

## Report of the Head of Planning & Enforcement Services

**Address** 103, 105 AND 107 DUCKS HILL ROAD NORTHWOOD

**Development:** Erection of a pair of linked part 2 part, 3 storey blocks with accommodation in the roof space, to provide, 12 two-bedroom and 1 three-bedroom apartments, involving demolition of 103, 105 and 107 Ducks Hill Road (Outline application)

**LBH Ref Nos:** 64345/APP/2011/1945

**Drawing Nos:** FSW 10-725-050  
FSW 10-725-051  
FSW 10-725-052 Rev. A  
FSW 10-725-053  
FSW 10-725-054 Rev.A  
FSW 10-725-056 Rev. A  
FSW 10-725-057 Rev. A  
FSW 10-725-058 Rev. A  
FSW 10-725-110 Rev. A  
FSW 10-725-111 Rev. A  
FSW 10-725-115 Rev. A  
FSW 10-725-116  
FSW 10-725-125  
FSW 10-725-126  
FSW 10-725-127  
FSW 10-725-130  
FSW 10-725-132  
FSW 10-725-150  
Location Plan 12/2/2009  
Design and Access Statement August 2011  
Energy Statement August 2011  
Arboricultural Survey

**Date Plans Received:** 08/08/2011 **Date(s) of Amendment(s):**

**Date Application Valid:** 25/10/2011

### 1. SUMMARY

The application seeks outline planning permission for the erection of a pair of linked part 2, part 3 storey blocks with accommodation in the roof space, to provide 12 x two bedroom and 1 x three bedroom flats. The proposal involves the demolition of the existing three detached dwellings and all other associated structures on the site. Access, scale, appearance and layout are to be determined at this stage, with landscaping matters reserved.

The application site already benefits from two previous permissions for residential redevelopment to provide 14 flats, on two adjoining plots. These permissions have not yet been implemented. Outline planning permission was also granted in 2009 (Ref. 64345/APP/2008/3572) for 14 flats in two 3-storey buildings (effectively an amalgamation of the 2 previous schemes), in place of all three dwellings. This permission remains extant until February 2012. In addition, outline planning permission was granted on appeal on 25/10/2011, for 14 x two bedroom flats in two blocks, with a 3-storey central

glazed link between them.

In light of the previous history on this site, there is no objection to the principle of flatted development at this location. It is considered that the development could be achieved without adversely affecting the visual amenities of the street scene or surrounding area, particularly having regard for the recent appeal decision for a similar development on this site. Overall, it is considered that the proposed development could potentially provide acceptable living conditions for future occupiers and protect the residential amenity of surrounding residents, subject to conditions.

Subject to the approval of landscaping, which is a matter reserved for future consideration, it is considered that the development would comply with policies in the UDP and the London Plan. As such, it is recommended that the outline application, including details of access, appearance, layout and scale be approved.

## **2. RECOMMENDATION**

**That delegated powers be given to the Head of Planning, Consumer Protection, Sport and Green Spaces, to grant planning permission, subject to the following:**

**1. That the applicant submit a Unilateral Undertaking, or the Council enter into a legal agreement with the applicants under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the Highways Act 1980 (as amended) or other appropriate legislation to secure:**

**(i) A contribution of £29,166 (£9,700 for primary; £9,2363 for secondary; £10,113 for post-16) school places, to cater for the increased demand placed on existing school places by the proposed development.**

**(ii) A financial contribution in the sum of £6,136.09 (£216.67 per person arising from the development), in order to secure increased/expanded doctors surgery facilities within a 3 mile radius of the site, to meet increased demands arising from the development.**

**(iii) A financial contribution of £216.67 (equating to £23 per person), to improve local library and other community facilities in order to meet increased demands arising from the development.**

**(iv) A financial contribution towards construction training, equal to £2,500 for every £1 million of build costs.**

**(v) A project management and monitoring fee of 5% of the total cash contributions for the management and monitoring of the resulting agreement (in the event that a S106 Agreement is completed).**

**2. That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in the preparation of any S106 Agreement and any abortive work as a result of the agreement not being completed.**

**3. That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.**

**4. If the Unilateral Undertaking has not been completed in a satisfactory form by the 20 January 2011, or alternatively, if a S106 Agreement has not been finalised by**

**the 20 January 2011, the application be refused for the following reason:**

**The applicant has failed to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of education, health, libraries and construction and employment training facilities). The proposal therefore conflicts with Policy R17 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007.**

**1           OUT1           Time Limit- outline planning application**

The development hereby permitted shall begin either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON

To comply with Section 92 of the Town and Country Planning Act 1990 (As Amended)

**2           OUT2           Reserved matters - submission**

Application for approval of the following reserved matters shall be made to the Local Planning Authority before the expiry of three years from the date of this permission: -

(a) Landscaping

REASON

To comply with Section 92 of the Town and Country Planning Act 1990 (As Amended).

**3           OUT3           Approval of Details**

Approval of the details of the landscaping of the site (hereinafter called the "reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990 (As Amended).

**4           OUT4           Reserved matters - submission and approval**

Plans and particulars of the reserved matters referred to in condition 2 shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990 (As Amended).

**5           TL1           Existing Trees - Survey**

Prior to any work commencing on site, an accurate survey plan at a scale of not less than 1:200 shall be submitted to and approved in writing by the Local Planning Authority. The plan must show:-

- (i) Species, position, height, condition, vigour, age-class, branch spread and stem diameter of all existing trees, shrubs and hedges on and immediately adjoining the site.
- (ii) A clear indication of trees, hedges and shrubs to be retained and removed.
- (iii) Existing and proposed site levels.
- (iv) Routes of any existing or proposed underground works and overhead lines including their manner of construction.
- (v) Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees and other vegetation to be retained during construction work.

## REASON

To enable the Local Planning Authority to assess the amenity value of existing trees, hedges and shrubs and the impact of the proposed development on them and to ensure that the development conforms with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **6 TL2 Trees to be retained**

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority.

If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with

BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'. Remedial work should be carried out to BS 3998 (1989) 'Recommendations for Tree Work' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

## REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

### **7 TL3 Protection of trees during site clearance and development**

Prior to the commencement of any site clearance or construction work, detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

1. There shall be no changes in ground levels;
2. No materials or plant shall be stored;
3. No buildings or temporary buildings shall be erected or stationed.
4. No materials or waste shall be burnt; and
5. No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

## REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **8 TL4 Landscaping Scheme (outline application)**

The development hereby permitted shall be landscaped and planted in accordance with a fully detailed scheme to be submitted to and approved in writing by the Local Planning Authority as part of the details of the proposed development required by condition No. 2.

The scheme shall include:-

- Planting plans (at not less than a scale of 1:100),
- Written specification of planting and cultivation works to be undertaken,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme.

The scheme shall also include details of the following:-

- Proposed finishing levels or contours,
- Means of enclosure,
- Car parking layouts,
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials proposed,
- Minor artefacts and structures (such as play equipment, furniture, refuse storage, signs, or lighting),
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures),
- Retained historic landscape features and proposals for their restoration where relevant.

## REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **9 TL6 Landscaping Scheme - implementation**

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period. The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**10 TL7 Maintenance of Landscaped Areas**

No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule.

REASON

To ensure that the approved landscaping is properly maintained in accordance with policy BE38 of the Hillingdon Unitary Development Plan (September 2007).

**11 TL8 Screen Planting**

The screen planting and/or hedges shown on the approved landscaping scheme shall be allowed to grow to and thereafter be maintained at a minimum height of 1.5 metres and any gaps which may occur shall be filled with replacement planting of a similar size and species within the next planting season or such other period as may be agreed in writing by the Local Planning Authority.

REASON

In order to preserve and enhance the visual amenities of the locality in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**12 OM1 Development in accordance with Approved Plans**

Except as required by other conditions in this permission, the development hereby permitted shall be carried out in accordance with the following approved plans: FSW10-725-050, 051, 052 Rev. A, 053, 054 Rev. A, 056 Rev. A, 057 Rev. A, 58 Rev. A, 110 Rev. A, 111 Rev. A, 115 Rev. A, 116, 125, 126, 127, 130, 132 and 151-sk, 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).

**13 OM13 Demolition Protocols**

The applicant is to prepare a selective programme (or demolition protocol) to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed from the site safely and intact for later re-use or processing, which is to be submitted to the Local Planning Authority prior to the commencement of demolition work.

REASON

To establish an 'audit trail' for demolition materials based on an established Demolition Protocol which will encourage more effective resource management in demolition and new builds, in accordance with London Plan (July 2011) Policy 5.20

**14 OM19 Construction Management Plan**



Prior to development commencing, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its approval. The plan shall detail:

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) The storage of demolition/construction materials on site.
- (viii) Tree protection, which includes provision for site supervision and monitoring

The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

#### REASON

To safeguard the amenity of surrounding areas in accordance with Policy OE1 of the Hillingdon Unitary Development Plan (Saved Policies 2007).

#### **15 M1 Details/Samples to be Submitted**

No development shall take place until details and/or samples of all materials, colours and finishes to be used on all external surfaces have been submitted to and approved in writing by the Local Planning Authority.

#### REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **16 M3 Boundary treatment - details**

Notwithstanding the submitted plans, 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 to be erected. The boundary treatment shall be completed before the buildings are occupied or in accordance with a timetable agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

#### REASON

To safeguard the visual amenities of the area in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **17 MCD10 Refuse Facilities**

Notwithstanding the submitted plans, no development shall take place until details of covered, secure and screened storage of refuse and recycling at the premises 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

In order to safeguard the amenities of the area, in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (2011) Policy 7.1.

**18 H11A Visibility Splays**

Unobstructed sight lines above a height of 1 metre shall be maintained on both sides of the entrance to the site, for a distance of at least 2.4m in both directions along the back edge of the footway or verge.

REASON

To ensure that pedestrian and vehicular safety is not prejudiced, in accordance with Policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**19 H12 Closure of Existing Access**

The existing vehicular access at the site, shall be closed, the dropped kerb removed and the footway reinstated to match the adjoining footway within one month of the new access hereby approved being completed.

REASON

To ensure that pedestrian and vehicular safety is not prejudiced in accordance with Policies AM3 and AM8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**20 H15 Cycle Storage - In accordance with approved plans**

Notwithstanding the submitted plans, no development shall take place until details of covered, secure and screened cycle storage for 13 bicycles at the development have been submitted to and approved in writing by the Local Planning Authority. Thereafter, these facilities shall be permanently retained on site and be kept available for the use of cyclists.

REASON

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**21 OM14 Secured by Design**

The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Details of security measures shall be submitted and approved in writing by the Local Planning Authority before development commences. Any security measures to be implemented in compliance with this condition shall reach the standard necessary to achieve the 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO).

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote



the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, and to reflect the guidance contained in Circular 5/94 'Planning Out Crime' and the Council's SPG on Community Safety By Design.

**22 NONSC Importation/Utilisation of clean soil**

All soils used for gardens and/or landscaping purposes shall be clean and free of contamination. Site derived soils and imported soils shall be tested for chemical contamination, and the results of this testing shall be submitted and approved by the Local Planning Authority.

REASON

To ensure that all soil utilised within the landscaped areas are free from contaminants and do not pose a risk to human health in compliance with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**23 OM2 Levels**

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**24 NONSC Noise mitigation air source heat pumps**

No air source heat pumps shall be used on the site until a scheme for the control of noise emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is occupied and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

REASON

To safeguard the amenity of the surrounding area in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 7.15 of the London Plan.

**25 DIS5 Lifetime Homes & Wheelchair Standards**

No development shall take place until satisfactory details have been submitted to the Local Planning Authority demonstrating that all residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards. Furthermore, 10% of the units hereby approved shall be designed to be fully wheelchair accessible, or easily adaptable for residents who are wheelchair users, as set out in the Council's Supplementary Planning Document 'Hillingdon Design and Accessibility Statement: Accessible Hillingdon'. The development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (2011) Policies 3.8, 7.1 and 7.5.

H6



Prior to the commencement of development an ecological enhancement plan shall be submitted to and approved by the Local Planning Authority. The scheme shall include details for replacing the lost value of dead or decaying trees which generally provide high value habitat for some protected species, e.g. bats and stag beetles. The plan shall set out the types and locations of the measures to be undertaken to allow the development to provide enhancements to flora and fauna (e.g. bat and bird boxes, as well as areas of extensive landscaping designed for wildlife enhancements). The development shall proceed in accordance with the approved plan.

Reason

To ensure the development can meet the aims of PPS9 and Policies 5.3 and 7.19 of the London Plan by delivering biodiversity enhancements.

**31 NONSC Non Standard Condition**

No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly detail the type of SUDS, information on the soil characteristics and the suitability of infiltration methods, areas required for storage, run-off rates and maintenance arrangements. The use of living walls and roofs should also be considered. The development shall proceed in accordance with the approved scheme.

Reason

To prevent the increased risk of flooding in accordance with PPS25 and Policy 5.13 and to increase water efficiency in accordance with Policy 5.15 of the London Plan.

**32 NONSC Non Standard Condition**

Details of external lighting within the site shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and illumination. No floodlighting or other external lighting should be installed without the prior written approval of the Local Planning Authority.

REASON

To ensure the safety and security of occupants while safeguarding the amenity of surrounding properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**INFORMATIVES**

**1 I1 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.

**2 I11 The Construction (Design and Management) Regulations 1994**

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994, which govern health and safety through all stages of a construction project. The regulations require clients (ie. those, including developers, who commission construction projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and

safety responsibilities. Further information is available from the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (telephone 020 7556 2100).

### **3 I12 Notification to Building Contractors**

The applicant/developer should ensure that the site constructor receives copies of all drawings approved and conditions/informatives attached to this planning permission. During building construction the name, address and telephone number of the contractor (including an emergency telephone number) should be clearly displayed on a hoarding visible from outside the site.

### **4 I13 Asbestos Removal**

Demolition and removal of any material containing asbestos must be carried out in accordance with guidance from the Health and Safety Executive and the Council's Environmental Services. For advice and information contact: - Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 277401) or the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (Tel. 020 7556 2100).

### **5 I15 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 or Bank 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.

### **6 I18 Storage and Collection of Refuse**

The Council's Waste Service should be consulted about refuse storage and collection arrangements. Details of proposals should be included on submitted plans.

For further information and advice, contact - the Waste Service Manager, Central Depot - Block A, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB8 3EU (Tel. 01895 277505 / 506).

### **7 I19 Sewerage Connections, Water Pollution etc.**

You should contact Thames Water Utilities and the Council's Building Control Service

regarding any proposed connection to a public sewer or any other possible impact that the development could have on local foul or surface water sewers, including building over a public sewer. Contact: - The Waste Water Business Manager, Thames Water Utilities plc, Kew Business Centre, Kew Bridge Road, Brentford, Middlesex, TW8 0EE.  
Building Control Service - 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

**8            I2            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.

**9            I23            Works affecting the Public Highway - Vehicle Crossover**

The development requires the formation of a vehicular crossover, which will be constructed by the Council. This work is also subject to the issuing of a separate licence to obstruct or open up the public highway. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

**10          I23A          Re-instatement of a Vehicle Access.**

You are advised by London Borough of Hillingdon, Highways Management, that any works on the Highway, in relation to the reinstatement of any existing vehicle access, must be carried out with approval from the Highway Authority. Failure to reinstate an existing vehicle access will result in the Highway Authority completing the works, and the developer may be responsible for the costs incurred. Enquiries should be addressed to: Highways Maintenance, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

**11          I3            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).

**12          I33            Tree(s) Protected by a Tree Preservation Order**

Within the application site there are trees that are subject of a Tree Preservation Order (TPO). You are advised that no tree that is the subject of a TPO may be lopped, topped, felled or uprooted without the permission of the Local Planning Authority. Please contact the Trees and Landscapes Officer, Planning & Community Services, 3N/02, Civic Centre, Uxbridge, UB8 1UW for further advice.

**13          I34            Building Regulations 'Access to and use of buildings'**

Compliance with Building Regulations 'Access to and use of buildings' and Disability Discrimination Act 1995 for commercial and residential development.

You are advised that the scheme is required to comply with either:-



- The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', or with
- BS 8300:2001 Design of buildings and their approaches to meet the needs of disabled people - Code of practice. AMD 15617 2005, AMD 15982 2005.

These documents (which are for guidance) set minimum standards to allow residents, workers and visitors, regardless of disability, age or gender, to gain access to and within buildings, and to use their facilities and sanitary conveniences.

You may also be required make provisions to comply with the Disability Discrimination Act 1995. The Act gives disabled people various rights. Under the Act it is unlawful for employers and persons who provide services to members of the public to discriminate against disabled people by treating them less favourably for any reason related to their disability, or by failing to comply with a duty to provide reasonable adjustments. This duty can require the removal or modification of physical features of buildings provided it is reasonable.

The duty to make reasonable adjustments can be effected by the Building Regulation compliance. For compliance with the DDA please refer to the following guidance: -

- The Disability Discrimination Act 1995. Available to download from [www.opsi.gov.uk](http://www.opsi.gov.uk)
- Disability Rights Commission (DRC) Access statements. Achieving an inclusive environment by ensuring continuity throughout the planning, design and management of building and spaces, 2004. Available to download from [www.drc-gb.org](http://www.drc-gb.org).
- Code of practice. Rights of access. Goods, facilities, services and premises. Disability discrimination act 1995, 2002. ISBN 0 11702 860 6. Available to download from [www.drc-gb.org](http://www.drc-gb.org).
- Creating an inclusive environment, 2003 & 2004 - What it means to you. A guide for service providers, 2003. Available to download from [www.drc-gb.org](http://www.drc-gb.org).

This is not a comprehensive list of Building Regulations legislation. For further information you should contact Building Control on 01895 250804/5/6.

#### **14            I45                    Discharge of Conditions**

Your attention is drawn to condition(s) 3, 5, 7, 10, 13, 14, 15, 16, 17, 20, 21, 23, 25, 27, 28, 29, 30, and 31 which must be discharged prior to the commencement of works. You will be in breach of planning control should you commence these works prior to the discharge of this/these condition(s). The Council may consider taking enforcement action to rectify the breach of this condition(s). For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250230).

#### **15            I46                    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 (CO<sub>2</sub>) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.

#### **16            I47                    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).

#### **17 I5 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.

#### **18 I52 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).

#### **19 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, and to all relevant material considerations, including Supplementary Planning Guidance:

AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
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
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of

	new planting and landscaping in development proposals.
H4	Mix of housing units
H5	Dwellings suitable for large families
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
LPP 3.12	(2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
LPP 3.8	(2011) Housing Choice
LPP 5.13	(2011) Sustainable drainage
LPP 5.15	(2011) Water use and supplies
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.19	(2011) Biodiversity and access to nature
POBS	Planning Obligations Supplementary Planning Document, July 2008
PPG13	Transport
PPS1	Delivering Sustainable Development
PPS3	Housing
PPS9	Biodiversity and Geological Conservation

## **20 I55 Audit Trail**

To encourage more effective resource management in demolition and new builds, it is recommended that you establish an 'audit trail' for demolition materials based on an established demolition protocol. The protocol should demonstrate that the most valuable or potentially contaminating materials and fittings can be removed from the site safely and intact for later re-use or processing.

## **21 I58 Opportunities for Work Experience**

The developer is requested to maximise the opportunities to provide high quality work experience for young people (particularly the 14 - 19 age group) from the London Borough of Hillingdon, in such areas as bricklaying, plastering, painting and decorating, electrical installation, carpentry and landscaping in conjunction with the Hillingdon Education and Business Partnership.

## **22 I6 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.

## **23 I9 Community Safety - Designing Out Crime**

Before the submission of reserved matters/details required by condition 21, you are advised to consult the Metropolitan Police's Crime Prevention Design Advisor, Planning &

Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel. 01895 250538).

## **24**

With regard to surface water drainage it is the responsibility of a developer to make proper 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 public sewer, the site drainage should be separate 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 contacted on 0845 850 2777. This is to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

## **25**

Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation.

Groundwater permit

enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890

or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line

via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality). Any discharge made without a permit is deemed illegal

and may result in prosecution under the provisions of the Water Industry Act 1991.

## **26**

The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

## **27**

In seeking to discharge condition 25, the following advice should be taken into consideration:

1. Good practice recommends that communal car parks, as part of a Lifetime Home development, should provide at least one accessible parking space within each zone / lift core. The accessible bay should provide an effective clear width of 3300 mm (3600 mm preferred). Furthermore, the parking layout and landscape design should be conducive to Lifetime Home principles and allow for further accessible parking bays to be created according to demand.

2. The scheme should incorporate at least one dwelling designed in accordance with the Wheelchair Home Standards.

3. To support the Secured by Design agenda, accessible car parking bays should be allocated to a specific unit, allowing a disabled occupant to choose whether the bay is marked.

4. Due to their split-level design, the proposed ground floor units are not conducive to the principles of Lifetime Home accommodation. However, provided it can be demonstrated that a suitable wheelchair platform lift, to provide convenient access down to the bedrooms, could be sourced and retrospectively installed without the need for post-construction material alterations to the building, the design would be satisfactory.

5. The passenger lift shown on plan appears not to comply with Part M to the Building Regulations 2000 (2004 edition). The lift car should provide internal dimensions of 1100 mm wide by 1400 mm deep. Such detail is crucial to provide adequate access for wheelchair users and confirmation of compliance should be sought prior to any grant of planning permission.

6. A minimum of one bathroom designed in accordance with Lifetime Home standards detailed 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.

7. To allow bathrooms to be used as wet rooms in future, plans should indicate floor gully drainage.

### **3. CONSIDERATIONS**

#### **3.1 Site and Locality**

The application site, which is 0.27 hectares in extent, comprises three individual detached houses, located on the south-east side of Ducks Hill Road. The properties have front and rear gardens. Both 103 and 105 Ducks Hill Road share a common driveway, while 107 has an in-out driveway.

The surrounding area is characterised by a mix of detached houses on substantial plots and recent flatted development. To the north of the site are blocks of flats (Oak House and Elm House).

The site has no special designation and there are no Conservation Areas or Listed buildings in the vicinity. However, the site and surrounding properties are affected by Tree Preservation Order No. 281 and the area is characterized by mature trees.

#### **3.2 Proposed Scheme**

Outline planning permission is sought for the erection of a pair of linked part 2 part, 3 storey blocks with accommodation in the roof space, to provide, 12 two-bedroom and 1 three-bedroom apartments. The proposal involves the demolition of the existing three detached dwellings and all other associated structures on the site. Access, scale, appearance and layout are to be determined at this stage, with landscaping matters reserved.

The current scheme seeks to amend outline planning permission ref: 64345/APP/2008/3572. The design approach is to create two individually detailed buildings separated by a subordinate partly glazed link.

The total width of the combined blocks is approximately 39 metres and varies in depth between 14.5 and 18 metres. The building is set back 1.1 metres off the northern boundary and 3.8 metres off the southern boundary.

Given the sloping nature of the site and proposed excavations, the maximum ridge height of the blocks is 10.6 metres at the front and 12 metres at the rear. The building would be set back approximately 19 metres from the road frontage, with car parking for 23 cars and bin storage located at the front of the building. All trees of merit are proposed to be retained as part of the development. Secure cycle storage is provided in a separate detached structure at the rear of the building.

The application is supported by a number of reports that assessed the impact of the proposal. A summary and some key conclusions from these reports are provided below:

#### Design and Access Statement

This report outlines the context for the development and provides a justification for the design, number of units, layout, scale, landscaping, appearance and access for the proposed development. The report also provides a summary of the proposals and assesses them against policy considerations.

#### Arboricultural Method Statement

The statement was prepared to ensure good practice in the protection of trees during the construction and post construction phases of the development.

#### Energy Statement

The sustainability credentials of the scheme were assessed in respect of renewable energy resources.

### **3.3 Relevant Planning History**

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

36739/APP/2005/655. Planning permission was granted on 19/5/2005 for a two storey block of five x 2 bedroom and one x 1 bedroom flats at 107 Ducks Hill Road (involving the demolition of the existing dwelling). The design incorporated accommodation in the roof space and frontage car parking served by a single access.

62513/APP/2006/3462. Planning permission was granted on 12/3/2007 for a three storey building with lower ground floor and roof space accommodation, providing 6 x three bedroom and 2 x two bedroom flats at 103 and 105 Ducks Hill Road (involving the demolition of the existing dwellings).

64345/APP/2008/1014. Outline planning permission was refused on 3/9/2008 for the erection 14 flats involving the demolition of 103,105 and 107 Ducks Hill Road. The reasons for the Council's refusal of this application were that the applicant had failed to demonstrate that the lack of affordable housing proposed was justified and the failure of adequate provision, through planning obligations, for contributions towards education and community facilities.

64345/APP/2008/3572. Outline planning permission was approved on 25/2/2009 on the amalgamated site, for the erection 14 flats involving the demolition of 103, 105 and 107 Ducks Hill Road.

64345/APP/2009/1590. Outline planning permission was refused on 5/11/2009 for the erection of 2 x three storey blocks with roof space accommodation, connected by a communal services link, to provide 14 x two bedroom flats. The reasons for the Council's

refusal of this application were:

1. The proposed development, by reason of its design, layout, scale, proportions and massing, would result in a cramped, unduly intrusive, visually prominent and inappropriate form of development.
2. The proposed development fails to provide acceptable living conditions for future occupiers
3. The proposed development fails to protect the residential amenity of surrounding residents.
4. The application has not demonstrated that satisfactory energy conservation and carbon dioxide emissions reduction measures have been incorporated into the layout and design
- 5 The failure of adequate provision, through planning obligations, for contributions towards education and community facilities.

64345/APP/2010/2782, Outline planning permission for the erection of 14 flats involving demolition of 103, 105 and 107 Ducks Hill Road (amendment to outline planning approval 64345/APP/2008/3572 dated 27/2/2009) was refused on 7/3/2011. The reasons for the Council's refusal of this application were:

1. The proposed development, by reason of its design, layout, scale, proportions and massing, would result in a cramped, unduly intrusive, visually prominent and inappropriate form of development
2. The proposed development fails to provide acceptable living conditions for future occupiers
3. The proposed development fails to protect the residential amenity of surrounding residents.
4. The failure of adequate provision, through planning obligations, for contributions towards education and community facilities.

This application was the subject of an appeal which was allowed on 26 October 2011.

A S73 application (ref:64345/APP/2011/2068) was submitted in 2011, seeking to extend the period of implementation of outline planning permission 64345/APP/2008/3572 dated 27/2/2009, for the development of the site to provide 14 flats, comprising 1 x one bedroom, 7 x two bedroom and 6 x three bedroom units. This application was withdrawn by the applicants on 28/10/2011, following their successful appeal (referred to above).

#### **4. Planning Policies and Standards**

Planning Policy Statement 1 (Delivering Sustainable Development)  
Planning Policy Statement 3 (Housing)  
Planning Policy Statement 9: Biodiversity and Geological Conservation  
Planning Policy Guidance Note 13 (Transport)  
Planning Policy Guidance Note 24 (Planning and Noise)  
The London Plan (2011)  
HDAS Supplementary Planning Document: Residential Layouts  
HDAS Supplementary Planning Document: Accessible Hillingdon  
Supplementary Planning Document: Planning Obligations  
Supplementary Planning Guidance: (Noise)

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

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

Part 1 Policies:



Part 2 Policies:

AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
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
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
H5	Dwellings suitable for large families
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
LPP 3.12	(2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
LPP 3.8	(2011) Housing Choice
LPP 5.13	(2011) Sustainable drainage
LPP 5.15	(2011) Water use and supplies
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.19	(2011) Biodiversity and access to nature
POBS	Planning Obligations Supplementary Planning Document, July 2008
PPG13	Transport
PPS1	Delivering Sustainable Development
PPS3	Housing
PPS9	Biodiversity and Geological Conservation

## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- **15th November 2011**

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

## **6. Consultations**

### **External Consultees**

A total of 110 surrounding property owners/occupiers have been consulted and the application was advertised as a development likely to be of wider concern.

3 responses have been received objecting to the proposal for the following reasons:

- i) Increased demands on local facilities and services, such as drainage.
- ii) Increased traffic generation on Ducks Hill Road.
- iii) The excavation so close to our building will negatively impact on our foundations.
- iv) The building so close to ours will cut off the natural light into our side windows.
- v) We would like more space provided on the side of our boundary before excavation and building.
- vi) The architectural quality of the facades will be bland.

NORTHWOOD RESIDENTS' ASSOCIATION: No response.

METROPOLITAN POLICE

No objections, subject to adequate perimeter treatment and demarcation of private and communal amenity areas.

HILLINGDON PRIMARY CARE TRUST (PCT): No response.

THAMES WATER

With regard to surface water drainage it is the responsibility of a developer to make proper 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 public sewer, the site drainage should be separate 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.

No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water or sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with the relevant water or sewerage undertaker. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground water and sewerage utility infrastructure. Piling has the potential to impact on local underground water and sewerage utility infrastructure.

The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation.

Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality). Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

With regard to water supply, this comes within the area covered by the Veolia Water Company.

### **Internal Consultees**

#### **ENVIRONMENTAL PROTECTION UNIT**

No objections are raised to this proposal. Should planning permission be granted the following conditions are recommended:

A Condition requiring a scheme for protecting the proposed development from road traffic is recommended.

A condition requiring details of external lighting is recommended.

Noise from proposed Air Source Heat Pumps:

The rating level of the noise emitted from the plant and equipment hereby approved shall be at least 5dB lower than the existing background noise level. The noise levels shall be determined at the nearest residential premises in accordance with British Standard 4142, Method for rating industrial noise affecting mixed residential and industrial areas .

REASON To protect the amenity of the surrounding area.

Informative

Please add the standard Construction informative.

#### **HIGHWAY ENGINEER**

Given the previous extant permissions, no objection subject to conditions.

#### **URBAN DESIGN OFFICER**

BACKGROUND: This proposal has been created following discussions in relation to a previous design for two larger blocks linked with a fully glazed staircase block, a scheme eventually allowed at appeal.

The current scheme is considered to be an improvement on the previous scheme in a number of important ways. Instead of a fully glazed link, the two blocks would be linked by a recessed, clay roofed section, which is considered much more in keeping with the architecture of the area. Instead of the bulbous half hipped roofs and asymmetrical roof construction, the roof forms would be hipped and symmetrical, which would enhance the appearance of the whole development. Also, the previously over-wide footprint of the development would be reduced to allow greater distance from neighbours, and a softer planted edge to the side boundaries.

The Design and Access Statement refers to the Metroland design, of clay tiles and brick, rather

than a return to the previous, neo-Georgian, design, and this is to be commended. It will be important however to enhance this good, strong design with detailing predominantly of brick, rather than of the uncharacteristic white stone, used elsewhere on Neo-Georgian houses in the road.

RECOMMENDATIONS: Acceptable.

#### EDUCATION DIRECTORATE

An education contribution of £29,166 is sought (Primary - £9,790, Secondary- £9263 and post secondary - £10,113)

#### S106 OFFICER

Proposal:

6 x 2 bed flats (with 4 habitable rooms)

6 x 2 bed flats (with 5 habitable rooms)

1 x 3 bed flat (with 6 habitable rooms)

Existing: 3 x 3 bed houses (with 5 habitable rooms) - discounted from the proposal for the purposes of education only.

Total resulting population: 28.32

Proposed Heads of Terms:

1. Education: a financial contribution in the sum of £29,166.
2. Health: a financial contribution in the sum of £6,136.09 ( $£216.67 \times 28.32$ )
3. Libraries: a financial contribution in the sum of £651.36 ( $£23 \times 28.32$ )
4. Construction Training: a financial contribution equal to £2,500 for every £1million build cost +  $(13/160 \times £71,675) =$  total contribution.

In line with the inspectors recent decision (case number APP/R5510/A/11/2153688) I would like either a Unilateral Undertaking (UU) in exactly the same form (figures amended to align with this proposal) as that which was agreed for the appeal scheme. Alternatively the applicant enter into a formal s106 agreement with the Council to address the planning obligations as sought above. In the latter case a project management and monitoring fee of 5% of the total cash contributions for the management and monitoring of the resulting agreement would be sought.

#### WASTE STRATEGY MANAGER

a) I would estimate the waste arising from the development to be as shown below:

Total Weekly Waste Arising 2,240 litres. This waste would therefore be accommodated in a total of 2 bulk bins. Initially all bulk bins on site would be for residual waste; then one of these could be exchanged for recycling at a latter date, or an additional recycling bin added.

b) The bin enclosures must be built to ensure there is at least 150mm clearance in between the bulk bins and the walls of storage area. The size and shape of the bin enclosures must also allow good access to bins by residents, and if multiple bins are installed for the bins to be rotated in between collections.

c) Arrangements should be made for the cleansing of the bin store with water and disinfectant. A

hose union tap should be installed for the water supply. Drainage should be by means of trapped gully connected to the foul sewer. The floor of the bin store area should have a suitable fall (no greater than 1:20) towards the drainage points.

d) The material used for the floor should be 100mm thick to withstand the weight of the bulk bins. Ideally the walls of the bin storage area should be made of a material that has a fire resistance of one hour when tested in accordance with BS 472-61.

e) The gate/door of the bin stores need to be made of either metal, hardwood, or metal clad softwood and ideally have fire resistance of 30 minutes when tested to BS 476-22. The door frame should be rebated into the opening. Again the doorway should allow clearance of 150mm either side of the bin when it is being moved for collection. The door(s) should have a latch or other mechanism to hold them open when the bins are being moved in and out of the chamber.

f) Internal bin chambers should have appropriate passive ventilators to allow air flow and stop the build up of unpleasant odours. The ventilation needs to be fly proofed.

g) The collectors should not have to cart a 1,100 litre bulk bin more than 10 metres from the point of storage to the collection vehicle (BS 5906 standard).

h) The gradient of any path that the bulk bins have to be moved on should ideally be no more than 1:20, with a width of at least 2 metres. The surface should be smooth. If the storage area is raised above the area where the collection vehicle parks, then a dropped kerb is needed to safely move the bin to level of the collection vehicle.

#### General Points

i) The value of the construction project will be in excess of £300,000, so the Site Waste Management Plans Regulations 2008 apply. This requires a document to be produced which explains how waste arising from the building works will be reused, recycled or otherwise handled. This document needs to be prepared before the building work begins.

j) The client for the building work should ensure that the contractor complies with the Duty of Care requirements, created by Section 33 and 34 of the Environmental Protection Act.

#### ACCESS OFFICER

In assessing this application, reference has been made to London Plan July 2011, Policy 3.8 (Housing Choice) and the Council's Supplementary Planning Document "Accessible Hillingdon" adopted January 2010.

The scheme should be revised and compliance with all 16 Lifetime Home standards (as relevant) should be shown on plan. In addition, 10% of new housing should be built to wheelchair home standards and should accord with relevant policies, legislation and adopted guidance.

The following access observations are provided:

1. Good practice recommends that communal car parks, as part of a Lifetime Home development, should provide at least one accessible parking space within each zone/lift core. The accessible bay should provide an effective clear width of 3300mm (3600 mm preferred). Furthermore, the parking layout and landscape design should be conducive to Lifetime Home principles and allow for further accessible parking bays to be created according to demand.

2. The scheme should be revised to incorporate at least one dwelling designed in accordance with the Wheelchair Home Standards as specified in the above mentioned Supplementary Planning

Document. As the application proposes only a single lift, the required unit built to Wheelchair Home Standards should be incorporated on the ground floor.

3. To support the Secured by Design agenda, accessible car parking bays should not be marked. Car parking spaces should be allocated to a specific unit, allowing a disabled occupant to choose whether the bay is marked.

REASON: Bays that are not allocated would not guarantee an accessible bay to a disabled resident. Similarly, a disabled person may not necessarily occupy an accessible home allocated a disabled parking space. Marking bays as disabled parking could lead to targeted hate crime against a disabled person.

4. Due to their split-level design, the proposed ground floor units are not conducive to the principles of Lifetime Home accommodation. However, provided it can be demonstrated that a suitable wheelchair platform lift, to provide convenient access down to the bedrooms, could be sourced and retrospectively installed without the need for post-construction material alterations to the building, the design would be satisfactory.

5. The passenger lift shown on plan appears not to comply with Part M to the Building Regulations 2000 (2004 edition). The lift car should provide internal dimensions of 1100mm wide by 1400mm deep. Such detail is crucial to provide adequate access for wheelchair users and confirmation of compliance should be sought prior to any grant of planning permission.

6. A minimum of one bathroom designed in accordance with Lifetime Home standards detailed in the above Supplementary Planning Document should provide at least 700mm to one side of the WC, with 1100mm provided between the front edge of the toilet pan and a door or wall opposite.

7. To allow bathrooms to be used as wet rooms in future, plans should indicate floor gully drainage.

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

(Officer note: An almost identical scheme has already been allowed on appeal, subject to conditions. It is considered that the above mentioned issues can be similarly be addressed by a suitably worded condition).

#### TREE AND LANDSCAPE OFFICER

The significant trees, including a number of mature Oak trees and trees forming part of the fringe of the belt of Oak-Hornbeam woodland (on the Copsewood Estate) on the site protected by TPO 281. The previously approved schemes for the redevelopment of 103-105, and 107 Ducks Hill Road, including that scheme allowed on appeal on 26 October 2011, made provision for the long-term retention of those trees considered to be features of merit in terms of Saved Policy BE38 of the UDP.

The application includes a tree survey to BS 5837:2005, which includes a preliminary appraisal of the arboricultural implications of the proposed scheme. There is reference in the survey to an Arboricultural Implications Assessment (AIA), but this information is not available, nor is a site survey (as this information does not seem to have been submitted with the application).

The proposed 'layout' of the blocks and 'access' to them are acceptable, as the scheme makes provision for the long-term retention of the protected trees of merit in relation to these main elements. However, it is not possible to assess the scheme in terms of the proposed 'layout' of the



front of the site, including parking areas and bin/cycle stores, in relation to protected Oak trees, because of the lack of tree protection and levels information (and sections), specifications and construction methodology, the AIA, and a method statement (to BS 5837:2005).

Given that all matters, except landscaping are to be determined at this stage of the planning process, it would be preferable for this vital, detailed, tree-related information to be provided. However, if it is not provided at this stage, this element (the 'layout' of the front of the site) of the scheme would, therefore, have to be considered in detail at a later stage in the planning process (controlled by planning conditions imposed on any permission that may be granted - see the full list below). If it is provided as part of this application, this advice and the list of suggested tree and landscape-related conditions would have to be reviewed before the case is reported for determination.

Given the planning history of this site (4 approvals), subject to conditions OUT2 (d), OUT3, OUT4, TL1, TL2, TL3, TL4, TL6, TL7, TL8 [...1.5m...], and TL21 [requiring the submission and approval prior to works commencing of a 'demolition, construction and tree protection' method statement, to include provision for site supervision and monitoring, etc.], the outline ('all matters except landscaping') application is acceptable in terms of Saved Policy BE38 of the UDP.

Note: These observations about the outline application (with only landscaping reserved for future consideration) take account of the recent appeal decision and the conditions imposed by the Inspector.

#### SUSTAINABILITY OFFICER

No objections are raised to the proposed development subject to the following:

##### Energy

The submitted energy assessment is not in accordance with the London Plan which was updated in July 2011. This requires a 25% reduction in CO2 from a 2010 Part L baseline. However, the submitted assessment does demonstrate that savings can be achieved although changes to it will be required to demonstrate the development is compliant with the most recent London Plan.

A condition is recommended, requiring a detailed energy assessment setting out the baseline (2010 building regulations) energy demand for each unit, the details of how each unit contributes to an overall 25% reduction carbon emissions, the types of technology to be used, the impact of the technologies on the baseline, the phasing of the technology and finally plans and elevations showing inclusion of the technology.

##### Water Efficiency

The London Borough of Hillingdon is within an area of severe water stress. The extra pressure on potable water supplies is therefore a material consideration and one that needs careful consideration. A condition is therefore recommended, requiring a scheme for the reduction in potable water use, including the harvesting and recycling of grey and rain water.

##### Ecology

A condition is recommended requiring an ecological enhancement plan, to include details the types and locations of the measures to be undertaken to allow the development to provide enhancements to flora and fauna

##### Drainage

A condition is recommended requiring a scheme for the provision of sustainable water management, clearly detailing the type of SUDS, information on the soil characteristics and the suitability of infiltration methods, areas required for storage, run-off rates and maintenance arrangements. The use of living walls and roofs should also be considered.

## **7. MAIN PLANNING ISSUES**

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

The site is designated as a Developed Area within the Hillingdon Unitary Development Plan Saved Policies (September 2007) (UDP). The proposal site is located in a predominantly residential area which currently contains terraced and detached dwellings with large back gardens, with a number of sites along Ducks Hill Road having been redeveloped for flatted development.

HDAS Supplementary Planning Document 'Residential Layouts' states that redevelopment of large plots and infill sites currently used for individual dwellings into flats in close proximity to each other is unlikely to be acceptable on any one street. As a guide, redevelopment of more than 10% of properties on a residential street is likely to be unacceptable.

Whilst it is acknowledged that Ducks Hill Road has had a large number of such redevelopments, the principle of flatted development on the application site has already been established by virtue of planning permissions granted for a two storey block of six flats at 107 Ducks Hill Road and for a three storey Block of 8 flats at 103 and 105 Ducks Hill Road and the subsequent outline planning permission for the amalgamated sites. This is a material consideration.

Where planning permission has been previously granted for a similar proposal, but where the development has not been implemented, Local Planning Authorities should consider, based upon robust evidence provided by applicants, whether the site is likely to be developed. There is no presumption that planning permission should be granted because of a previous approval, particularly if the original permission proposal did not deliver policy objectives.

However, it is likely that this site is going to be developed in some form or the other and the extant permissions are considered to be a material consideration. Therefore, there is no objection in principle to the loss of the existing 3 dwellings and their replacement with 13 apartments, subject to compliance with the various Saved Policies of the UDP.

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

Density guidelines are provided by the London Plan. These guidelines take into account public transport accessibility, the character of the area and type of housing proposed. The site has a PTAL score of 1a. Taking this into account, the London Plan density guideline is 150-200 hr/ha or 35 to 55 units per hectare (u/ha), within a suburban setting with a low PTAL, at an average of 3.8-4.6 hr/unit.

The 13 units proposed would result in approximately 58 habitable rooms, providing a residential density for the development of 48 units per hectare and 214 habitable rooms per hectare, at 4.46 hr/unit. The proposed scheme would be within the London Plan table 3.2 Density matrix guidelines for units and slightly exceed guidelines for habitable rooms in a suburban location. Provided site specific issues including design, amenity space provision and impact on neighbouring properties are satisfactory, there would be no policy objection to the density proposed.

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

The site does not fall within an archaeological priority area and as such there are no

archaeological issues associated with this development.

#### **7.04 Airport safeguarding**

The application does not conflict with height restriction criteria and no wind turbines are proposed as part of this development.

#### **7.05 Impact on the green belt**

The site does not form part of, nor is it adjacent to the Metropolitan Green Belt.

#### **7.06 Environmental Impact**

No specific contamination issues were noted by the Council's Environmental Protection Unit who, nevertheless, advise that a condition to minimise risk of contamination from garden and landscaped areas should be imposed.

#### **7.07 Impact on the character & appearance of the area**

Saved Policies BE13 and BE19 seek to ensure that new development complements or improves the character and amenity of the area, whilst Policy BE38 seeks the retention of topographical and landscape features and provision of new planting and landscaping in development proposals. The scale, bulk and siting of buildings are key determinants in ensuring that the amenity and character of established residential areas are not compromised by new development.

London Plan Policy 7.1 sets out a series of overarching design principles for development in London and policy 7.6 seeks to promote world-class, high quality design and design-led change in key locations. In addition to Chapter 7, London Plan policies relating to density (34) and sustainable design and construction (5.3) are also relevant.

The current application brings together the sites at 103-105 and 107 Ducks Hill Road and seeks an outline approval, with access, appearance, layout and scale to be determined at this stage, and landscaping identified as reserved matters.

The proposal needs to be considered with regard to the impact on Ducks Hill Road, which is quite varied in terms of the style and size of houses. Properties on this road are mainly detached, and in general the buildings are of good quality and well spaced, giving the area an open character. There are, however, a number of new flatted developments which have begun to erode the scale and quality of the streetscape within the area.

It is considered that the existing properties on the site are of no particular architectural merit and no objections are raised to their loss, subject to a satisfactory scheme to replace these dwellings. However, in terms of its impact on the street scene, the development fills most of the width of the plot. The blocks would be visible from the street in views along the site frontage and in views across the frontage of 111 Ducks Hill Road to the south and Oak House to the north.

There are no objections to the detailed design of the proposed block. However, concerns were previously raised regarding the scale bulk and massing of the proposed development in earlier schemes for this site.

The previously approved schemes for the separate sites proposed development in two blocks. The northern block (103-105) was two storey with a lower ground floor and rooms in the roof space, whilst the southern block (107), was 2 storey with rooms in the roof space. The indicative floor plans and elevations, submitted as part of the subsequently approved outline scheme ref: 64345/APP/2008/3572 for the amalgamated site, showed the envelope of the proposed built form in relation to existing development along this side of Ducks Hill Road. The submitted information demonstrated that the development could

be achieved in two separate blocks, 2.5 metres apart, which would be similar in scale and design to the previously approved schemes and to the existing flat development at Oak House, Elm House and Woodland Heights to the north, and other flat developments within Ducks Hill Road.

In the subsequent refused scheme ref: 64345/APP/2009/1590, the applicant sought to link the blocks with a 3 storey glazed link. The Urban Design Officer raised concerns that the proposed link structure, covered by a roof, would have had a solid ambience, resulting in the two blocks and the link reading as one coherent bulk, resulting in a considerable increase in scale, compared with the consented outline scheme.

With regard to the second refused scheme ref: 64345/APP/2010/2782, which was subsequently allowed on appeal, the Urban Design and Conservation Officer considered that whilst in some respects that design simplified the one previously refused, and reduced the size of the glazed link in between the two blocks, the development would nevertheless be over large, bulky and of an unattractive design. It was not considered that the modifications to the refused scheme had addressed the fundamental concerns regarding bulk and massing of the resultant building, as the linking of the two buildings in this way would create a building of considerable length and bulk, which would be inappropriate in the street scene. The Urban Design and Conservation Officer also noted that the roof forms were little different from those shown in the previously refused scheme, being particularly bulky, with their bulging half hips, and very unattractive with deep crown roofs and flat topped side profiles.

However, the Inspector in allowing this second refused outline scheme took a contrary view, concluding that the 2 wings of the building would be of a different but complementary appearance, designed to give the impression of two large, extended houses. In her opinion, the glazed link would be sufficiently recessed so that that the development would appear as 2 separate buildings in the longer views along Ducks Hill Road. Even in the limited views where it could be seen as a whole, the Inspector was of the view that the development would not be over dominant or intrusive in the street scene or out of keeping with the character and appearance of the area. Views of the front elevation would be filtered by trees along the frontage. These are mainly large oaks which are subject to a tree preservation order and which would be retained. Additional landscaping could be required if the Council felt this to be necessary as landscaping is a reserved matter. This appeal decision is a material consideration.

The current scheme is a modification of the previous scheme allowed on appeal and has been redesigned in an attempt to address concerns raised by the Council. (This application was submitted before the determination of the appeal scheme).

The Urban Design and Conservation Officer considers that the changes to current scheme as outlined below are an improvement on the previous scheme in a number of important ways. The key changes to the previous schemes are summarised below:

- The building has now been designed as two separate forms respecting the bulk and mass of the larger houses in the area. The two forms are linked by a glazed mid section with a tiled roof, instead of a fully glazed link, set lower than the main roofs on either side. This is considered much more in keeping with the architecture of the area.
- The design now incorporates matching hips rather than the previously suggested gable on one side and hip on the other, as it would contribute to the symmetry of the resultant development, reduce the massing and help define the two blocks as separate entities, which would enhance the appearance of the whole development.
- The footprint of the development would be slightly smaller than that already approved

(including the appeal scheme). The previously over-wide footprint of the development would be reduced to allow greater distance from neighbours, and a softer planted edge to the side boundaries.

- The building would be better articulated than in the previous schemes.
- The proposed flank wall adjoining number 111 Ducks Hill Road is now set 2.5m further away from the neighbouring property than the consented schemes. It is considered that this will enhance the feeling of space to the boundary and improve the outlook of the neighbour to the south.
- The roof forms are now designed with full hips, very much respecting the characteristic roof forms in the area. The redesign also allows the maintenance of traditional eaves levels. This addresses a major concern of the Urban Design and Conservation Officer on the previous schemes.
- The proposed front wall adjacent to number 111 Ducks Hill Road is now set 2.1m further back from the highway.
- The proposed rear wall adjacent to number 111 Ducks Hill Road, projects 800mm further back than the approved schemes; however the additional 2.5m off set from the side boundary ensures full compliance with the 45 degree light angle.
- The proposed rear wall adjacent to the neighbouring flats, projects 1.9m less than the approved rear wall.
- Sections of the proposed front wall of the building adjoin the existing flats is set back from the road 1.4m more than the approved scheme.

The Urban Design and Conservation Officer considers the scheme acceptable, subject to appropriate detailing which should be predominantly of brick, rather than the uncharacteristic white stone, used elsewhere on Neo-Georgian houses in the road. Control over external materials can be secured by condition, in the event of an approval.

With regard to the proposed layout at the front of the block, no objections are raised to the car parking layout, subject to the protection of retained trees and additional landscaping, which are secured by condition. It is noted that objections were previously raised to the location of two detached bin stores some 4 metres high on previous schemes, which would be located close to the front boundary of the site. The revised scheme proposes only one structure, with a reduced maximum height of 2.6 metres. This is considered to be an improvement over the approved scheme. A condition is recommended requiring details to be submitted.

Given the history of the amalgamated site and the fall back position of implementing what is considered to be an inferior scheme which was allowed on appeal, it is not considered that the development would be so detrimental to the visual amenity of the street scene, or detract from the visual amenities of the area generally, as to warrant refusal. Overall, it is considered that the development is in accordance with UDP Saved Policies BE13 and BE19, relevant London Plan Policies and supplementary design guidance.

## **7.08 Impact on neighbours**

### **PRIVACY**

Policy BE24 states that development should be designed to protect the privacy of future occupiers and their neighbours. The Council's Supplementary Planning Document HDAS: 'Residential Layouts' also provides further guidance in respect of privacy, stating that adequate distance should be maintained to any area from which overlooking may occur. In particular, that the distance between habitable room windows should not be less than 21 metres distance.



Given the design and layout of the proposed blocks and their distance to adjacent properties to the south east (rear), it is considered unlikely that this would result in an unacceptable impact to properties in Copsewood Way, in relation to loss of privacy. It is noted that the side window openings to three of the dining rooms on both the first and second floor (units 5, 8 and 12) on the previously refused scheme have been removed, thereby addressing potential overlooking issues. Screening could be provided to the rear balconies, which could be secured by condition, in the event of an approval. There are now no windows in either side elevations and it is therefore not considered that the development would cause loss of privacy to adjoining occupiers, in accordance with Policy BE24 of the UDP Saved Policies September 2007.

#### SUNLIGHT/DAYLIGHT

In relation to sunlight, Policy BE20 of the UDP seeks to ensure that buildings are laid out to provide adequate sunlight and preserve the amenity of existing houses. It is considered that the proposed block would be sited to avoid any undue overshadowing or loss of light or to neighbouring properties on either side.

#### OUTLOOK

In relation to outlook, Policy BE21 requires new residential developments to be designed so as to ensure adequate outlook for occupants of the site and surrounding properties. The design guide 'Residential Layouts' advises that for two or more storey buildings, adequate distance should be maintained to avoid over dominance. A minimum distance of 15m is required, although this distance will be dependent on the extent and bulk of the buildings. Given the height and layout of the proposed block, and its distance to adjacent properties to the southeast (Copsewood Way), it is considered unlikely that this would result in an unacceptable impact, in relation to over-dominance.

The current scheme sets the proposed flank wall adjoining number 111 Ducks Hill Road 2.5m further away from the neighbouring property than the consented and appeal schemes. Although the proposed rear wall adjacent to number 111 Ducks Hill Road would project 800mm further back than the approved scheme, it is considered that the additional 2.5m off-set from the side boundary will ensure compliance with the 45 degree angle of vision. It is considered that this is an improvement over the consented and appeal schemes, given that the increased gap to the boundary would enhance the feeling of space to the boundary and improve the outlook on the neighbour.

#### NOISE

Access is to be determined at this stage. It has been demonstrated that it is possible to provide vehicular access to the development without unacceptable impact on the surrounding residents in terms of additional disturbance, in compliance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Polices (September 2007).

#### **7.09 Living conditions for future occupiers**

In relation to outlook and privacy, Policies BE21 and BE24 require new residential developments to be designed so as to ensure adequate outlook and privacy for occupants of the site. In relation to sunlight access, Policy BE20 of the UDP seeks to ensure that buildings are laid out to provide adequate sunlight and preserve the amenity of existing houses.

The siting of the two blocks is approximately the same as for the consented schemes.



Therefore, all of the units could benefit from an acceptable level of privacy, outlook and light.

## AMENITY SPACE

Policy BE23 of the UDP requires the provision of external amenity space, sufficient to promote the amenity of the occupants of the proposed and surrounding buildings, and which is usable in terms of its shape and siting. The Council's Residential Design Document, HDAS, specifies amenity space standards for dwellings.

Given the size of units proposed, 330sq.m of external amenity space would be required to serve the development. While, matters relating to landscaping are reserved, there is approximately 1000sq.m of available space to the rear of the buildings within the proposed layout. Accordingly it is considered that adequate outdoor amenity space can be provided to meet the Council's amenity space standards given in The Hillingdon Design and Accessibility Statement (HDAS) -Residential Layouts.

## INTERNAL LAYOUT

The Hillingdon Design and Accessibility Statement (HDAS): Residential Layouts requires all new residential units to be built to lifetime home standards and 10% of units designed to wheelchair accessible standards. Further guidance is also provided on floor space standards for new residential development to ensure sound environmental conditions are provided on site. As a guide, the recommended minimum standards for 2 bedroom flats is 63sq.m and 81sq.m. for 3 bedroom flats.

The floor plans illustrate that the development would comprise a mixture of two and three bedroom apartments and that the development would achieve HDAS recommended floor space standards. However no specific information has been provided to indicate how lifetime home standards could be met for all the units, this is addressed by condition.

The Council's Environmental Protection Unit has raised no objections to the scheme, subject to conditions, while the scheme's waste management systems and crime prevention measures could be adequately addressed by condition. Overall, it is considered that the proposed development could provide adequate living conditions for all of the proposed units in accordance with Policies BE20, BE23, BE24 and OE1 of the UDP and HDAS: Residential Layouts.

### **7.10 Traffic impact, car/cycle parking, pedestrian safety**

Access is to be determined at this stage. The transport statement specifies that access arrangements will be the same as for the consented schemes for 103 and 105 Ducks Hill Road. With respect to 103 and 105 Ducks Hill Road, it is proposed to utilise the access as detailed on planning permission 62513/APP/2006/3462, which will serve 11 parking spaces.

With regard to 107 Ducks Hill Road, one of the existing access points will be closed and a new entrance constructed. This arrangement will serve 12 parking spaces. It is considered that adequate parking and access can be provided for 13 flats, utilising the two entrances without detriment to highway and pedestrian safety, in compliance with Policies AM7, AM14 and AM15 of the UDP. In addition, adequate cycle storage can be provided on the site, in compliance with Saved Policy AM9 of the UDP. The Highway Engineer raises no objections.

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

Layout, building bulk and scale, impact on the public realm, private amenity space, amenities created for the future occupiers, siting, design residential living conditions, access and security have been dealt with elsewhere in the report.

## MIX OF UNITS

Policy H4 states that, wherever practicable, new residential developments should have a mix of housing units of different sizes, including units of one or two bedrooms. Policy H5 states that the Council will encourage the provision of dwellings suitable for large families. The proposal would result in the loss of 3 family dwellings. However, it is considered that its replacement with 12 x 2 bedroom and 1 x three bedroom flats satisfactorily offsets this loss, as it would provide a greater number of units and will contribute towards meeting the housing need in the Borough. It is considered that the scheme provides an acceptable mix of units in accordance with the Council's policies.

### **7.12 Disabled access**

HDAS was adopted on the 20th December 2005 and requires all new residential units to be built to lifetime home standards and 10% of units designed to wheelchair accessible standards. The floor plans indicate that the development generally achieves HDAS recommended floor space standards for all of the units and that Lifetime Home Standards could be fully met for 11 of the 13 units.

However, the Access Officer has raised concerns regarding the ground floor flats. The design of the building results in split-level floors within these flats and the communal areas. A design that requires the use of the platform lift to travel in-between what is essentially the same floor is not conducive to Lifetime Home Standards. However the stairs in these units have been designed in order to allow the direct installation of chair lifts and accordingly, have an oversize width and a straight run. In addition, the applicants submit that a key justification for the scheme relates to the fact that the lift will give access to all first and second floor flats, thereby ensuring that 9 of the flats are fully accessible. The gain in ensuring that 9 of the flats are accessible without negotiating steps, it is argued, is considered to outweigh the issue of the ground floor units having internal stairs.

The Access Officer also considers that since the application proposes only a single lift, the required Wheelchair Home Standards unit should be on the ground floor, whereas this scheme proposes the wheelchair unit on the first floor. However, it is noted that this scheme is similar in terms of internal floor layout to the proposal which was recently allowed on appeal. In that scheme, the wheelchair unit was also on the first floor and the Inspector in allowing the appeal, did not regard the issue of providing only one lift as a determining issue.

Any outstanding issues can be secured by condition. Overall, the proposal is considered to be in accordance with London Plan Policies 3.8 and 7.2 and the Hillingdon Design and Accessibility Statement (HDAS): 'Accessible Hillingdon'.

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

PPS3 states in Para. 73 that when considering applications relating to sites for which planning permission has been previously granted for a similar proposal, but where the development has not been implemented, Local Planning Authorities should consider, based upon robust evidence provided by applicants, whether the site is likely to be developed. There is no presumption that planning permission should be granted because of a previous approval, particularly if the original permission proposal did not deliver the policy objectives of this PPS.

PPS3 also states in paragraph 68 that Local Planning Authorities should take into consideration the policies set out in Regional Spatial Strategies and Development Plan Documents, as the Development Plan, as well as other material considerations. When making planning decisions for housing developments after 1st April 2007, Local Planning Authorities should have regard to the policies in this statement as material considerations which may supersede the policies in existing Development Plans.

The London Plan sets the policy framework for affordable housing delivery in London. Policies 3.10 -3.13 requires that boroughs should seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mix-use schemes, having regard to their affordable housing targets.

The Planning Obligations Supplementary Planning Document (SPD) adopted in July 2008 replaces the previous Supplementary Planning Guidance and updates the information and requirements of the Affordable Housing SPD adopted in May 2006. Chapter 5 on Affordable Housing from the Planning Obligations SPD paragraph 5.14 of the Planning Obligations SPD states, 'the council will always seek the provision of affordable housing on-site except in exceptional circumstances. The council will consider affordable housing tenure mix on a site by site basis with reference to housing needs, financial viability and/or the London Plan as appropriate.'

Paragraph 5.22 states that the Council will seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed use schemes. The LDF policy acknowledges a balance between the need for affordable housing that the economic viability of private housing developments. Where less than 50% affordable housing is proposed, a justification for the departure from the London Plan and Policy CP5A will be required, together with a financial viability appraisal to demonstrate that the maximum affordable housing provision is being delivered on site. Paragraph 5.30 from the Planning Obligations SPD states that affordable housing should be provided on-site as an integral part of residential development. Off-site provision and payment in-lieu should only be considered in exceptional circumstances and where it meets the overall goal of sustainable and mixed communities in accordance with PPS1. Chapter 5 Affordable Housing from London Borough Hillingdon's Planning Obligations SPD and the National and Regional policies on providing affordable housing will be given considerable weight when assessing this application.

The application exceeds the threshold of 10 units and above, therefore affordable housing provision by way of a S106 Legal Agreement would normally be required. No affordable housing is being offered. However, the current application is supported by a financial viability appraisal, which it is considered, has adequately demonstrated that the provision of affordable housing is not financially viable. Accordingly, it is considered that the lack of provision has been demonstrated in accordance with the requirements of London Plan Policies 3.10 - 3.13.

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

##### **TRES AND LANSCAPING**

In terms of tree retention, the significant trees on the site include a number of mature Oak trees and trees forming part of the fringe of the belt of Oak-Hornbeam woodland, protected by TPO 281. The previously approved schemes for the redevelopment of 103-105, and 107 Ducks Hill Road, made provision for the long-term retention of those trees considered to be features of merit. Layout is being considered at this stage.

The application includes a site survey and tree survey to BS 5837:2005, which includes a preliminary appraisal of the arboricultural implications of the proposed scheme. Given the 2 extant approvals on this site, which are similar in terms of layout to the current submission, it is clear that the development could proceed in an acceptable form, without prejudicing the preservation and long term protection of trees deemed worthy of retention.

The Tree Officer considers that the proposed layout of the blocks and access to them are acceptable, as the scheme makes provision for the long-term retention of the protected trees of merit in relation to these main elements. However, it is not possible to assess the scheme in terms of the proposed layout of the front of the site, including parking areas and bin/cycle stores, in relation to protected Oak trees, because of the lack of tree protection and levels information, specifications and construction methodology. It is therefore considered that this part of the scheme should be considered in detail at the later reserved matters stage and be controlled by planning conditions.

The Tree and Landscape Officer considers that given the planning history of this site, subject to standard landscaping conditions and a condition requiring a demolition, construction and tree protection method statement, there is no objection to the application in terms of saved Policy BE38 of the UDP.

## ECOLOGY

The application site is amenity garden area with no ecological interest. There is no evidence of the presence of protected species and the application site itself has no designation for nature conservation interest. Nevertheless, the site and surrounding area is sylvan in nature. Given the more intensive use of the site, a condition is recommended requiring details of the measures to be undertaken to allow the development to provide enhancements to flora and fauna, as well as areas of extensive landscaping designed for wildlife enhancements. Subject to this condition, it is considered that the development would meet the aims of PPS9 and Policies 5.3 and 7.19 of the London Plan, by delivering biodiversity enhancements.

### **7.15 Sustainable waste management**

The scheme's waste management systems could be adequately addressed at reserved matters stage.

### **7.16 Renewable energy / Sustainability**

The applicant has submitted a renewable energy assessment as part of the application. The report addresses how to reduce carbon emissions and sets out the most suitable and viable forms of renewable energy generators for the scheme. It sets out that the air source heat pump option is the preferred technology to deliver the renewables target for the scheme and that this option offers potential savings of 24.8%. However, the detailed baseline carbon emissions and proposed measures for reduction of CO2 emissions from renewable technologies would need to be demonstrated.

It is noted that the submitted energy assessment is not in accordance with the London Plan, which was updated in July 2011. This requires a 25% reduction in CO2 from a 2010 Part L Building Regulations baseline. However, the submitted assessment does demonstrate that savings can be achieved, although changes to the energy assessment will be required to demonstrate the development is compliant with the most recent London Plan.

A condition is therefore recommended, requiring the submission of an assessment, setting out the baseline (2010 building regulations) energy demand for each unit, the

details of how each unit contributes to an overall 25% reduction carbon emissions, the types of technology to be used, the impact of the technologies on the baseline, the phasing of the technology and finally plans and elevations showing inclusion of the technology.

A condition is also recommended requiring a scheme for the reduction in potable water use, including the harvesting and recycling of grey and rain water.

Subject to compliance with these conditions, it is considered that the scheme will have satisfactorily addressed the issues relating to the mitigation of and adaptation to climate change and to minimising carbon dioxide emissions, in compliance with relevant London Plan (2011) policies.

#### **7.17 Flooding or Drainage Issues**

There are no specific flood related issues associated with this development. However, a condition is recommended requiring the submission of a scheme for the provision of sustainable water management, clearly detail the type of sustainable urban drainage (SUDS), information on the soil characteristics and the suitability of infiltration methods, areas required for storage, run-off rates and maintenance arrangements.

#### **7.18 Noise or Air Quality Issues**

The Environmental Protection Unit has recommended that a noise mitigation scheme will be required, in the event that air source heat pumps is the renewable energy technology chosen for the site. This has been secured by condition.

The Inspector in allowing the recent appeal did not consider it necessary to impose conditions requiring insulation from road noise, as there is no evidence to show that noise from traffic on Ducks Hill Road is such that special attenuation measures should be required.

#### **7.19 Comments on Public Consultations**

With regard to point i), increased demands on community infrastructure identified as arising from the development will be appropriately met through the provision of planning obligations. It is not considered that, in this case, the proposal would place undue demand on local drainage facilities, subject to the condition recommended by Thames Water, which seeks to protect underground infrastructure from piling activities.

Concern iii) relates to impact on the foundations of adjoining buildings. This matter is controlled under Building Regulations.

Issues ii), iv) and v) have been addressed in the body of the report.

#### **7.20 Planning Obligations**

Policy R17 of the Hillingdon UDP is concerned with securing planning obligations to supplement the provision of amongst other things, community and educational facilities. This UDP Policy is supported by the Council's Supplementary Planning Document on Planning Obligations.

In connection with this proposal and following an assessment by Education Services, a contribution of £29,166 (£9,700 for primary; £9,2363 for secondary; £10,113 for post-16) school places is considered appropriate in order to cater for the increased demand placed on existing school places by the proposed development is sought.

A financial contribution in the sum of £6,136.09 (£216.67 per person arising from the development), in accordance with the Council's Supplementary Planning Document is



considered appropriate, in order to secure increased/expanded doctors surgery facilities within a 3 mile radius of the site, to meet increased demands arising from the development.

A financial contribution of £216.67 (equating to £23 per person) is sought, in line with the Council's Supplementary Planning Document, to improve local library and other community facilities in order to meet increased demands arising from the development.

A financial contribution is sought towards construction training, equal to £2,500 for every £1 million of build costs is appropriate to be contributed towards construction training initiatives within the borough, in accordance with Supplementary Planning Document.

In the event of a S106 Agreement being entered into, a project management and monitoring fee of 5% of the total cash contributions for the management and monitoring of the resulting agreement

The applicant has agreed to the proposed level of contributions, which is to be secured by way of a Unilateral Undertaking or S106 Agreement. Overall, it is considered that the level of planning benefits sought is adequate and commensurate with the scale and nature of the proposed development, in compliance with Saved Policy R17 of the UDP.

#### **7.21 Expediency of enforcement action**

There are no enforcement issues arising from this application.

#### **7.22 Other Issues**

There are no other relevant issues raised by 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**

The principle of this redevelopment accords with the policies of the Unitary Development Plan Saved Policies (September 2007) and is consistent with the guidance of PPS3 Housing. The density of the proposed development broadly accords with London Plan guidance. The layout of and bulk and scale of the proposed buildings are considered appropriate for the site and existing surrounding development, subject to appropriate materials.

The proposal could be built without substantial shading/overshadowing of the rear gardens of adjoining properties, while it is considered that adequate distance of buildings to the site boundaries have been achieved without having an adverse effect on the outlook of adjoining residential properties. Furthermore, it has been demonstrated that a detailed scheme could be designed without significant loss of privacy, in compliance with relevant UDP Policies and Supplementary Design Guidance.

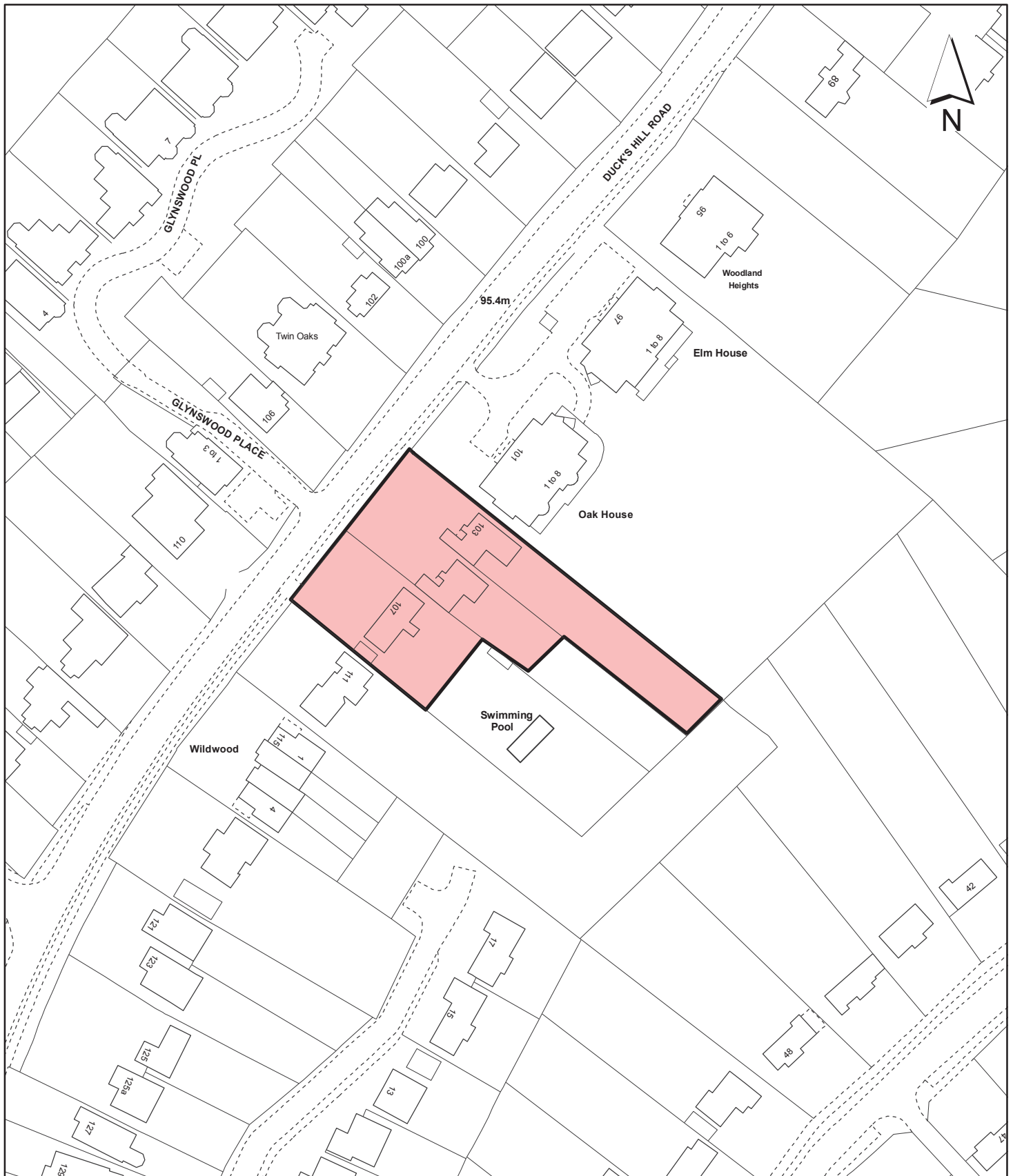
Subject to conditions, good environmental conditions for future occupiers could be achieved, whilst access to the development is considered satisfactory. The application is therefore recommended for approval.

## **11. Reference Documents**


Planning Policy Statement 1 (Delivering Sustainable Development)  
Planning Policy Statement 3 (Housing)  
Planning Policy Statement 9: Biodiversity and Geological Conservation  
Planning Policy Guidance Note 13 (Transport)  
Planning Policy Guidance Note 24 (Planning and Noise)  
The London Plan (2011)  
Hillingdon Unitary Development Plan Saved Policies (September 2007).  
Representations.  
Appeal Ref: APP/R5510/A/11/2153688 dated 26 October 2011.

**Contact Officer:** Karl Dafe

**Telephone No:** 01895 250230



**Notes**

 Site boundary

For identification purposes only.

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Site Address	
<b>103, 105 and 107 Ducks Hill Road Northwood</b>	
Planning Application Ref:	Scale
<b>64345/APP/2011/1945</b>	<b>1:1,250</b>
Planning Committee	Date
<b>North</b>	<b>November 2011</b>

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