two x 2 bedroom semi-detached

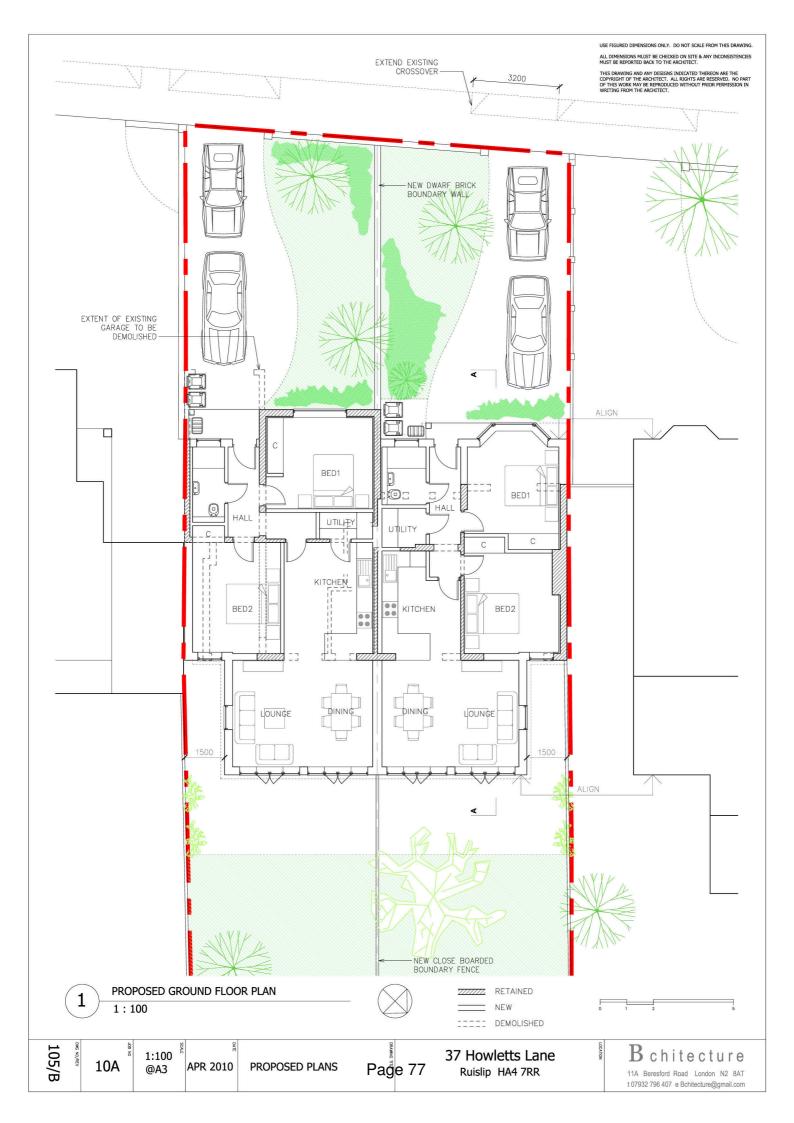
bungalows involving alterations/extensions to existing dwelling.

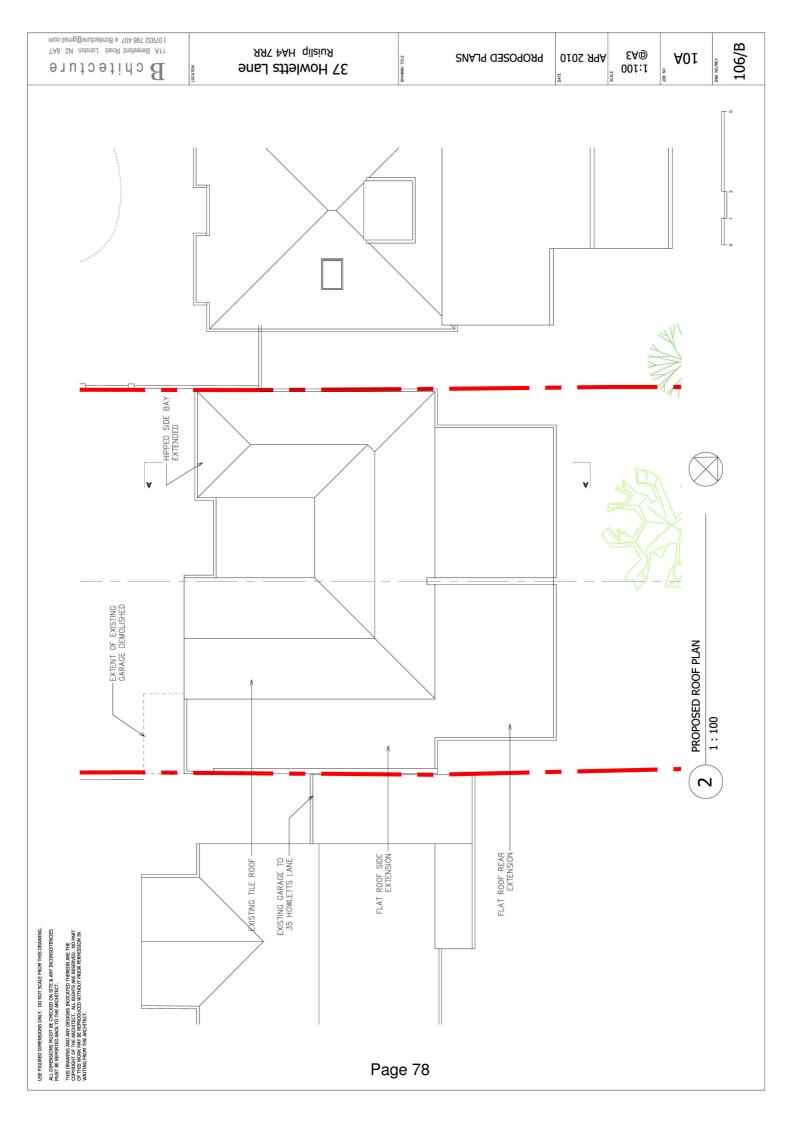
LBH Ref Nos: 33165/APP/2010/1011

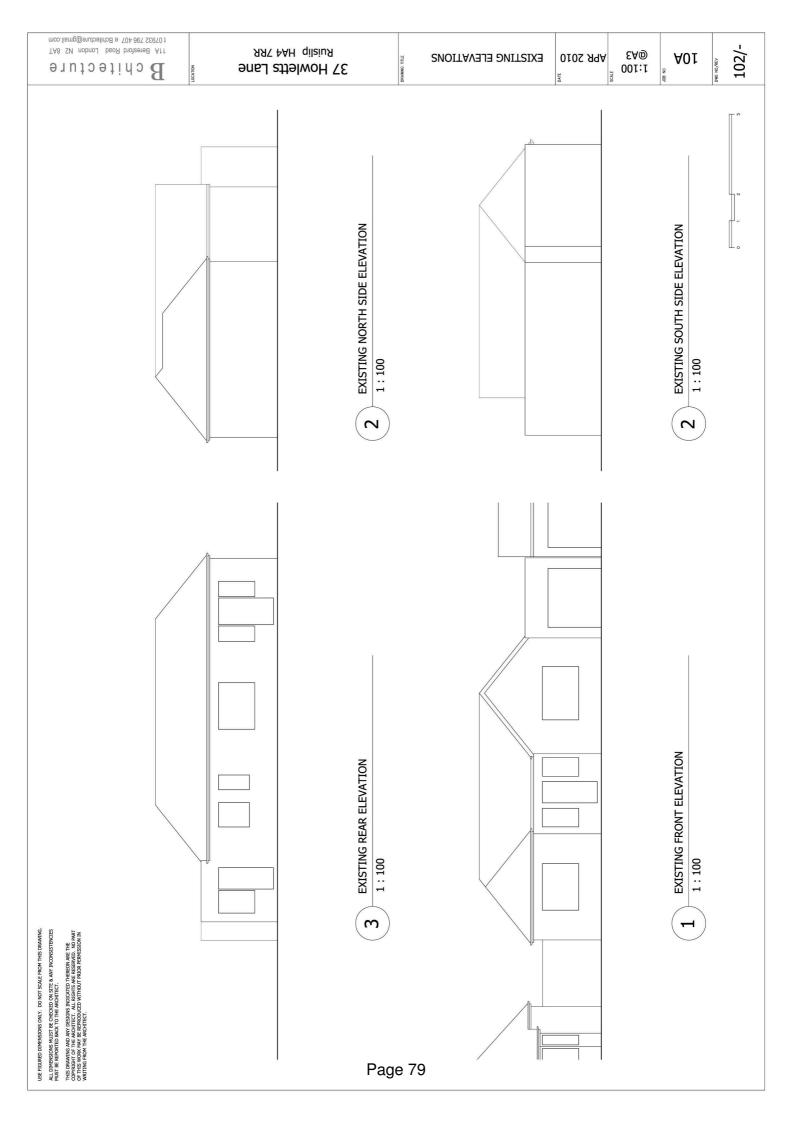
Date Plans Received: 30/04/2010 Date(s) of Amendment(s): 30/04/2010

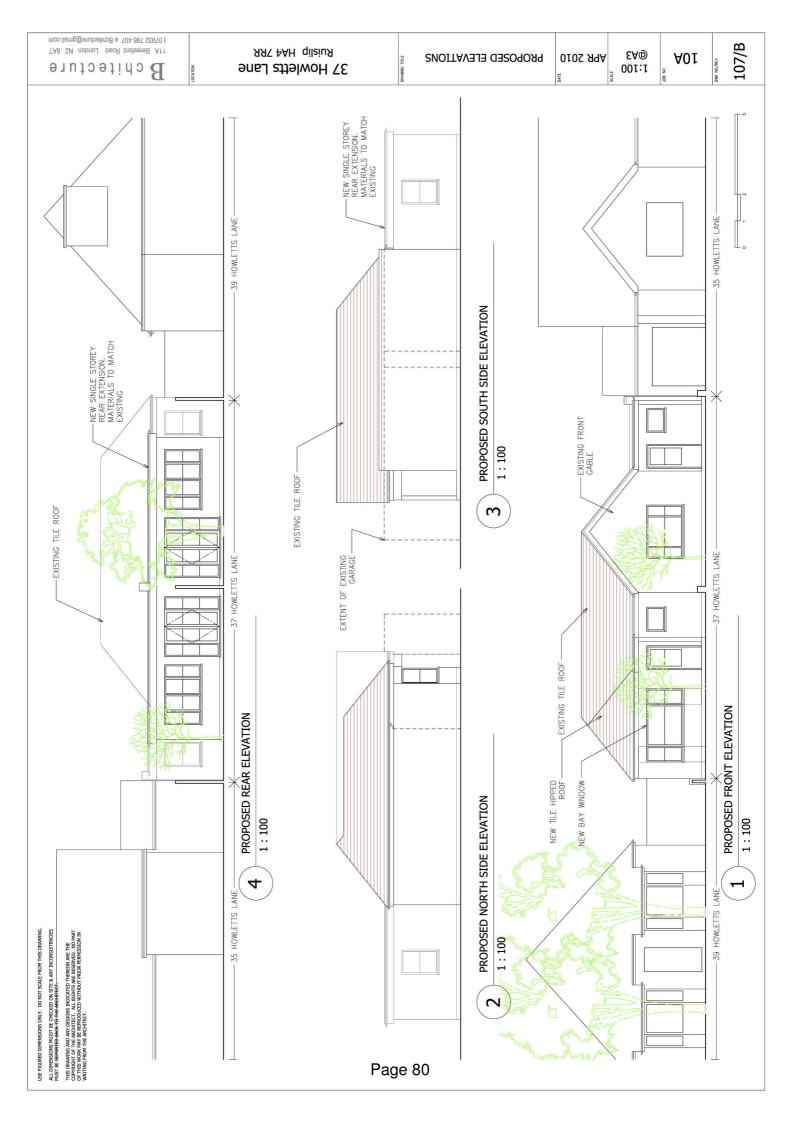
Date Application Valid: 25/05/2010 12/08/2010







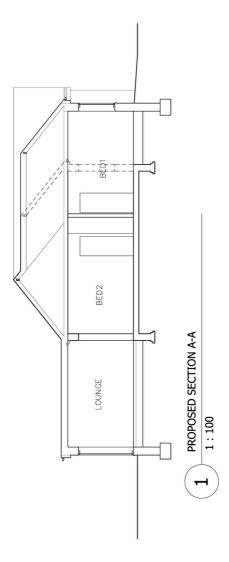


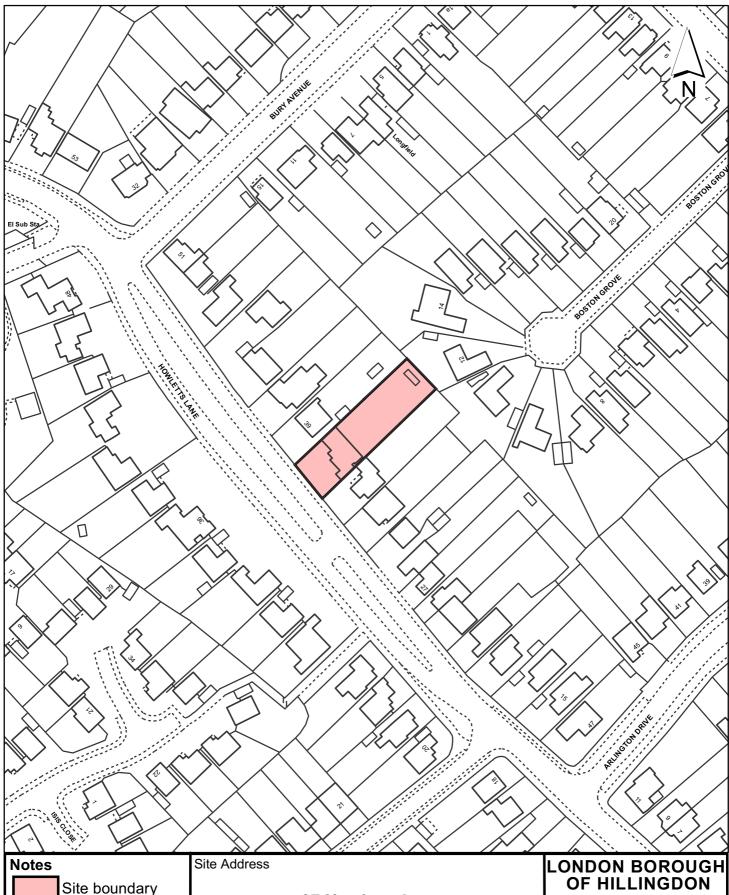


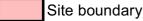
USE FIGURED DIMENSIONS ONLY. DO NOT SCALE FROM THIS DRAWING, ALD DIMENSIONS MUJST BE CHECKED ON SITE & ANY INCONSISTENCIES MUST BE REPORTED BACK TO THE ARCHITECT.

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37 Howletts Lane Ruislip

Planning Application Ref:

33165/APP/2010/1011

Planning Committee

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Scale

1:1,250

Planning, Environment

& Community Services

Civic Centre, Uxbridge, Middx. UB8 1UW

Telephone No.: Uxbridge 250111

Date September 2010

Report of the Head of Planning & Enforcement Services

Address GRASS VERGE OPPOSITE RECREATION GROUND MOORHALL ROAD

HAREFIELD

Development: Installation of a 12.5m high mobile telecommunications pole and ancillary

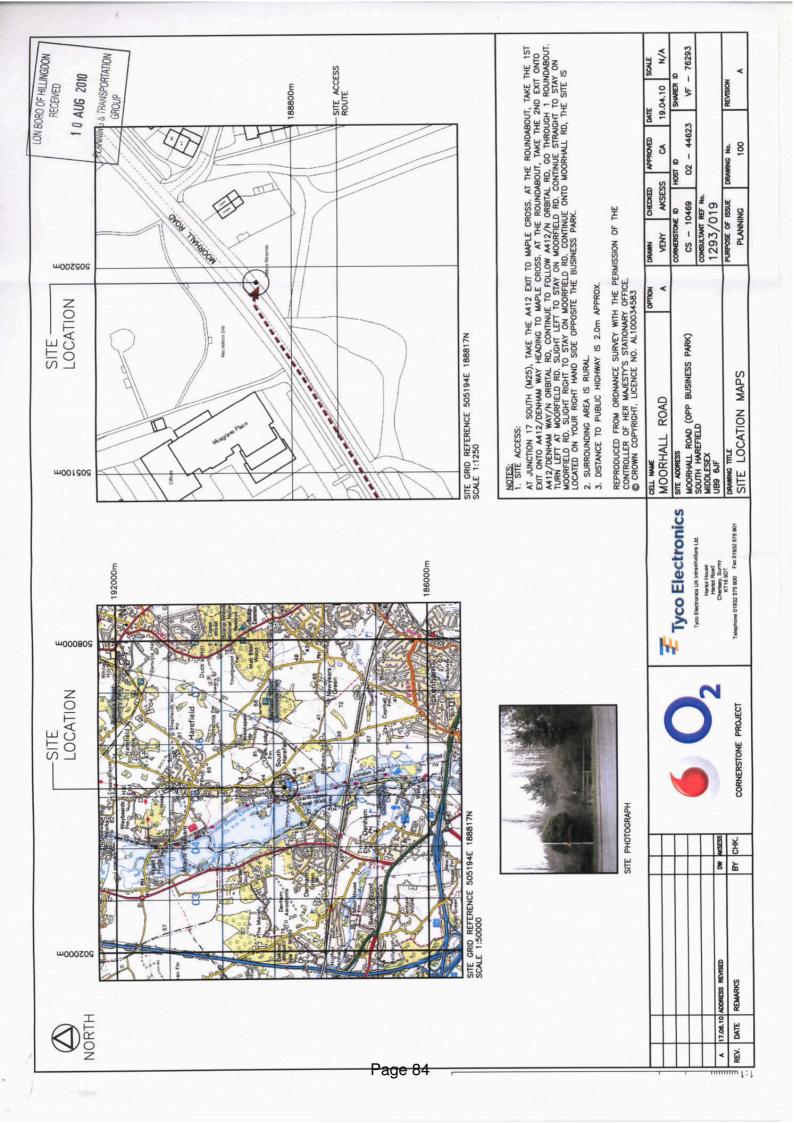
equipment cabinet (Consultation under Schedule 2, Part 24 of The Town and

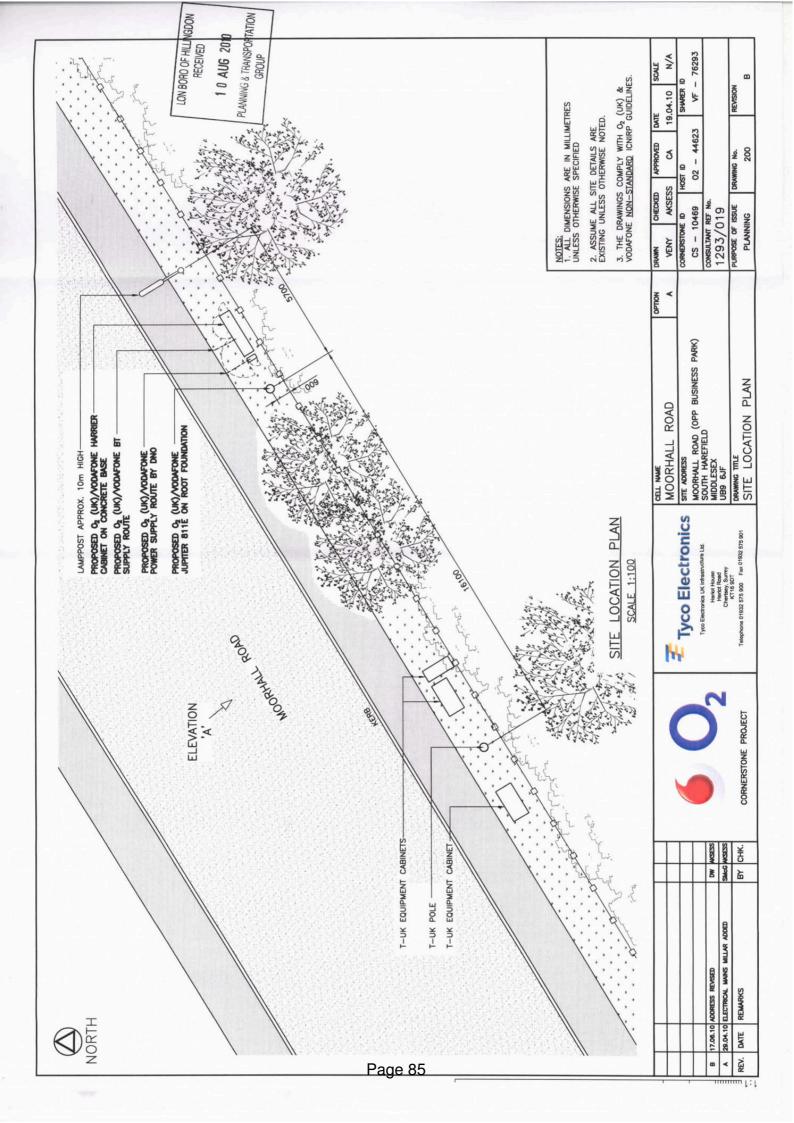
Country Planning (General Permitted Development) Order 1995)

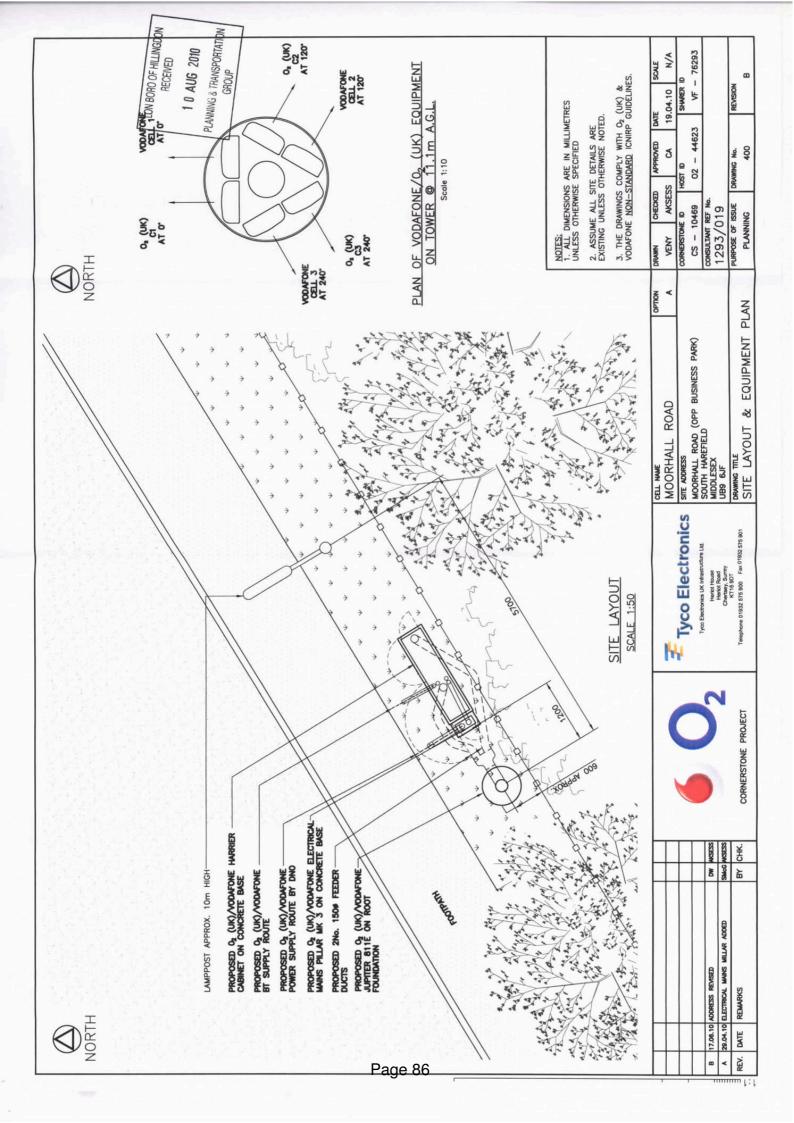
LBH Ref Nos: 67032/APP/2010/1845

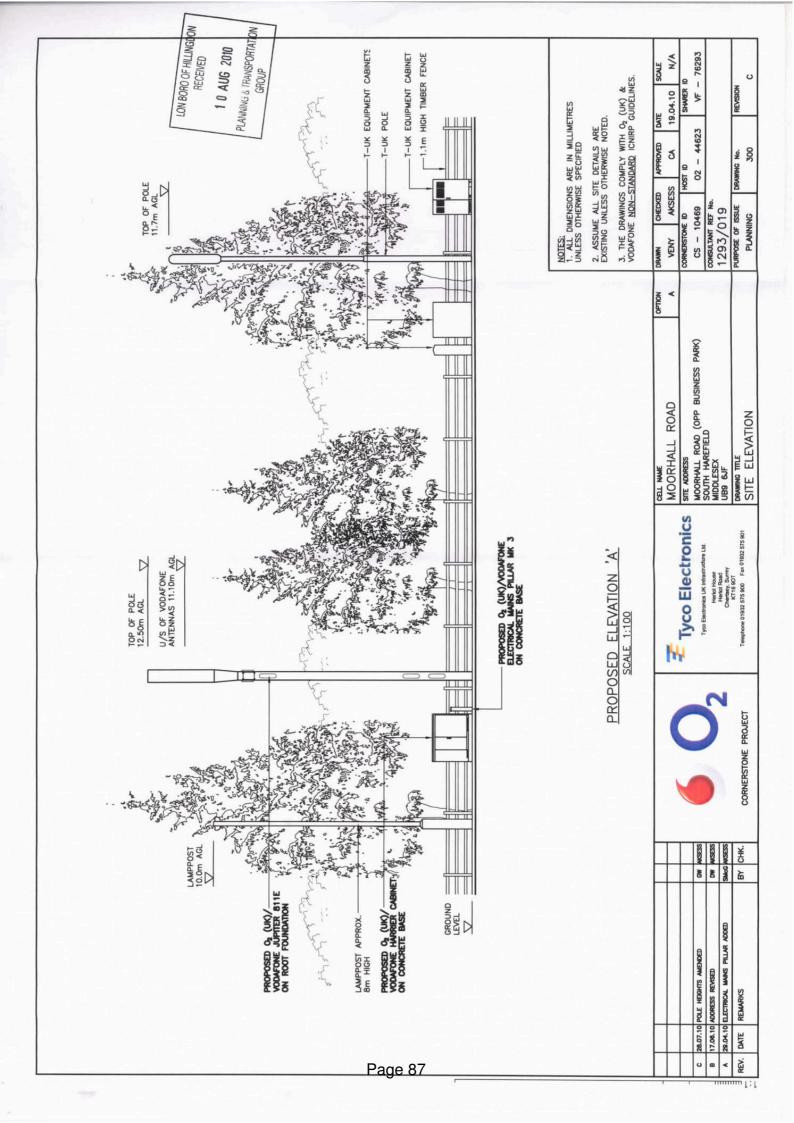
Date Plans Received: 10/08/2010 Date(s) of Amendment(s):

Date Application Valid: 10/08/2010









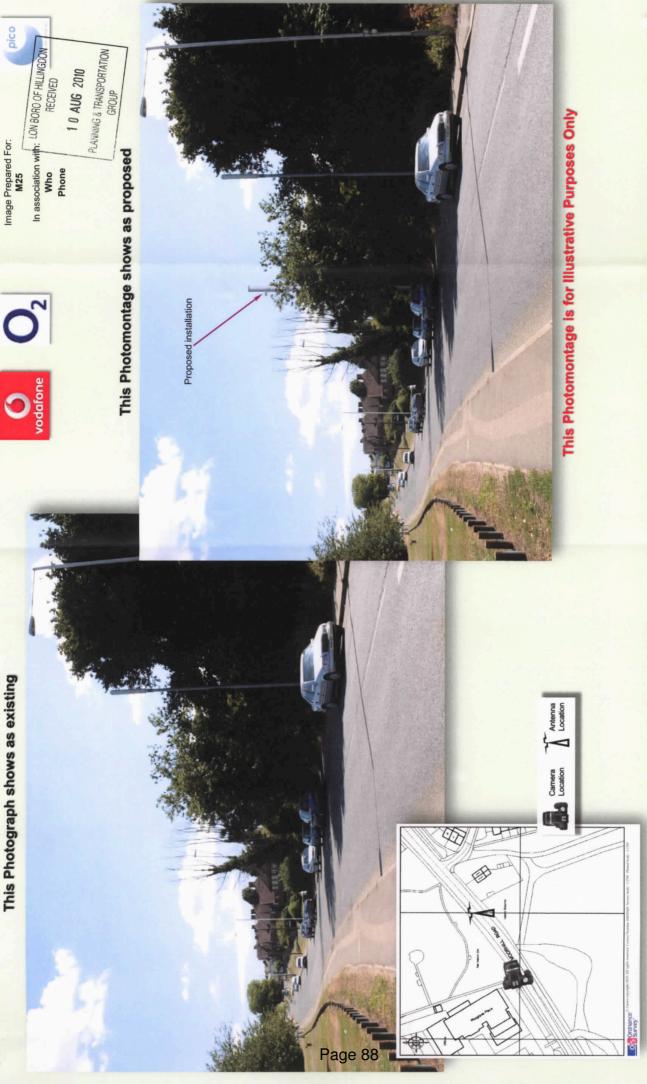


Image Prepared For:

Structure: 12.5m overall street pole, coloured Grey.

Antenna Spec: 3no Vodafone panel antennas at 11.1m AGL, 3no O2 panel antennas at 11.1m AGL, all concealed within a GRP shroud at the top of the structure.

Site Location: Moorhill Road, South Harefield, Cell Site: 10469 Moorhill Road

> Viewpoint: Looking East from Moorhill Road Camera to antenna distance: @ 48m Photographs: MV Imaging Ltd

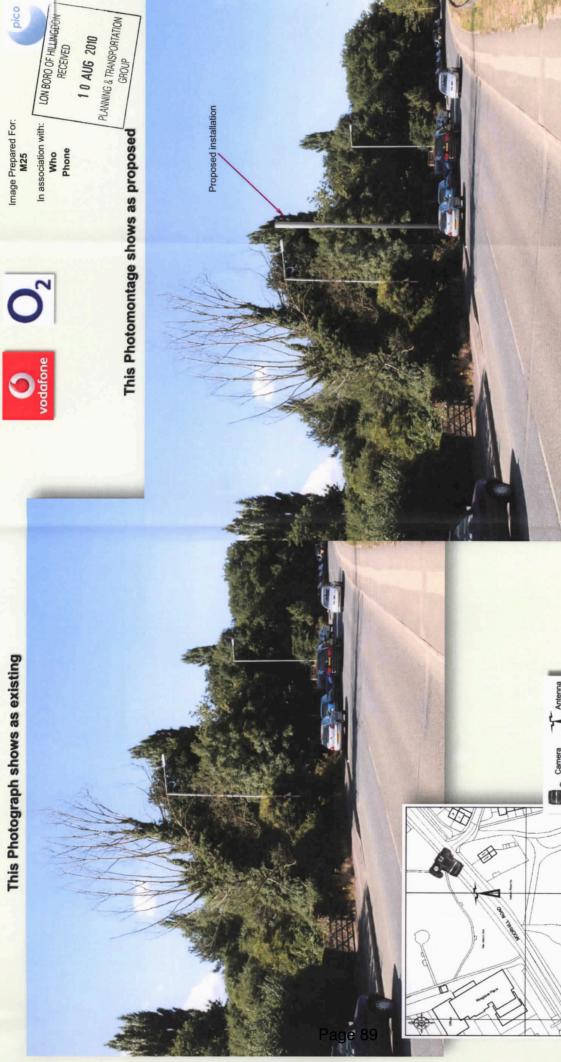
Date: 21/07/10

Middlesex UB9 6JF NGR: E 505174 N 188794

Cabinets: 1no Vodafone 1.84m x 0.44m x 1.55m high, 1no electrical pillar 0.38m x 0.17m x 0.85m high, coloured Green.

mark.vetta.imaging@

MVI Sheet Reference:- 10469.2.1 29/07/2010



This Photomontage is for Illustrative Purposes Only

Structure: 12.5m overall street pole, coloured Grey.

Site Location: Moorhill Road, South Harefield, Cell Site: 10469 Moorhill Road

Viewpoint: Looking Southwest from Moorhill Road

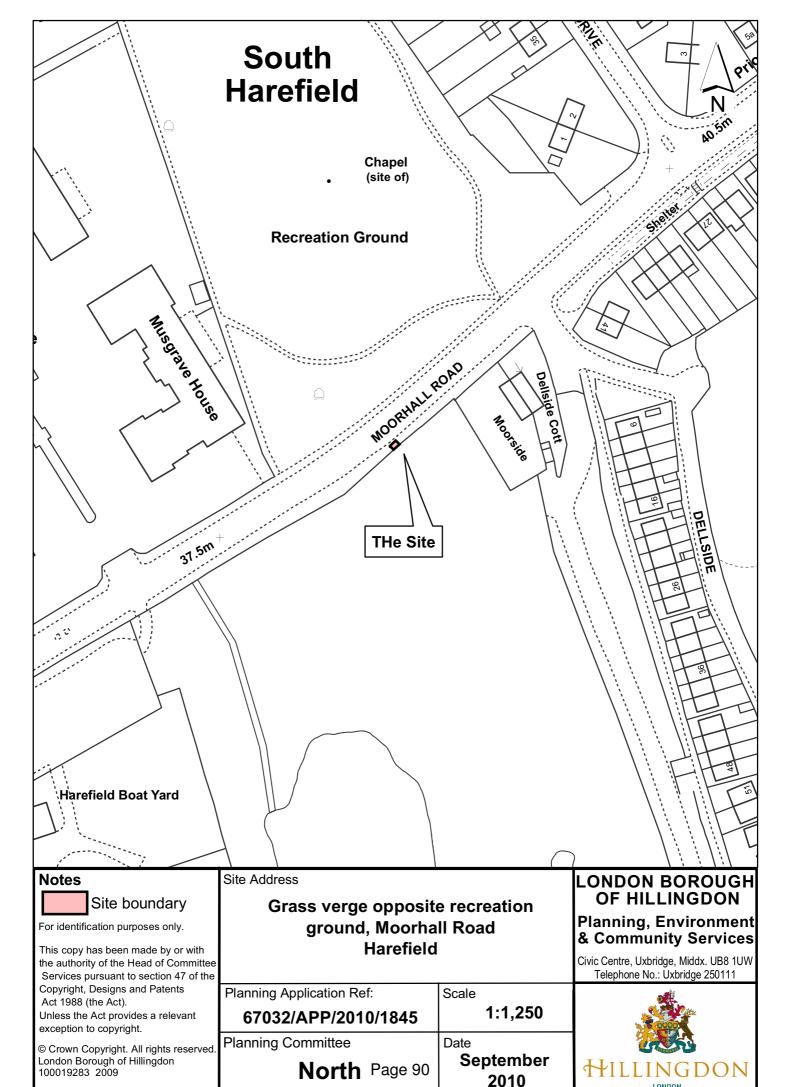
Camera to antenna distance: @ 55m Photographs: MV Imaging Ltd

Date: 21/07/10

Middlesex UB9 6JF NGR: E 505174 N 188794

Antenna Spec: 3no Vodafone panel antennas at 11.1m AGL, 3no O2 panel antennas at 11.1m AGL, all concealed within a GRP shroud at the top of the structure.

Cabinets: Ino Vodafone 1.84m x 0.44m x 1.55m high, 1no electrical pillar 0.38m x 0.17m x 0.85m high, coloured Green.



Report of the Head of Planning & Enforcement Services

Address 96 LONG DRIVE RUISLIP

Development: Erection of a single storey rear extension.

LBH Ref Nos: 7280/APP/2010/1418

Date Plans Received: 17/06/2010 Date(s) of Amendment(s):

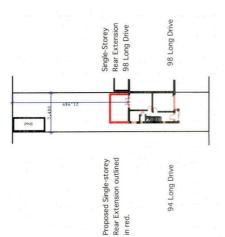
Date Application Valid: 08/07/2010



http://cit-gisim.hillingdon.gov.uk/Planning/templates/print_A4Landscape.htm

DEVELOPMENT: SINGLE-STOREY REAR EXTENSION

position of proposed Site Plan showing single-storey rear extension



Scale: 1:500

Existing view from rear wall of original dwellinghouse into rear garden

rear extension to 98 Long and existing single-storey Exisiting view of rear wall of original dwellinghouse Drive.

17 JUN 2010





See attached GIS maps for Site/Block Plan reference LD-S/B-100603 at approx 1:1250 and 1:2500 scales approx 1:500 scale and Location Plans reference LD-L-100603 at



Scale: As given **Date:** 15 May 2010

Site Plan, Photos, Location

Drawing View:

LD-S/LP-Photos-100515 **Drawing Ref:**

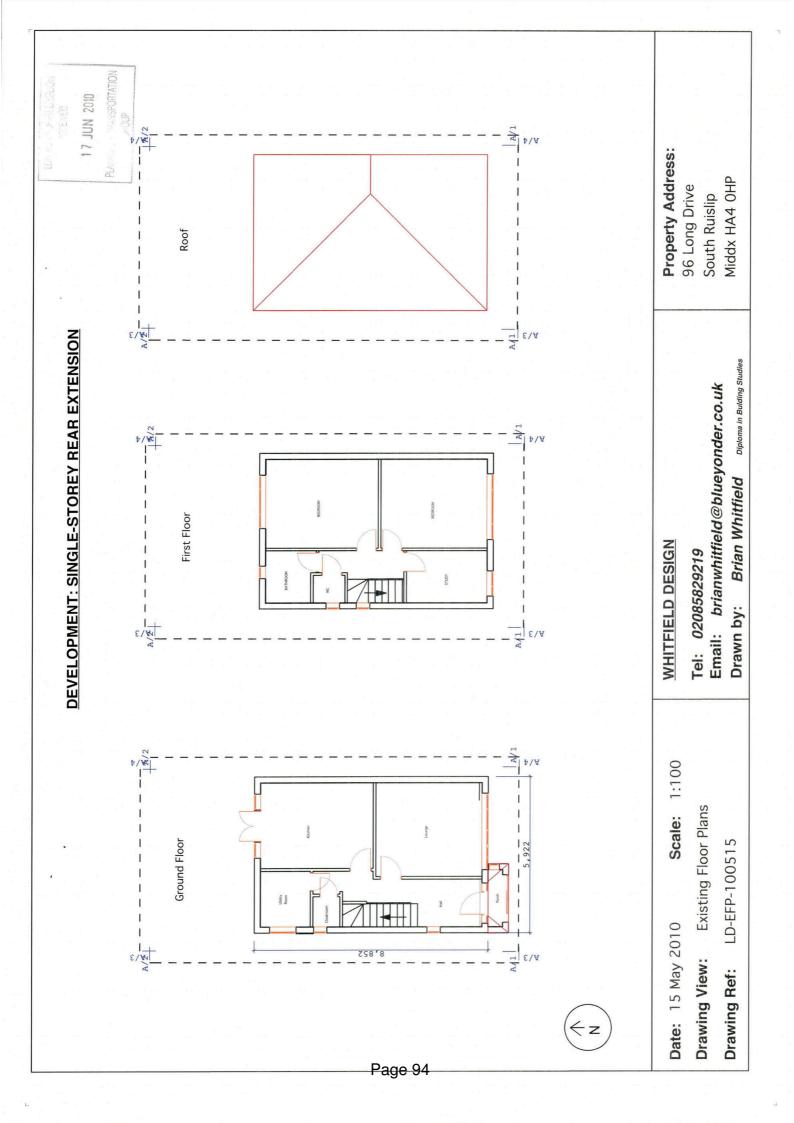
Tel: 02085829219

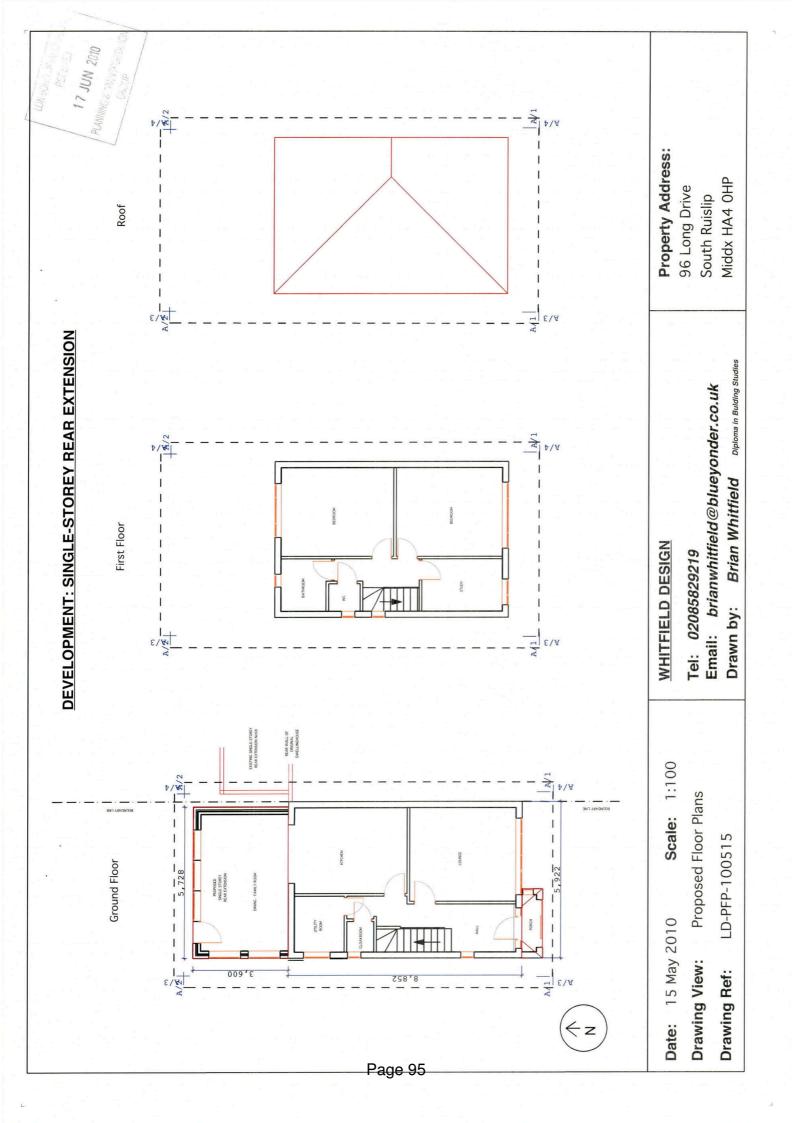
WHITFIELD DESIGN

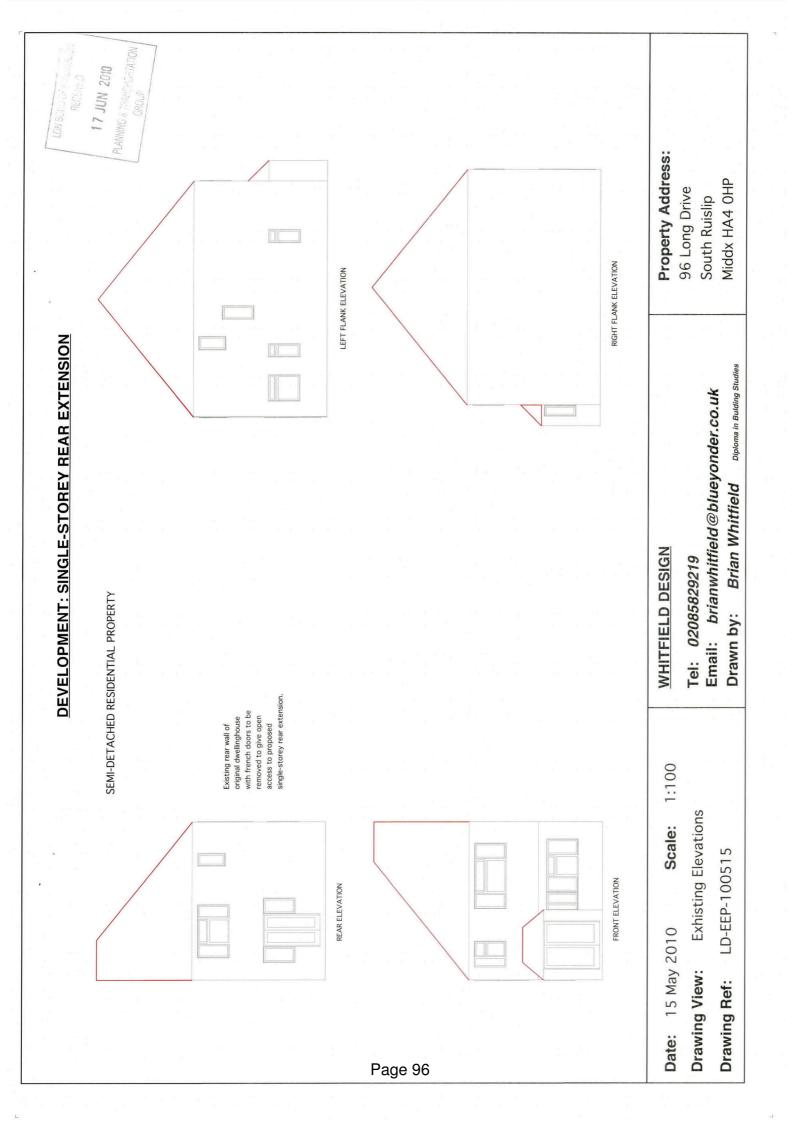
Email: brianwhitfield@blueyonder.co.uk

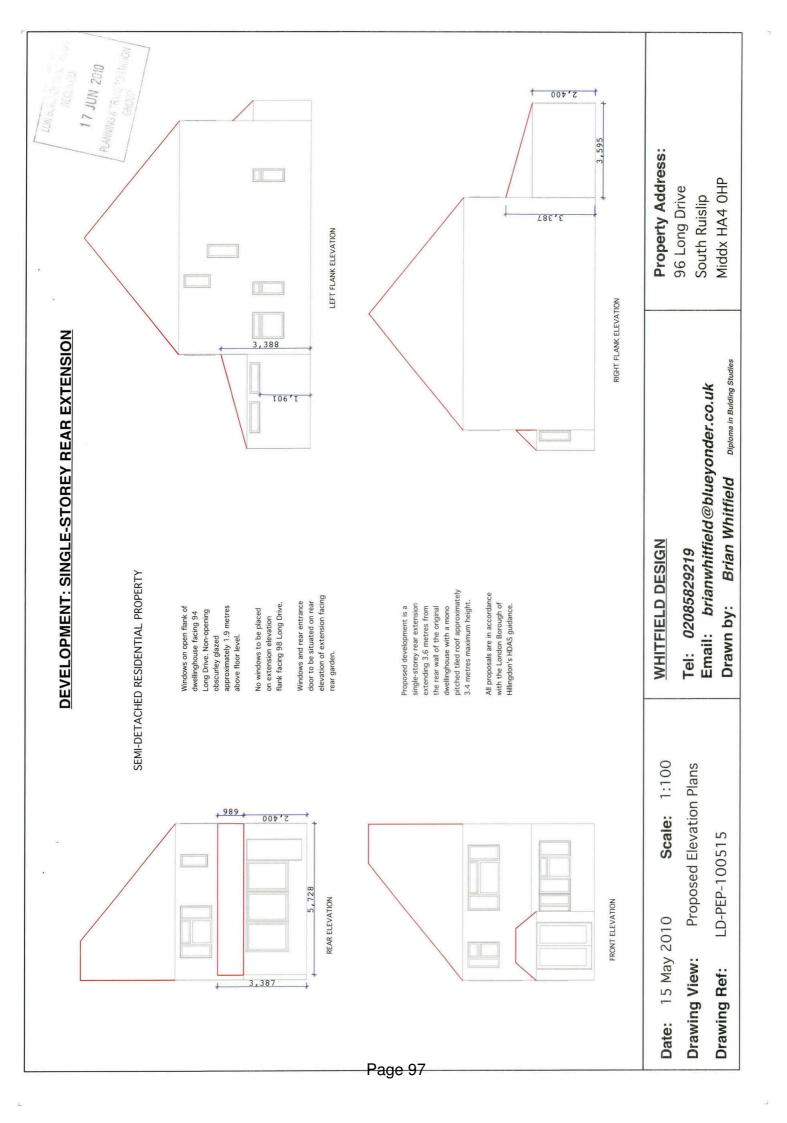
Diploma in Bulding Studies Drawn by: Brian Whitfield

Property Address: Middx HA4 0HP 96 Long Drive South Ruislip

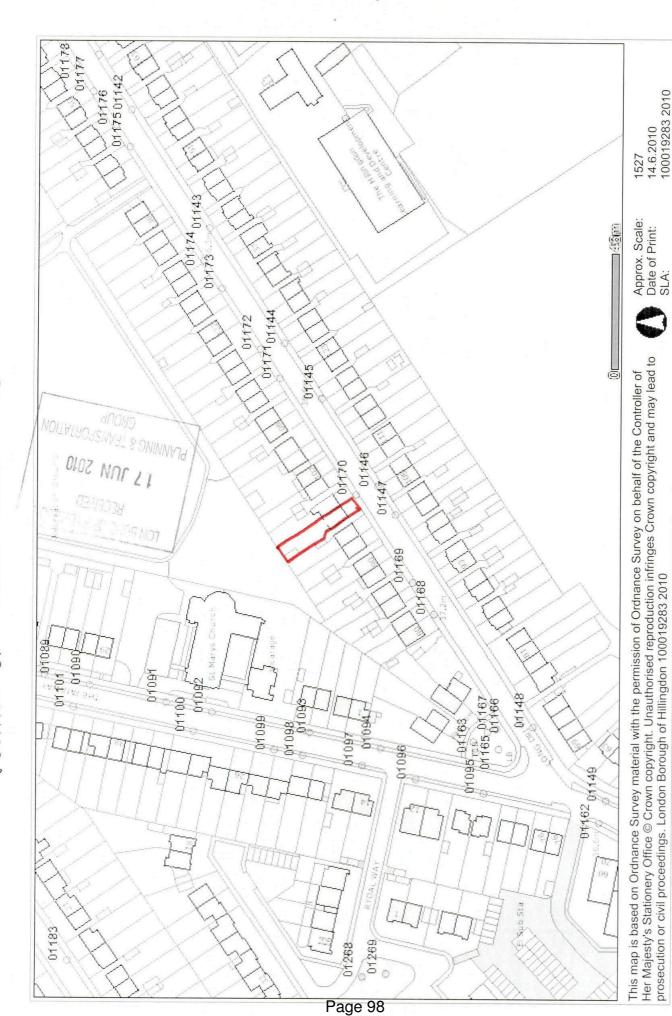




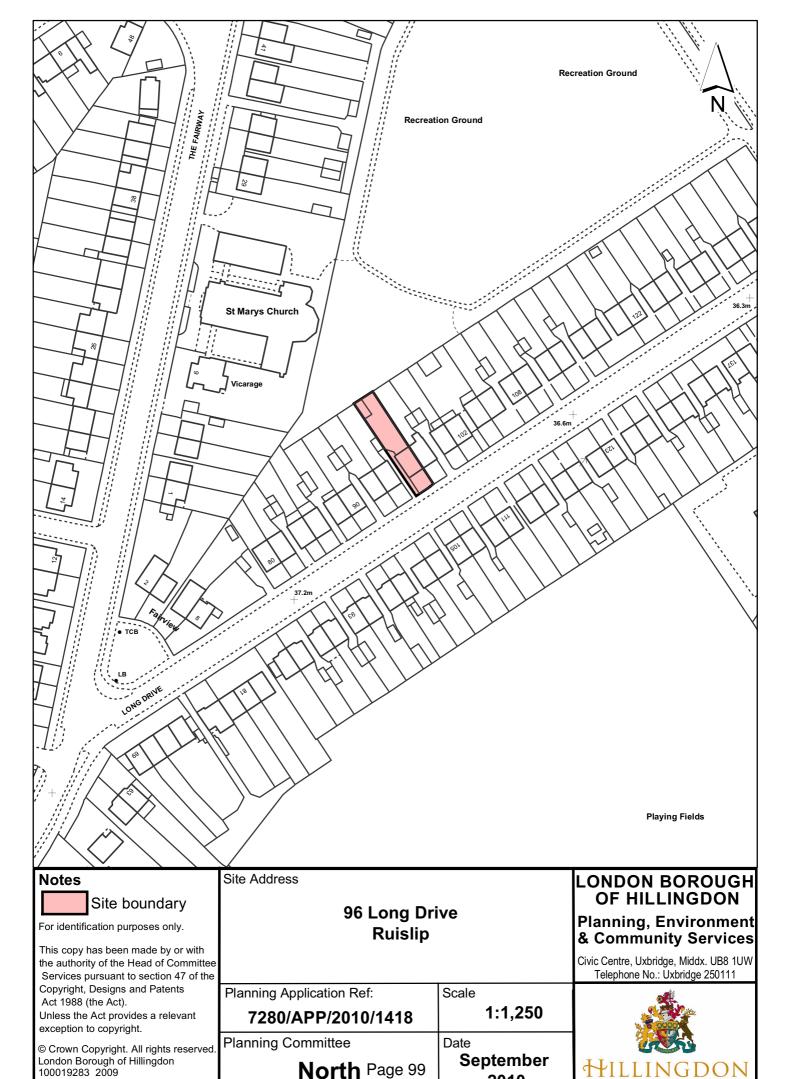




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http://cit-gisim.hillingdon.gov.uk/Highways/templates/print_A4Landscape.htm



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