

## Report of the Head of Planning & Enforcement Services

**Address** LAND AT FORMER RAF EASTCOTE, OFF EASTCOTE ROAD HIGH ROAD EASTCOTE

**Development:** Provision of glazed conservatory to plot 259 :Application to vary parts of the approved layout under Reserved Matters approval ref: 10189/APP/2007/3046 Dated 13/03/2008: (Details of siting, design, external appearance and landscaping in compliance with condition 2 of outline planning permission ref: 10189/APP/2007/3383 Dated 21/02/2008: Residential development.)

**LBH Ref Nos:** 10189/APP/2011/282

**Drawing Nos:** 5585/WIM.W.L/PLOT259/01  
5585/WIM.W.L/PLOT259/02  
5585/WIM.WL/PLOT259/1396/P1  
5585/WIM.WL/PLOT259/1396CON/P1  
5585/WIM.W.L/PLOT259/1396/E1  
5585/WIM.WL/PLOT259/1396CON/E2  
Design and Access Statement

**Date Plans Received:** 09/02/2011                      **Date(s) of Amendment(s):**

**Date Application Valid:** 15/02/2011

### 1. SUMMARY

This report relates to an application seeking variations to the layout and design of the 'alternative access' reserved matters scheme ref: 10189/APP/ 2007/3046, which was approved on 31 March 2008. The amendments would allow a rear conservatory on plot 259 at the RAF Eastcote site.

It is considered that in terms of design and layout, the inclusion of the conservatory would respect the character of the local area and not detract from the character of the development.

It is also considered that the inclusion of the conservatory to this plot would not have an adverse impact on the amenities of surrounding residents in terms of loss of privacy, outlook, daylight or sunlight.

Although the remaining external amenity area of this plot would be slightly below the HDAS Minimum amenity space requirements, it is considered sufficient to meet the needs of future occupiers.

### 2. RECOMMENDATION

**APPROVAL subject to the following:**

#### 1 NONSC Non Standard Condition

The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in accordance with the details which have previously been approved for the main site under reference 10189/APP/2008/2872 dated 12/11/2008, unless otherwise agreed in writing by the Local Planning Authority. The external materials of the conservatory hereby approved shall match those used in the

main building.

**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).

**2 NONSC Non Standard Condition**

The development hereby approved shall incorporate measures to minimize 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 aim 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.

**3 NONSC Non Standard Condition**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension to any dwellinghouses including enlargement of roofs, nor any garages, sheds or other out-buildings shall be erected without the grant of specific written permission from the Local Planning Authority.

**REASON**

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

**4 NONSC Non Standard Condition**

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

**REASON**

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

**5 NONSC Non Standard Condition**

The first and/or second floor side windows of all dwelling houses shall be glazed with obscured glass and non-opening except at top vent level for so long as the development remains in existence.

**REASON**

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

**6 NONSC Non Standard Condition**

The wheelchair units and lifetime homes shall be constructed in accordance with the details approved under planning reference 10189/APP/2008/1941 dated 14/10/2008, unless otherwise agreed in writing by the Local Planning Authority.

**REASON**

To ensure that sufficient housing stock is provided to meet the needs of people with disabilities and the elderly in accordance with London Plan Policy 3A.10 and the Hillingdon Design and Accessibility Statement (HDAS) Access for All.

**7 NONSC Non Standard Condition**

Development shall not commence until details of access to building entrances (to include ramped/level approaches and dimensions of door width and lobby opening) to meet the needs of people with disabilities have been approved in writing by the Local Planning Authority. The approved facilities should be provided prior to the occupation of the development and shall be permanently retained thereafter.

**REASON**

To ensure that people with disabilities have adequate access to the development in accordance with Policy AM13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan Policies (February 2008) Policies 3A.13, 3A.17 and 4B.5.

**8 NONSC Non Standard Condition**

The development shall not be occupied until parking provision for wheelchair users has been constructed in accordance with the details approved under planning reference 10189/APP/2008/2352 dated 16/12/2010, unless otherwise agreed in writing by the Local Planning Authority. Thereafter these facilities shall be permanently retained.

**REASON**

To ensure that people in wheelchairs are provided with adequate car parking and convenient access to building entrances in accordance with Policy AM15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**9 NONSC Non Standard Condition**

Development shall be commenced until the fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained has been erected in accordance with the details in the approved Arboricultural Impact Appraisal, approved Method Statement and Tree Protection Plan. 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.

**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).

**10 NONSC Non Standard Condition**

The supervision of the tree protection referred to in the approved Method Statement received on 4/12/2007, in relation to the approved development, together with a programme of arboricultural input / works shall be implemented in accordance with the details approved on 16/10/2008, under planning reference no. 100189/APP/2008/2380, unless otherwise agreed in writing by the Local Planning Authority.

## 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).

## INFORMATIVES

### 1 152 **Compulsory Informative (1)**

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

### 2 153 **Compulsory Informative (2)**

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

BE13	New development must harmonise with the existing street scene.
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.
HDAS	Residential Layouts Residential Extensions

### 3 16 **Property Rights/Rights of Light**

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

### 4

You are advised that although no existing trees are affected, the proposed conservatory will require an amendment to the approved landscaping scheme, so that the nearest proposed tree is relocated away from the conservatory and nearer to the rear boundary of the plot.

## 3. CONSIDERATIONS

### 3.1 Site and Locality

The application relates to plot 259, located centrally within the northern portion of the RAF Eastcote site. The plot forms part of a short terrace of three, 3 storey town houses,

situated on the northern side of the main estate road, leading from Eastcote Road, details of which have been approved at reserved matters stage.

The larger site is 7.7 hectares in area and is dissected into northern and southern areas by an existing public footpath. An internal private road links the northern and southern areas. The northern portion is 4.2 hectares and was last used as a US Navy facility. The land in this area is undulating and becomes lower towards the north western boundaries. The southern portion of the site is 3.5 hectares, is generally flat, and formally comprised a number of vacant buildings, previously used by the Ministry of Defence, which have now been demolished.

The site historically had three vehicular access points, two from Eastcote Road and one leading from Lime Grove. The MoD closed the two accesses from Eastcote Road some years ago due to safety concerns. A new access has recently been constructed off Eastcote Road, to serve the northern portion of the RAF Eastcote Site.

The site has an average PTAL score of 1b, which is low within a possible range of 1 to 6. A number of trees and hedges of varying size and value surround the site boundary and the edge of the public footpath. The wider site is bounded to the west by Eastcote Road and on all remaining sides by residential properties. To the north, the residential character is predominantly 1960/70s in style, with a large number of three storey town houses and flats, many of which have communal garage courts. To the southeast, the area has a larger number of semi-detached two storey dwellings dating from the 1930s.

Highgrove Nature Reserve, which is of Borough Grade II importance, is situated to the south of the wider site, adjacent to which is Highgrove House which is at present vacant, but previously provided hostel accommodation in two and three storey buildings set within enclosed grounds. The northwest corner of the site lies adjacent to Eastcote Village Conservation Area, which includes a number of listed buildings.

### **3.2 Proposed Scheme**

The application seeks to vary reserved matters consent ref:10189/APP/2007/3046, to allow for the provision of a conservatory to plot 259. The proposed conservatory would extend the full width of the dwelling (6.375 metres) and would project 3.6 metres to the rear. The side walls would be masonry party walls supporting a mono-pitch glazed roof, whilst the rear would be part glazed. The brickwork and glazing will match that of the original design.

The proposal will provide additional ground floor accommodation and act as a link between the internal accommodation and the private rear outdoor space.

### **3.3 Relevant Planning History**

10189/APP/2007/3046 Raf Eastcote Lime Grove Ruislip

RESERVED MATTERS (DETAILS OF SITING, DESIGN, EXTERNAL APPEARANCE AND LANDSCAPING) FOR ERECTION OF 385 RESIDENTIAL UNITS IN COMPLIANCE WITH CONDITION 2 TOGETHER WITH DETAILS OF RESIDENTIAL DENSITY, COMMUNITY FACILITY, SUSTAINABILITY AND ENERGY ASSESSMENT, REFUSE AND RECYCLING STORAGE, SITE SURVEY PLAN, LANDSCAPING, FLOOD RISK ASSESSMENT, SURFACE WATER CONTROL MEASURES AND ACCESS STATEMENT IN COMPLIANCE WITH CONDITIONS 7, 11, 14, 19, 20, 21, 23, 26, 33, 34 & 37 OF OUTLINE PLANNING PERMISSION REF: 10189/APP/2007/3383 DATED 21/02/08 'REDEVELOPMENT OF SITE FOR RESIDENTIAL PURPOSES, COMMUNITY FACILITIES, OPEN SPACE AND

## ASSOCIATED PARKING AND LANDSCAPING'

**Decision:** 31-03-2008 Approved

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

The North Planning Committee resolved on 31 March 2005 to grant planning permission for residential development, subject to the application being referred to the Secretary of State, the signing of a S299 legal Agreement and appropriate conditions. (ref 10189/APP/2004/1781). The outline planning permission was issued on 9th March 2006, subject to the conditions imposed by the Planning Committee.

On February 21st 2008 four separate applications pertaining to the former RAF Eastcote site were considered by the North Planning Committee.

The location and specific details of an alternative access were the subject of a full planning approval for the necessary works to provide a priority junction and an access link road to the development site utilising the access currently serving the Highgrove House site. (Ref: 10189/APP/2007/2954). This was approved on 3rd March 2008.

Application ref: 10189/APP/2007/3383 (A) was a section 73 application which varied condition 40 of the outline planning permission, to remove the requirement for traffic signals on Eastcote Road and on the intersection of Eastcote Road and Fore Street, as the signals will no longer be necessary, if the alternative access (Highgrove) referred to above goes ahead. This new outline planning permission was approved on 21st February 2008.

The varied condition requires the developers to provide a traffic light controlled access, as per the Outline Planning Permission, or such alternative access as the LPA shall approve in writing. The condition allows them to commence construction on site whilst they resolve the technical issues concerning the alternative access. The developers have elected to proceed with the alternative access.

Reserved matters applications 10189/APP/2007/2463 (approved access) and 10189/APP/2007/3046 (alternative access) relate to alternative schemes and cover details of siting, design, external appearance and landscaping pursuant to discharge of condition 3 of outline planning permission 10189/APP/2007/3383 dated 21/2/2008.

Both reserved matters schemes were approved on 31 March 2008 for 385 residential units, including 12 live work units and 134 affordable dwellings, along with a Community Hall and associated parking, landscaping and open space. Whereas application 10189/APP/2007/2463 incorporates the access points approved at outline stage from Eastcote Road and Lime Grove, application 10189/APP/2007/3046 will utilise an alternative access from Eastcote Road which will also service Highgrove House (implemented scheme).

In addition to the reserved matters details, details pursuant to the discharge of various outline planning conditions; namely residential density, community facility, sustainability and energy assessment, refuse and recycling storage, site survey plan, landscaping, and access statements were approved by Committee on 21st February 2008 and have been discharged.

Various applications to vary the layout, design and landscaping of the alternative access scheme approved under reserved matters consent ref:10189/APP/2007/3046, to allow for the provision of conservatories to various plots have subsequently been approved.

Details pursuant to the discharge of various outline and reserved matters conditions have also been approved.

An application to amend the layout to various plots to address breaches in planning control was granted on 24/6/2009, involving rearrangement of plots 100-116, removal of access path between plots 102 and 103, provision of rear access to plots 101 and 102 and substitution between plots 103 and 258 of a 4 bed wheel chair unit and 4 bed life time home unit.

Phase 1 development comprising the southern parcel of land and the vehicular link to Lime Grove is presently under construction and well advanced. Construction of Phase 2, comprising the northern section of the former RAF site has also commenced. The new access road from Eastcote Road has been completed.

#### **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:

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.
HDAS	Residential Layouts Residential Extensions

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

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

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

#### **6. Consultations**

##### **External Consultees**

The applications have been advertised under Article 8 of the Town and Country Planning General Development Procedure Order 1995 as a Major Development. Site notices were posted on the site. No responses have been received.

Eastcote Residents Association: No response.

### **Internal Consultees**

#### **URBAN DESIGN OFFICER:**

There are no objections from an urban design point of view to the principle of erecting a conservatory to the approved building, at the RAF Eastcote site. The proposal has been assessed in terms of suitability with regard to the position and distribution within the application site and the visual impact that the additional structure would have on the character and appearance of the surroundings.

The conservatory would be constructed in the form of a direct continuation of the consented building structure, which would increase the usability of the interior of the dwelling and contribute positively to the amenity value of the site. Although the additional structure would create some additional bulk and volume to the approved building, on balance it is considered that the proposed design is acceptable in terms of bulk, massing and street scene character.

#### **TREE AND LANDSCAPE OFFICER:**

No existing trees are affected, however the proposed conservatory will require an amendment to the approved landscaping scheme, so that the nearest proposed tree is relocated away from it and nearer to the rear boundary of the plot.

Subject to the associated change to the approved landscaping scheme (as part of the separate application), the application is acceptable in terms of Saved Policy BE38.

## **7. MAIN PLANNING ISSUES**

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

The principle of residential development on this site has already been established by virtue of the outline planning permission. The general layout, design and landscaping of the development has been established by virtue of the reserved matters approval. Permitted development rights have been removed so that the Local Planning Authority can ensure that any such development would not result in a significant loss of residential amenity to adjoining and future occupiers.

It is considered that the applications to vary the reserved matters approval, to allow for the introduction of a conservatory to this plot, would have only limited local impact on the immediate environment and would not raise fundamental issues in relation to density, housing mix, highway matters, parking, flooding and contamination, ecology, energy efficiency and waste disposal, archaeology, affordable housing or planning obligations. No objections are therefore raised to the principle of the development.

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

Not applicable to this application.

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

There are no archaeological or historic issues associated with this application.

### **7.04 Airport safeguarding**

There are no airport safeguarding issues related to this development

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

There are no Green Belt issues associated with this site.

### **7.06 Environmental Impact**

Not applicable to this development.

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



Policies contained within the Hillingdon Unitary Development Plan Saved Policies (September 2007) seek to ensure that new development is compatible with surrounding developments in terms of appearance and layout. Of particular relevance are Policies BE13, BE19 and BE38, which cover the impact of development on the visual amenities of the street scene and character of the area.

The approved reserved matters scheme includes a mixture of 2 and 3 storey houses and 3.5 storey apartment blocks. The house subject to this application comprises of a 4 bedroom terraced dwelling arranged over 3 floors. The dwelling has front and rear gardens and is located primarily in the northern portion of the site.

Generally, the dwelling will be as originally approved, apart from the inclusion of the conservatory. The proposed conservatory would extend the full width of the dwelling and would project 3.6 metres to the rear. The side walls would be masonry party walls supporting a mono-pitch glazed roof, with part glazed rear elevations. The size of the conservatory is considered to be relatively small in comparison to the overall building and its addition to the approved building will not impact on the overall building design. It is considered that the conservatory will integrate appropriately with the existing design of the house and not appear over dominant or out of character.

The Urban Design Officer raises no objections to the general design principles. It is considered that external materials can be controlled by condition, in order to achieve a high quality, functional and attractive design.

It is not considered that the inclusion of conservatory to this plot would compromise the internal character of the development or the character of the local area, in compliance with Policies BE13 and BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **7.08 Impact on neighbours**

Policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) 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 in particular that the distance between habitable room windows should not be less than 21 metres. 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. In relation to sunlight, Policy BE20 seeks to ensure that buildings are laid out to provide adequate sunlight and preserve the amenity of existing houses.

This plot is centrally located within the development and it is considered that the inclusion of the conservatory would not have an adverse impact on the amenities of surrounding residents in terms of loss of privacy, outlook, daylight or sunlight.

The conservatory would maintain distances of over 80 metres to the nearest properties in Kent Gardens to the south and 40 metres to the nearest properties in Spring Drive to the north. It is also noted that the proposed landscape scheme for the site is based on the retention of important boundary screens and individual trees and new tree and native hedge planting, to the interveining public open space and wild life habitat to the south.

In addition to the above considerations, the proposed conservatory would have solid flank walls, while the proposed fencing to the individual plots would prevent overlooking and loss of privacy to adjoining residents.

In terms of outlook, it is not considered that the depth of the conservatory at 3.6 metres, would result in an unacceptable impact on the future occupiers of adjoining plots or adjoining residents. It is also considered that given the single storey nature of the conservatory, it would not have an unacceptable impact on level of daylight and sunlight to adjoining properties.

Overall, it is considered that the inclusion of the proposed conservatory would respect the sensitivities of the surrounding area and any adverse impact to the amenity of neighbours, would be limited, in accordance with the provisions of Policies BE20, BE21 and BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and relevant design guidance.

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

Policy BE23 of the Unitary Development Plan requires the provision of external amenity space which is sufficient to protect the amenity of the occupants of the proposed and surrounding buildings, and which is usable in terms of its shape and siting. HDAS Minimum Amenity Space Requirements for a four bedroom house, such as plot 259, is 100sq. metres.

By adding the proposed conservatory, the remaining garden areas of the plot will be approximately 88sq.m. Whilst the remaining amenity space for the plot would fall slightly short of the HDAS minimum amenity space requirements, the remaining garden areas would still be approximately 10 metres deep, which is considered to be a reasonable space for outdoor family activities. It is also noted that the internal layouts of the ground floor of the town houses have been modified to create an open plan, flexible living space which will link indoor and outdoor living space.

It is also noted that the plot is located close to a large area of open space and a wild life habitat. These areas of public open space form part of the wider provision of informal areas of green public open space spread around the RAF site, which cumulatively equate to approximately 0.7ha. This space is provided as follows:

- Land along the public right of way adjacent to the boundary with Highgrove House. This space is rising ground and incorporates a number of existing good quality trees.
- Land along the northern boundary with Flag Walk. This space comprises a small copse of existing trees which are retained. They provide a setting for and act to protect the amenity of those properties which lies within close proximity of the Conservation Area.
- Land within the southern part of the site. This parcel incorporates the LEAP, informal space and a meeting space for the Community Building.

Overall it is considered that the amenity space provision would be sufficient to meet the needs of future occupiers, and will generally provide good environmental conditions, in compliance with relevant policy and design guidance.

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

There are no highway, access or parking issues associated with this application.

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

These issues have been dealt with in Section 7.07.

#### **7.12 Disabled access**

The dwelling has been designed to meet the requirements of Part M of the Building Regulations and Lifetime Homes. The conservatory extension to the ground floor accommodation will be on the same level as the main house. Access to the rear garden will be via the french doors and the gardens will incorporate a level patio area linked to the doors with a maximum 150mm step threshold for ease of access. There will be no impact

on the approved scheme with regard to mobility through the site. The links between the proposed conservatory and the houses has been designed to ensure easy passage by those with limited mobility, with access to the garden from the conservatory, in compliance with the Supplementary Planning Document HDAS: Accessible Hillingdon.

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

Not applicable to this application.

**7.14 Trees, Landscaping and Ecology**

In terms of the impact of the proposed conservatory on the approved landscaping scheme, the Tree and Landscape Officer has commented that there are no existing trees on this part of site where the conservatory is proposed and thus does not raise any objection to the proposal in terms of retained trees.

Whilst the position of one tree in the middle (side) of the rear garden of plot 259 is not compatible with the layout of the proposed conservatory, the removal of this tree from the scheme, and its relocation will not affect the overall landscape concept or quality of the landscaping on the larger site. The changes to the approved landscaping scheme to relocate this tree further away from the proposed conservatory can be dealt with as part of the separate (landscaping details) application, currently under consideration.

The application is therefore considered acceptable in terms of Saved Policy BE38 of the UDP.

**7.15 Sustainable waste management**

Not applicable to this application.

**7.16 Renewable energy / Sustainability**

Not applicable to this application.

**7.17 Flooding or Drainage Issues**

Not applicable to this application.

**7.18 Noise or Air Quality Issues**

Not applicable to this application.

**7.19 Comments on Public Consultations**

No responses have been received to the public consultation.

**7.20 Planning Obligations**

It is considered that the application to vary the reserved matters approval, to allow for the introduction of a conservatory to this plot would have only limited local impact on the immediate environment and would not raise fundamental issues in relation to planning obligations.

**7.21 Expediency of enforcement action**

There are no enforcement issues associated with this site.

**7.22 Other Issues**

There are no other issues associated with this development.

**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**

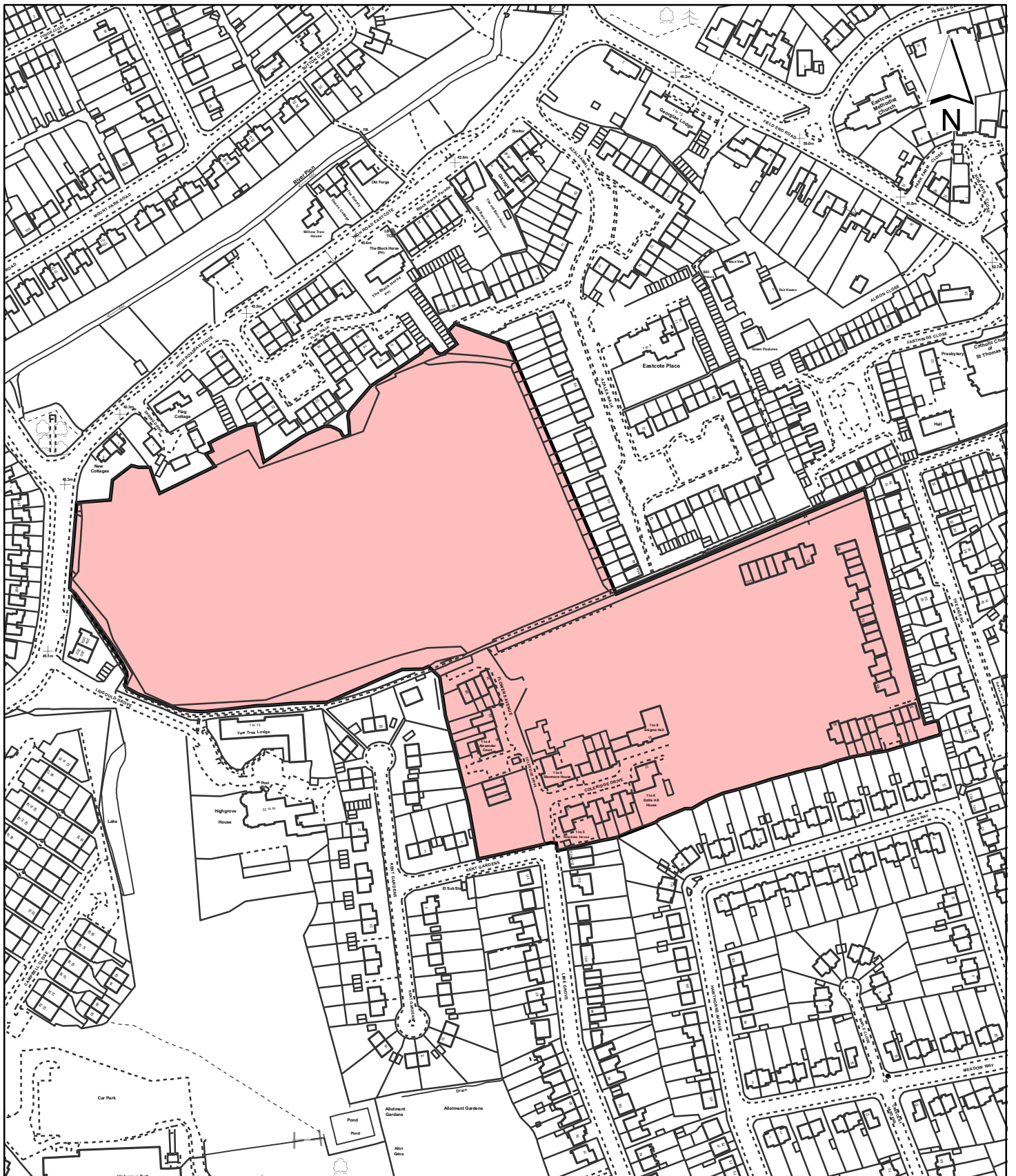
It is considered that the application to vary the reserved matters approval, to allow for the introduction of a conservatory to this plot would have only limited local impact on the immediate environment. The proposed scheme would be sympathetic to the character of the surrounding area, whilst creating flexible living space for future occupiers. The development would not result in unacceptable impacts on the amenities of neighbouring properties. Whilst the remaining external amenity area of this plot would be slightly below the HDAS Minimum amenity space requirements, it is considered sufficient to meet the needs of future occupiers, given the proximity of the plot to of public open space provided on the larger site. Subject to the conditions originally imposed on reserved matters approval ref.10189/APP/ 2007/3046, in so far as the same are still subsisting and capable of taking effect, the application is recommended for approval.

#### **11. Reference Documents**


London Plan (2008)  
Planning Policy Statement 3 Housing  
Hillingdon Unitary Development Plan Saved Policies (September 2007)  
HDAS: Accessible Hillingdon  
HDAS: Residential Layouts  
Supplementary Planning Guidance Community Safety by Design

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**Notes**

 Site boundary

For identification purposes only.

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Site Address

**Land at former RAF Eastcote  
off Eastcote Road  
Eastcote**

Planning Application Ref:

**10189/APP/2011/282**

Planning Committee

**North**

Scale

**1:3,000**

Date

**March 2011**

**LONDON BOROUGH  
OF HILLINGDON**

**Planning,  
Environment, Education  
& Community Services**

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