

Report of the Head of Planning & Enforcement Services

Address LITTLE HAMMONDS BREAKSPEAR ROAD NORTH HAREFIELD

Development: Change of use of site from Class C3 (Dwelling House) to mixed use Class C3 (Dwelling house) and Class D1 (Non-Residential Institutions), involving the erection of a single storey building at the rear for use as a meeting room (Use Class D1) with associated parking. Single storey side extension to the existing dwelling house (involving demolition of part of existing garage), new access road involving demolition of existing single storey side extension and the installation of 2 vehicular crossovers, new wall to front boundary and new fence to side.

LBH Ref Nos: 35910/APP/2011/718

Drawing Nos: Design & Access
1566/3
6974-200-001
1465-7 Rev. F
1465/8 Rev. A
1465-6 Rev. C
1566/2 Rev. C
Tree Report Received 26th September 2011
Transport Statement Received 27th September 2011

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Date Application Valid:	29/03/2011		21/06/2011
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			23/09/2011
			27/09/2011
			29/09/2011

1. SUMMARY

The application seeks permission erect a meeting room building, to be used for D1 purposes (worship), together with associated access road and car-park, involving the sub-division of the site and a replacement single storey side extension to the original dwelling, alterations to the front wall of the site and the provision of a new public footpath extending to the Cricket Club Grounds.

There is no objection to the single storey extension to the dwelling or to the alterations to the front boundary wall. However, there is concern relating to the proposal for an independent meeting room/church which would not be ancillary to the existing residential use of the site. Due to the additional activities that would be generated, as a result of this use, this would fail to safeguard the amenities of the surrounding residential properties. In addition it is considered the proposed formation of the access road and car-parking area with associated increase in traffic, would be out of keeping and detrimental to the surrounding residential area and character and appearance of the conservation area. There is further concern regarding what measures are in place to prevent any intensification of use if a permission were to be issued or if/how these matters could be reasonably controlled.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development by reason of the proposed use located in a detached position at the end of the rear garden and due to the activities generated in association with that proposed use, would result in a material increase in noise and disturbance to nearby residential properties. As such, the development would constitute an un-neighbourly form of development, resulting in a material loss of residential amenity. The proposal is therefore contrary to Policies OE1, OE3, R9, R10 and BE19 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

2 NON2 Non Standard reason for refusal

The proposed development by reason of the formation of the access road for the full length of the site and the large car-parking area with associated increase in traffic would be out of keeping with the pattern of surrounding development and results in an excessive loss of garden space, detrimental to the verdant character and visual amenity of the conservation area. The development therefore fails to harmonise with the character of the surrounding area, contrary to Policies BE4, BE13 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007), Policies 7.1 and 7.4 of the London Plan (2011).

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

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

BE4	New development within or on the fringes of conservation areas
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
R9	Proposals for the use of buildings for religious and cultural purposes
R10	Proposals for new meeting halls and buildings for education, social, community and health services

OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
LPP 3.16	(2011) Protection and enhancement of social infrastructure
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 7.4	(2011) Local character

3. CONSIDERATIONS

3.1 Site and Locality

The site comprises a large detached house on a substantial plot within an established residential area, located on the south western side of Breakspear Road North, immediately adjacent to its junction with Dairy Farm Lane. The site is adjoined to the west by the grounds of the Harefield Cricket Club. To the east is the access road leading to Dairy Farm with more modern residential development beyond. This development also wraps around the rear of the site, with a detached house (No. 8 Dairy Farm Lane) and garage block immediately adjacent to the rear boundary. There are semi-detached and detached houses on the opposite side of Breakspear Road North. The site is bounded to the front by an old brick wall, approximately 2m high, with a more modern wall and 1.8m high fencing towards the rear of the site along the Dairy Farm Lane boundary. There are large outbuildings adjacent to this side boundary, with many mature trees on site.

The site is within Harefield Village Conservation Area as identified in the Hillingdon Unitary Development Plan (UDP) (Saved Policies September 2007) and is also covered by TPO3.

3.2 Proposed Scheme

The application seeks planning permission for:

- A single storey building to the rear of the site for D1 use (Non-residential institution), to be used as a meeting room and place of worship. The building would be 13.3m long by 8.6m deep, and finished with a pitched roof.
- An associated parking area for 9 vehicles (one of which would be for disabled users), together with two cycle stands and a new independent vehicular access road running the length of the site along the western boundary.
- A new pedestrian footpath provided on the road frontage from the new vehicular access point for the development to the Cricket Club Entrance
- The site would be separated with a 2m high close boarded fence between the two differing uses.
- Single storey side extension to the east side of the existing dwelling house, involving demolition of an existing single storey side extension on the west side (to allow for the new access road). The extension would be 5.75m wide by 9m deep, it would be set back from the front wall by 1m and would have a 2.5m rear projection. This addition would be finished with a pitched and hipped roof, with a maximum ridge height of 5.3m.
- The front 2.1m section of the existing garage would be removed to provide reasonable clearance to this building once the side extension had been constructed.

The proposed hours of operation indicated in the application form states 9am-9pm Monday to Saturday, and 6am to 6pm Sundays and Bank Holidays.

The Design and Access Statement comments that the Meeting Room is designed to serve the Trust Members within the village and immediate surrounding area and is to have a very limited use. The building would have a total floor area of 88m², comprising 64m² meeting space with adjoining entrance and WC facilities. The building is designed to accommodate an average congregation of 40 members, generally made up of family groups who will attend meetings twice a week only. These meetings would last no longer than one hour and would be for prayer only and not involve any singing or music. The building is not to be used for any other social event linked to the Gospel Hall Trust and would not be sub-let for any other purpose.

3.3 Relevant Planning History

35910/APP/2000/1695 Little Hammonds Breakspear Road North Harefield
ERECTION OF NEW ENTRANCE GATES AND WALLS TO FRONT BOUNDARY

Decision: 19-02-2001 Approved

35910/APP/2002/1873 Little Hammonds Breakspear Road North Harefield
ERECTION OF A SINGLE STOREY SIDE EXTENSION

Decision: 20-12-2002 Approved

35910/APP/2007/1246 Little Hammonds Breakspear Road North Harefield
ERECTION OF A PART SINGLE STOREY REAR EXTENSION TO FORM GRANNY ANNEXE.

Decision: 26-07-2007 Approved

Comment on Relevant Planning History

None

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

- BE4 New development within or on the fringes of conservation areas
- BE13 New development must harmonise with the existing street scene.
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE23 Requires the provision of adequate amenity space.

BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
R9	Proposals for the use of buildings for religious and cultural purposes
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LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.4	(2011) Local character

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **11th May 2011**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

23 neighbours and interested parties were consulted and 20 responses and a petition of 49 signatures have been received, which make the following comments:

In Objection:

1. We strongly oppose this application on the grounds that living in a secluded residential area surrounded by Green Belt, it is unacceptable to have the end of a private garden's use changed from residential to another use.
2. It is out of keeping and detrimental to the existing surrounding area.
3. The proposed site is someone's back garden where neighbours would not expect to have to live next to a place of worship, car park or any other non-residential building.
4. The building is in very close proximity to our property, which will affect our views, right of light and peaceful enjoyment of our location.
5. The hall will be an eyesore as opposed to the existing open garden.
6. The proposed building is not in line with the existing block of garages, the building is closer to our house than our garages are.
7. Noise pollution - the change from a residential garden to the proposed use, together with the proposed hours of operation is unacceptable. This is outside normal hours and our bedroom will overlook the development and thereby we will be woken to the arrival of cars, shutting of doors etc at 6am every Sunday and possibly every Bank Holiday.
8. In addition the current property owners kept pigs at the proposed site (last year- 2010) and we were woken every morning without fail at 5am to hungry squeals. We tried to contact the property owner to discuss the moving of the pigs to another part of the garden, to no avail.

9. Disturbance will also result from the access drive with people using it as a turning circle and the excessive car parking spaces are opposed.
10. It is a real concern that the place of worship will be hired out for private functions, with the associated noise pollution.
11. Devaluation of properties due to religious sect at close quarters.
12. Every so often we hear late night (past 10pm/11 pm) singing(hymns/gospel) and musical instruments being played in the property's garden, whilst this is not that often, it is a real concern that this could become a very common event.
13. Currently there is very little street lighting in the area off the main road which makes the current residential setting idyllic, the lighting to the access drive will affect this.
14. We confirm that we did receive a letter from the property owner this year stating his planning proposals and we were not invited to or made aware of an open house at Little Hammonds and the consultation process.
15. We object to the pedestrianisation of the road opposite us as currently it is very useful parking for visitors, also if a new pavement is laid at the front of the property, will mean any overflow of cars going to these meetings will park along this new pavement and therefore access to our own driveway will be severely restricted.
16. I object unless there is provision of a Section 106 (or similar) to finance traffic calming measures.
17. No objection in principle, but consider the building is too close to the southern boundary and due to the opening times could cause noise and disturbance. We consider it would be better placed midpoint on the western boundary, backing onto the cricket club grounds.
18. No objection, but concern about opening times on Sundays and Bank Holidays, with possible noise and disturbance from car engines and doors slamming.
19. If approved any future use of the meeting room to be used as habitable accommodation should be prohibited by condition.
20. Due to the proposed location of the building the application should be refused.

In support:

1. We support as the current owners have improved the house and grounds and this will only serve to continue to improve the property and the surrounding area.
2. This will pose no inconvenience for residents.
3. There is a need to have a local place to meet and worship.
4. This is a low density, low impact development, with a well balanced design.
5. Pedestrian safety will be improved.
6. Will provide advantage of low key family based Christian organisation as supportive influence in the village.
7. The proposal has been carefully designed to have a minimal impact and will barely be visible from the road.

Internal Consultees

ENVIRONMENTAL PROTECTION UNIT:

EPU have concerns about the proposed operating hours and likelihood for noise disturbance arising from the proposed use in this residential location, giving rise to complaint of statutory noise nuisance from vehicle movements, amplified music or voice.

CONSERVATION AND URBAN DESIGN OFFICER:

This is large and attractive property, with an almost 'French' character, located in the Harefield Village Conservation Area. The house has been extended in the past and has an existing flat roof side addition. The building has also been included in the Local List of buildings of Architectural and Historic Importance. The scheme proposes an outbuilding to the rear of the garden to Little

Hammonds. The building is proposed to be used as a religious meeting room, with a separate access from the side of the main house. Following previous comments, the height of the building has been reduced, and as such there are no further design objections. There are, however, concerns over the use and location of the proposed building, and the additional access.

The single storey extension has been set back from the original front elevation of the house and would be acceptable. The front porch has been revised to reflect a more traditional hip roof, and there are no further objections to the same.

Conclusion: Concerns over additional access and the 'backland' development remain and should be considered from a policy and planning point of view.

TREES AND LANDSCAPE OFFICER:

In general, the observations of 20 June 2011 (see below) are still relevant to the latest (September 2011) revised scheme, with a widened driveway at the front, for the development of this site. Given that the revised application now includes additional and very detailed tree-related information, the suggested conditions have been reconsidered and in some cases changed.

Subject to conditions TL1 (modified to require details of levels and services ONLY), TL2, TL3 (modified to require the erection of the approved scheme of protective fencing), TL5 (modified to require tree planting, not including Oak, at the front as well as the rear of the site, and details/sections of the crossover and 'no-dig' driveway and parking area), TL6, TL7 and TL21 (modified to require that the approved works are carried out and supervised in accordance with the approved tree protection plan, recommendations and method statements 1-6 contained in the revised development site tree report), the latest revised application is acceptable in terms of Saved Policy BE38 of the UDP.

In addition, the decision notice should include an informative to advise the applicants that the trees on the site are protected by TPO 3 or by virtue of their location in the Conservation Area, and another informative to advise that, in order to avoid the risk of an outbreak of Oak Processionary Moth, the tree planting proposals should not include Oak.

HIGHWAYS ENGINEER:

The applicant is proposing to extend the public footway along Breakspear Road in front of the site up to Harefield Cricket Club (HCC) entrance. A pedestrian crossing point is proposed within the extended section of footway in front of the site. The proposed footway would improve highway and pedestrian safety and pedestrian access. Dairy Farm development, Little Hammonds, application site, and HCC would directly benefit from an improved pedestrian route.

The existing access serving the dwelling is proposed to be stopped up and relocated. Two new vehicular accesses are proposed, one to service the existing dwelling and the other to service the proposed meeting hall. Both accesses are to be gated, with the gates set back 5m from the back of the footway. Gate for the meeting room access shall remain open during the operational hours of the meeting room to avoid any vehicles waiting across the footway and/or overhanging/waiting on the carriageway. 2.4m x 2.4m pedestrian visibility splays should be provided at both vehicular accesses. Sightlines would be improved at the relocated access for Little Hammonds due to the proposed footway. Part of the access for the meeting hall falls within HCC land, which is required to achieve an enhanced visibility to the left (when exiting). HCC has confirmed that they do not object on the proposals. This aspect should be covered in any planning permission.

The access road layout with passing bay, car parking and cycle parking provision are acceptable for the congregation proposed to use the meeting room. The access road, parking and operating

times should be covered through suitable planning conditions.

Subject to the above issues being covered through planning conditions, there is no objection on the highways aspect of this application.

ACCESS OFFICER:

The Equality Act 2010 seeks to protect people accessing goods, facilities and services from discrimination on the basis of a 'protected characteristic,' which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease.

1. The level access proposed should achieve a gradient of 1:21 to ensure that sufficient tolerance is designed in not to require handrails.
2. The accessible toilet proposed should be designed in accordance with the guidance given in Approved Document M to the Buildings Regulations 2004.
3. The accessible toilet should be signed either 'Accessible WC' or 'Unisex.' Alternatively, the use of the wheelchair symbol and the words Ladies and Gentlemen or Unisex would be acceptable.

Recommended Informatives:

1. Induction loops should be specified to comply with BS 7594 and BS EN 60118-4, and a term contract planned for their maintenance.
2. Care must be taken to ensure that overspill and/or other interference from induction loops in different/adjacent areas does not occur.
3. Flashing beacons/strobe lights linked to the fire alarm should be carefully selected to ensure they remain within the technical thresholds not to adversely affect people with epilepsy.

Conclusion: Subject to a condition to secure points 1, 2 and 3 above, no concerns are raised in terms of accessibility.

WASTE AND RECYCLING OFFICER:

The waste division has no specific comments to make regarding this application.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

There is no policy objection to the provision of new buildings within the 'developed area.' However, in general, it is expected that where buildings in the rear gardens of existing residential properties are proposed these are linked to and ancillary to the main use of the site as residential. Where separate buildings not linked to the main dwelling are proposed then the impact of the use proposed is the main consideration.

Policy R9 of the UPD (Saved Policies September 2007) states proposals for buildings to be used for religious and cultural purposes if they can provide adequate parking, any new buildings or extensions would harmonise with their surroundings, they do not prejudice the amenities of surrounding properties, access arrangements are satisfactory and the proposal would not conflict with other policies in the plan.

Policy R10 of the UPD (Saved Policies September 2007) states new meeting halls, buildings for education, social, community and health services, etc, will be considered acceptable in principle subject to the other policies in the plan.

A large part of the rear garden would be given over to car parking and the proposed

building. Additional guidance on development in rear gardens and the interpretation of related policies has recently been published and whilst it generally relates to the development of rear garden land for residential purposes, the principles of the loss of garden land is an important material consideration in assessing the principle of developments such as this.

Key changes in the policy context, since the adoption of the UDP Saved Policies, includes the adoption of The London Plan (2011), the Letter to Chief Planning Officers: Development on Garden Land dated 19/01/2010, The London Plan Interim Housing Supplementary Planning Guidance April 2010, and new Planning Policy Statement (PPS) 3: Housing adopted June 2010.

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

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

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

- * local context and character including the historic and built environment;
 - * safe, secure and sustainable environments;
 - * bio-diversity;
 - * trees;
 - * green corridors and networks;
 - * flood risk;
 - * climate change including the heat island effect, and
 - * enhancing the distinct character of suburban London,
- and carefully balance these policy objectives against the generally limited contribution such developments can make toward achieving housing targets."

Following on from this, Policy 7.4 of the updated London Plan (2011) emphasises the importance of local distinctiveness, and ensuring proposed developments preserve or enhance local social, physical, cultural, historical, environmental and economic characteristics.

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

residential development.

Therefore, revised Planning Policy Statement 3 and the London Plan Interim Housing supplementary Planning Guidance do not introduce additional policy considerations but rather provide greater clarity on the interpretation of existing policy guidance. Whilst there is in general no objection to the principle of an intensification/greater use being made of existing residential sites it is considered that the shifting policy emphasis requires all new proposals for development to be carefully scrutinised.

7.02 Density of the proposed development

Not applicable to this application.

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

The application is within Harefield Village Conservation Area and whilst there are no objections to the design of the building, concerns are raised regarding the access road, parking area, the general loss of the garden area and the use of the building all of which impact on the character and appearance of the conservation area and these issues are covered in greater detail in Section 7.07.

With regard to the single storey extension to the dwellinghouse, this has been set back from the original front elevation of the house and would be acceptable. The front porch has been revised to reflect a more traditional hip roof, and there are no further objections to the same.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.06 Environmental Impact

Not applicable to this application.

7.07 Impact on the character & appearance of the area

The proposal relates to the erection of a building to the rear of the site with associated access road and carpark, and replacement single storey extension to the existing property.

The proposed new building would not be visible from Breakspear Road North and whilst it would be visible from Dairy Farm Lane, it is not considered to have a detrimental impact. The building would be located on the southern boundary of the site and set against the backdrop of an existing garage block building, and would be of a similar design and scale. With the overall design approach and indicative materials considered appropriate given the context of the site.

With regard to the proposed side extension, it is considered the bulk, design, and fenestration details would reflect the proportions and style of the existing property, and therefore comply with the advice in the SPD: Residential Extensions. With regard to the roof design, this would mirror that of the existing single storey element on the west side of the property, thereby resulting in a visually well balanced development.

However, this proposal is also for a meeting room/church which would not be ancillary to the existing residential use of the site. The proposal involves the formation of an access road over the entire length of the rear garden, together with a large parking area. A number of residential properties do have garages which extend into the rear garden, but these tend to be of a domestic scale and sited reasonably close to the houses they serve. This proposal is within an established residential area, surrounded by mature residential

gardens. The proposed building in the rear garden, rear car parking area and driveway would result in an extensive area of hardstanding and vehicle movement along the whole depth of the rear garden that would be out of keeping with the surrounding pattern and layout of residential development, removing a sizeable portion of the rear garden area. It is therefore, considered that the principle of the proposed development and its impact on the layout, character and appearance of the area is contrary to Policies BE4, BE13 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policies 7.1 and 7.4 of the London Plan.

7.08 Impact on neighbours

Policy BE19 requires new development in residential areas complements or improves the amenity and character of the area, and Policy BE24 states that the development should be designed to protect the privacy of future occupiers and their neighbours. The proposed building would be situated over 60m away from Little Hammonds, and would be within 8m of No. 8 Dairy Farm Lane, but set mainly behind/against an existing garage building. As such, a single storey building in this position would be unlikely to have a detrimental impact upon adjoining residents by reason of dominance, loss of sunlight/daylight and/or privacy.

However, it is considered the proposed use would give rise to potential noise generation and general disturbance, even if, as stated there would not be any music or singing within the building. Policy OE1 states permission will not be granted for uses which are likely to become

detrimental to the character or amenities of surrounding properties, and Policy OE3 deals with development which has the potential to cause noise annoyance. The site is situated in a residential area and part of the proposal is for an independent religious meeting room. It is considered, due to the location of the building, car-park and access road, and the possible activities generated from the proposed use, this would result in increased noise and disturbance to adjoining properties (possibly at anti-social times of the day) including that of Little Hammonds and any future occupiers of that property, and therefore would reduce the residential amenities of these nearby properties to below a level they could reasonably expect to enjoy. As such, the proposal is considered contrary to policies OE1 and OE3 of the UDP (Saved Policies September 2007).

There is further concern regarding what measures are in place to prevent any intensification of use if a permission were to be issued or if/how these matters could be reasonably controlled in perpetuity.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The application involves the erection of a religious meeting room in the rear garden of Little Hammonds, this would involve the provision of a new access driveway to the side of the existing property and a car park to accommodate 9 vehicles and two cycle stands.

Amended plans have now been received which now show the public footpath to the site being extended to the entrance of the Cricket Club Site and revisions to the access road within the site to provide adequate passing areas and pull-off provision. As such, subject to appropriate conditions being applied, no objection is raised on the highways aspect of the proposals and the application is considered to comply with the intentions of policies AM7 and AM14 of the UDP (Saved Policies September 2007).

7.11 Urban design, access and security

These issues have been considered in Sections 7. and 7.

7.12 Disabled access

The plans show the provision of a ramped access, internal level floor area, accessible WC facilities and disabled parking space provided directly adjacent to the main entrance. However, it is recommended that should permission be granted appropriate conditions/informatives are applied. Therefore subject to condition the proposal is considered to comply with the the Council's HDAS: Accessible Hillingdon

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

The Trees and Landscape Officer has been consulted and considers that the twenty-four trees on the site contribute to the amenity and arboreal/rural character of this part of the Conservation Area.

The large, middle-aged to mature, Oak, Lime, Chestnut, Beech, Cedar and Sycamore trees on the road frontage and in the rear garden, including those fairly close to Dairy Farm Lane, are subject to Tree Preservation Order Number 3 (TPO 3). The other, smaller, immature trees on the site are protected by virtue of their location in the Conservation Area. The groups of trees on the road frontage are part of a larger, linear group, including similar trees at the Cricket Club (car park). The trees and groups of trees are, in terms of Saved Policy BE38 of the UDP, landscape features of merit that should be retained as part of any development of the site. There is also a 5m-high Cypress hedge along the western side boundary with the Cricket Ground, which provides a low-level screen and should be retained or replaced as part of any development.

The revised scheme makes provision for the protection and long term retention of all of the valuable trees on the site. It also includes outline landscape proposals including a new Hornbeam hedge screen alongside the proposed access/driveway to the meeting room and car park at the rear of the site, in replacement of the existing hedge, and several new trees in the rear garden to reinforce the existing features and increase the tree cover. There is also scope for additional trees in the southern part of the site and the planting of new trees behind the wall on the road frontage, in replacement of dead/dying trees removed previously.

Therefore, subject to a number of conditions being applied to confirm these issues, the application is considered to comply with Policy BE38 of the UDP (Saved Policies September 2007)

7.15 Sustainable waste management

Policy 5.17 of the London Plan requires that new developments make adequate provision for the storage of waste and recycling on site. The layout plan shows the provision of a bin storage area adjacent to the proposed vehicular access point to the site and should a permission be issued it is recommended that details of these facilities are submitted for approval and then required to be implemented before the use commences.

7.16 Renewable energy / Sustainability

It has been considered that all areas of the building would have a source of natural light and therefore comply with the intentions of Policy 5.3 of the London Plan (2008) and it is further considered if a permission were to be issued further enhancements could be secured by condition.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

See impact on neighbours

7.19 Comments on Public Consultations

With regard to point 1, the site is not within or adjoining the Green Belt. With regard to points 4 and 11, whilst rights of light and amenity are protected through planning controls, the loss of a view or devaluation of properties are not material to the consideration of planning applications. In relation to point 19 if permission were granted, this would not allow for a residential use. The remaining points are addressed in the full report.

7.20 Planning Obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

None

8. Observations of the Borough Solicitor

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

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

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

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

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

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

In summary, whilst it is considered the proposed extension to the existing property would not result in a material loss of amenity to the surrounding area or neighboring properties, the proposed building in the rear garden and the associated use, together with its access road and car-park would have a detrimental impact, both visually on the character and

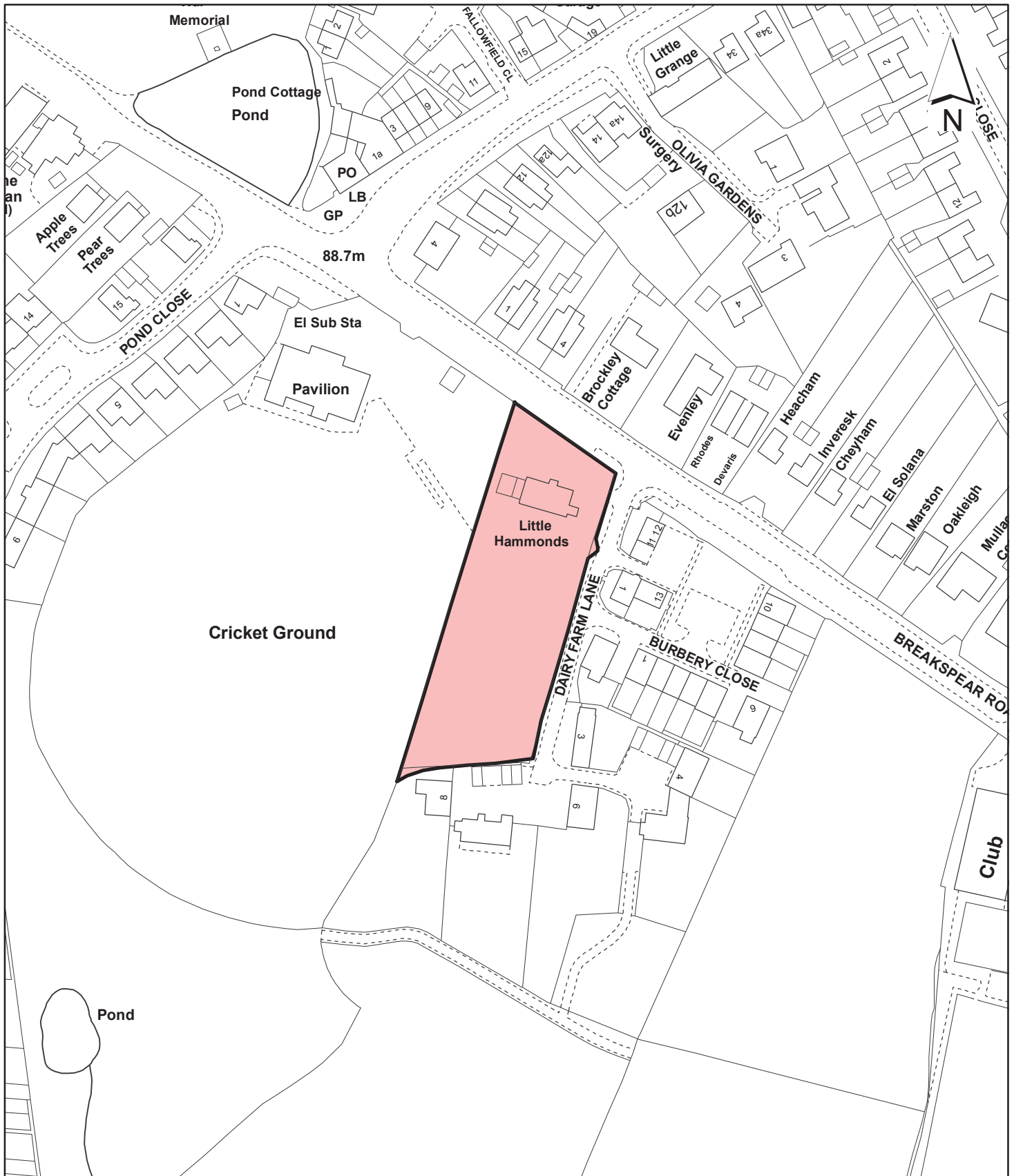
appearance of its surroundings and due to the potential activities generated, which would result in increased noise and disturbance to adjoining properties (possibly at anti-social times of the day) reducing their residential amenities to below a level they could reasonably expect to enjoy. As such, the proposal is considered contrary to policies BE4, BE13, OE1, OE3, R9 and R10 of the UDP Saved Policies (September 2007).

11. Reference Documents

Hillingdon Unitary Development Plan Saved Policies September 2007
The London Plan (2008)

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<p>Notes</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).</p> <p>Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100019283</p>	<p>Site Address</p> <p align="center">Little Hammonds Breakspear Road North Harefield</p>		<p>LONDON BOROUGH OF HILLINGDON Planning, Environment, Education & Community Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
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	<p>Planning Committee</p> <p align="center">North</p>	<p>Date</p> <p align="center">November 2011</p>	