



HILLINGDON
LONDON



North Planning Committee

Date: TUESDAY, 25 OCTOBER
2011

Time: 7.00 PM

Venue: COMMITTEE ROOM 5 -
CIVIC CENTRE, HIGH
STREET, UXBRIDGE UB8
1UW

**Meeting
Details:** Members of the Public and
Press are welcome to attend
this meeting

To Councillors on the Committee

Eddie Lavery (Chairman)
Allan Kauffman (Vice-Chairman)
David Allam
Jazz Dhillon, Labour Lead
Michael Markham
Carol Melvin
John Morgan
David Payne

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reports can be made available
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request. Please contact us for
further information.**

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<http://modgov.hillingdon.gov.uk/ieListMeetings.aspx?CId=116&Year=2011>

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Petitions and Councillors

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

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

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

How the Committee meeting works

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

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

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

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

The procedure will be as follows:-

1. The Chairman will announce the report;
2. The Planning Officer will introduce it; with a presentation of plans and photographs;
3. If there is a petition(s), the petition organiser will speak, followed by the agent/applicant

followed by any Ward Councillors;

4. The Committee may ask questions of the petition organiser or of the agent/applicant;
5. The Committee debate the item and may seek clarification from officers;
6. The Committee will vote on the recommendation in the report, or on an alternative recommendation put forward by a Member of the Committee, which has been seconded.

About the Committee's decision

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

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

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

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

Agenda

Chairman's Announcements

- 1 Apologies for Absence
- 2 Declarations of Interest in matters coming before this meeting
- 3 To sign and receive the minutes of the meetings held on 15 September 2011 & 4 October 2011
- 4 Matters that have been notified in advance or urgent
- 5 To confirm that the items of business marked Part 1 will be considered in public and that the items marked Part 2 will be considered in private

Reports - Part 1 - Members, Public and Press

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

Major Applications with a Petition

	Address	Ward	Description & Recommendation	Page
6	Highgrove House, Eastcote Road, Ruislip 10622/APP/2010/1822	Eastcote & East Ruislip	Variation of Condition 3 / Minor material amendment to planning permission ref: 10622/APP/2009/2504 dated 11/02/2010: Refurbishment and conversion of listed building to 12 residential units and erection of 4 two-bedroom mews dwellinghouses and associated works (time extension of planning permission ref: 10622/APP/2006/2490 dated 11/01/2007) to allow alterations to the siting and design of the two blocks of mews housing (Retrospective application). Recommendation: Approval	23 - 54

Major Applications without a Petition

	Address	Ward	Description & Recommendation	Page
7	Former RAF Eastcote, Lime Grove, Ruislip, 10189/APP/2011/1724	Eastcote & East Ruislip	Replacement of one 5 Bedroom dwelling (type 2000 D) with an alternative 5 bedroom dwelling at plot 314. (Amendment to reserved matters approval ref: 10189/APP/2007/3046 dated 31/03/2008) Recommendation: Approval	55 - 68
8	Pylon Farm, Newyears Green Lane, Harefield, 12579/APP/2011/1991	Harefield	Variation of condition 1 of planning permission ref: 12579/APP/2006/673 dated 18/08/2006 to allow continued use of the land as an organic composting site. (Section 73 application) Recommendation: Approval	69 - 88
9	Land Adjacent to Compost Maturation Site at Pylon Farm, Newyears Green Lane, Harefield, 12579/APP/2011/1992	Harefield	Variation of condition 2 of planning permission ref: 12579/APP/2006/1524 dated 18/08/2006 to allow the continued use of the land as an organic composting site for a period of 12 months. (Section 73) Recommendation: Approval	89 - 108

Non Major Applications with a Petition

	Address	Ward	Description & Recommendation	Page
10	The Swan Public House, Breakspear Road North, Harefield, 18239/APP/2011/1586	Harefield	Demolition of existing two-storey detached building (Application for Conservation Area Consent). Recommendation: Refusal	109 - 116

11	The Swan Public House, Breakspear Road North, Harefield, 18239/APP/2011/1588	Harefield	Two storey detached building to contain 6, two-bedroom, self contained flats with associated parking and amenity space and alterations to existing vehicle crossover to front, (involving demolition of existing building). Recommendation: Refusal	117 - 140
12	130 Pinner Road, Northwood, 6149/APP/2011/1742	Northwood Hills	Change of use from retail (Use Class A1) to Hot Food Take-away (Use Class A5) involving the installations of an extractor duct to side and refuse store to rear. Recommendation: Refusal	141 - 152
13	24 Eastbury Road, Northwood, 19305/APP/2011/1584	Northwood	Erection of part ground floor, part first floor, part two storey side/rear extensions and extension and alteration of the roof, including a new rear gable, enlarged rear dormer, installation of new window on existing rear gable and five front and one rear rooflights and internal and external alterations, including the re-location of the front entrance to allow change of use of property from day care centre (Class D1) to provide 2 three-bedroom and 3 two-bedroom flats (Class C3), including alteration of rear terraces, front ramp, bin and cycle stores and associated parking, access and landscaping (involving demolition of existing extensions, external side staircase and front ramp) Recommendation: Approval	153 - 182

14	Pembroke House, 5-9 Pembroke Road, Ruislip, 38324/APP/2011/786	West Ruislip	Part conversion from retail/offices (Use Class A1/B1) to 6 x two-bedroom flats and 3 x three-bedroom flats with associated parking, amenity space, cycle store and bin store, installation of balconies to front and rear, alterations to elevations, new fenestration to upper floors, demolition of existing external fire escape, alterations to existing vehicular crossover and removal of existing plant on roof. Recommendation: Approval	183 - 204
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Non Major Applications without a Petition

	Address	Ward	Description & Recommendation	Page
15	67 Eastcote Road, Ruislip, 32752/APP/2011/1685	Eastcote & East Ruislip	Part two storey, part single storey rear extension with 3 rooflights involving demolition of conservatory to rear. Recommendation: Approval	205 - 214
16	106 Field End Road, Eastcote, 11104/APP/2011/334	Eastcote & East Ruislip	Change of use from retail (Use Class A1) to restaurant/Cafe (Use Class A3) and installation of flue to side. Recommendation: Approval	215 - 226
17	109 Field End Road, Eastcote, 12666/APP/2011/1044	Eastcote & East Ruislip	Change of use to from Use Class A1 (Shops) to Use Class A5 (Hot Food Take-away) Recommendation: Approval	227 - 236
18	Land Adjacent to Compost Maturation Site at Pylon Farm, Newyears Green Lane, Harefield, 12579/APP/2011/1993	Harefield	Variation of condition 1 of planning permission ref 12579/APP/2007/534 dated 24/05/2007 to allow retention of the existing drainage lagoon for a period of 12 months. (Section 73 application) Recommendation: Approval	237 - 252

19	Land Forming Part of 66 Long Lane, Ickenham, 49805/APP/2011/1811	Ickenham	Two storey 5-bed detached dwelling with habitable roofspace, associated parking and amenity space, involving installation of vehicular crossover. Recommendation: Approval	253 - 276
20	Unit 3, Ruislip Retail Park, Victoria Road, Ruislip, 43510/APP/2011/1343	South Ruislip	Variation of condition 6, (to remove restrictions on the sales of goods), of planning permission ref. 43510/APP/2010/1979 dated 10/02/2011: Construction of a 1,810 sq.m mezzanine within Unit 3, Ruislip Retail Park. Recommendation: Approval	277 - 296
21	Unit 3, Ruislip Retail Park, Victoria Road, Ruislip, 43510/APP/2011/1344	South Ruislip	Variation of condition 11 (to remove restrictions on the sales of fancy goods) of planning permission Ref: 43510/APP/2000/2485 dated 14/03/2003: (Refurbishment of existing retail units, with new cladding on all elevations, new covered walkway on northern frontage (facing Victoria Road) and changes to service arrangements and car parking with enhanced frontage landscaping, incorporating disused service road. Recommendation: Approval	297 - 314

Other

	Address			Page
22	S106 Quarterly Monitoring Report - up to 30 June 2011			315 - 324
23	Any Items Transferred from Part 1			

24	Any Other Business in Part 2
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Plans for North Planning Committee

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Agenda Item 3

Minutes

NORTH PLANNING COMMITTEE

15 September 2011

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



HILLINGDON
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	<p>Committee Members Present: Councillors Eddie Lavery (Chairman) Alan Kauffman (Vice-Chairman) David Allam Jazz Dhillon Michael Markham Carol Melvin David Payne John Morgan</p> <p>LBH Officers Present: James Rodger, Meg Hirani, Syed Shah, Nikki Deol and Nav Johal</p> <p>Also Present: Councillors Jonathan Bianco and Andrew Retter</p>	
1.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>There were no apologies for absence.</p>	Action by
2.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>Councillor Allan Kaufmann declared a personal and prejudicial interest in relation to item 6, South Ruislip Years Centre, and left the room for the duration of this item.</p>	Action by
3.	<p>TO SIGN AND RECEIVE THE MINUTES OF THE MEETING HELD ON 4 AUGUST 2011 (<i>Agenda Item 3</i>)</p> <p>These were agreed to be an accurate record.</p>	Action by
4.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>	Action by
5.	<p>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART 1 WILL BE CONSIDERED IN PUBLIC AND THAT THE ITEMS MARKED PART 2 WILL BE CONSIDERED IN PRIVATE (<i>Agenda Item 5</i>)</p> <p>Items marked part 1 were considered in public and items marked part 2 were considered in private. Item 14 was considered in private and all</p>	Action by

	<p>members of the press and public left the room for the duration of this item.</p>	
<p>6.</p>	<p>SOUTH RUISLIP EARLY YEARS CENTRE - PLOT 2, ACOL CRESCENT, RUISLIP (<i>Agenda Item 6</i>)</p> <p>Councillor Allan Kaufmann declared a personal and prejudicial interest in relation to this item and left the room for the duration of this item.</p> <p>Erection of a part two, part three storey block comprising 7, one-bedroom and 5, two-bedroom flats, together with associated car parking and landscaping (involving demolition of existing buildings).</p> <p>67607/APP/2011/1122</p> <p>Planning permission was sought for the erection of a part two, part 3 storey building to accommodate 7 one bedroom and 5 two bedroom flats. The proposal included parking for 13 cars, secure cycle spaces and landscaped amenity areas and would involve the demolition of the existing single storey building, last occupied by South Ruislip Early Years Centre, which had recently been relocated to Queens Walk, Ruislip.</p> <p>The site was now vacant for redevelopment and there were no plans to provide an alternative community use at the site. None of the current facilities that used the site were being displaced due to the proposed development.</p> <p>Refusal of the proposed scheme would therefore not lead to the continued use of a community facility. There were therefore no objections in principle to the loss of the previous community use and the redevelopment of this site for residential purposes.</p> <p>14 letters of objection had been received, raising concerns primarily on the grounds of loss of sunlight, loss of outlook, increased traffic congestion, impact on the street scene, lack of parking and loss of privacy. A petition had also been received requesting that any replacement building should have fewer dwellings and be no higher than 2 storeys.</p> <p>The scheme had been revised to address residents concerns, reducing the number of dwellings by one and the height of the building to 2 storeys adjacent to Bourne Court to the east.</p> <p>It was considered that the layout, siting and scale of the development was compatible with surrounding built form and would respect the established character of the area. There would be no material loss of residential amenity to surrounding occupiers and highway and pedestrian impacts were considered to be acceptable.</p> <p>The application was therefore recommended for approval, subject to conditions and a S106 Agreement/Statement of Intent.</p>	<p>Action by</p>

	<p>Members felt this was a good development and had no issues with it.</p> <p>The recommendation for approved was moved, seconded and on being put to the vote was unanimously agreed.</p> <p>Resolved –</p> <p>That the application be approved as per the agenda.</p>	
7.	<p>22 PAVILION WAY, RUISLIP (<i>Agenda Item 7</i>)</p> <p>Demolition of existing detached store to rear, erection of single storey side/rear extension and alteration to first floor side elevation</p> <p>17423/APP/2011/57</p> <p>Deferred on 4th August 2011 for further information on the accuracy of the submitted plans and an overshadowing assessment.</p> <p>The application site was located on the north side of Pavilion Way and comprises a two storey semi-detached property finished in red brick, with white render and white UPVC windows and a wooden door. The property had a detached garage to the rear which was used as a store, an area of hardstanding to the front and had been extended to the rear with a single storey extension. A loft conversion involving the formation of a gable end and the construction of a rear dormer had recently been undertaken as Permitted Development.</p> <p>The street scene was residential in character and appearance and the application site was within the developed area as identified in the Hillingdon Unitary Development Plan Saved Policies (September 2007).</p> <p>This petition had been previously heard at the Planning Committee meeting on 4 August 2011 and the plans had since been amended. The petitioners had emailed to state that they no longer objected to the application as the issues had been clarified.</p> <p>The size of the extension had been reduced. The overshadowing diagram showed that there would be very little overshadowing to adjoining properties. The highways engineer had carried out a site visit to check the issues regarding parking standards.</p> <p>The recommendation for approved was moved, seconded and on being put to the vote was unanimously agreed.</p> <p>Resolved –</p> <p>That the application be approved as per the agenda and addendum.</p>	Action by

8.	<p>LAND R/O 17-21 THE CLOSE, EASTCOTE (<i>Agenda Item 8</i>)</p> <p>Erection of a two storey detached building with additional level in roofspace for use as Class B1 Office.</p> <p>11448/APP/2011/238</p> <p>Planning permission was sought for the erection of a two storey building with a second floor within the roof void. The proposed development was larger in size, scale and bulk, compared to the previous scheme approved on appeal and was considered to result in an over dominant and visually intrusive form of development and would result in overlooking and loss of privacy.</p> <p>The application site comprises land to the rear of 17 to 21 The Close, Eastcote. The site area was approximately 350m² and fronts onto an access lane that runs along the rear of shops that front Field End Road. The access lane also provided access to two large public car parks, which were accessed from either Abbotsbury Gardens to the north and North View to the south. The site was located almost adjacent to the smaller of the two car parks.</p> <p>The surrounding area contained a range of land uses, with the Eastcote Minor Town Centre, immediately to the west (including part of the access lane), a public car park to the north, which was also within the Eastcote Town Centre, and residential uses to the south (fronting North View), and to the east (fronting The Close). The Eastcote (Morford Way) Conservation Area boundary lies close to the western boundary of the site.</p> <p>The application site lies within the developed area as identified in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).</p> <p>29 adjoining owner/occupiers had been consulted and the application had been advertised as a development that affects the character and appearance of the adjoining Eastcote/Morford Way Conservation Area. 4 letters of objection and a petition with 33 signatories had been received</p> <p>Members requested clarification on who was responsible for the road way. Officers would check this. If it was a private road then responsibility would lie with the occupier.</p> <p>In accordance with the Council's constitution a representative of the petition received in objection to the proposal was invited to address the meeting.</p> <p>Points raised by the petitioners:</p> <ul style="list-style-type: none"> • Ms Sarah West spoke on behalf of petitioners. • The petitioner wished to re-iterate the objection. • The application was over dominant and visually dominant. • The proposed plans were substantially different to those in the original plans. 	Action by
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	<ul style="list-style-type: none"> • The proposed footprint of the application was an increase of 42%. • The proposed height of the application was an increase of 55%. • It was 1.5metres from the boundary line. • Subsistence issues could occur. • There could be an impact on flood and water in the area. • The existing road was in poor condition and was narrow. There were concerns regarding access for emergency vehicles. 2 cars could not pass at the same time and it was difficult for buggies and wheelchairs. • There was no demand in Eastcote for additional office space and the benefits to residents for such a development was very limited. <p>The agent was not present.</p> <p>Members stated they supported the officer report and recommendation on this application. The size and height of the application was concerning for Members. They felt the applicant was pushing planning to see how far they could go. That the case made by petitioners was first class.</p> <p>Members asked officers if any costs (s.106) could be recovered for repairing the road. Officers explained that highways had been looked at in the previous appeal by the Inspector.</p> <p>Members agreed that plenty of office space had already existed in the area.</p> <p>The recommendation for refusal was moved, seconded and on being put to the vote was unanimously agreed.</p> <p>Resolved –</p> <p>That the application be refused as per the agenda and the changes set out in the addendum.</p>	
9.	<p>EASTCOTE LAWN TENNIS CLUB, KADUNA CLOSE, EASTCOTE <i>(Agenda Item 9)</i></p> <p>Porch to front, installation of decking and fencing to side/front, installation of ramp to front and alterations to side of existing club house.</p> <p>52580/APP/2011/1462</p> <p>Planning permission was sought for the erection of a brick built porch extension to the front of the club house, together with the installation of decking to the front and side of the building, to be partly enclosed by a 1.5m to 1.8m high fence and new soft landscaping.</p> <p>The proposed development was acceptable in design and amenity terms and would not result in any significant increase in activity on the site that would be detrimental to the amenities of surrounding</p>	Action by

properties.

This application related to the Eastcote tennis clubhouse building located on the south east side of Kaduna Close at the end of the cul de sac. The club house was a detached building located to the north west of the Imada Health Club building, near to the access with Kaduna Close.

To the north east lies the tennis courts, with a residential block to the north and a pair of semi-detached houses to the north west, both fronting Kaduna Close. To the east lie parking spaces for club patrons.

The surrounding area was residential in character and appearance and the application site lies within the Eastcote Village Conservation Area, as identified in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007). The site was also subject to Tree Preservation Order Nos 20 and 278.

28 adjoining owner/occupiers and the Eastcote Residents Association had been consulted. The application had also been advertised as a development that affects the character and appearance of the Eastcote Village Conservation Area.

In response 1 letter of objection had been received. Objections were raised in relation to the club's intention to increase membership and have functions which will put more demand on parking in the area, the development fails to provide an assessment of existing and proposed parking demand, the identified parking spaces shown on the plans are incorrect and not under the applicants ownership, increased parking over the years has caused problems, previous applications by the objector have been refused on parking grounds and so the same rules should be applied in this instance, the fence would obscure the adjoining business from view, and there would be noise and nuisance arising from the use of the decking.

2 petitions had also been submitted objecting to the application on the grounds of intensification of use, increased parking, noise pollution and loss of privacy.

In accordance with the Council's constitution a representative of the petition received in objection to the proposal was invited to address the meeting.

Points raised by the petitioners:

- Ms Dasgupta spoke on behalf of petitioners; she was an owner of Imada.
- It was highlighted that there were existing parking issues in the area. That cars were being parked in the Imada car park and these people were using the Tennis club.
- This resulted in people coming to visit Imada thinking there was no parking for the facility.
- The road where the facilities were was a residential road, so there were issues regarding residential parking to consider.

- The application was contrary to Council policy.
- That the tennis club members parked in an obstructive manner. That if the application resulted in additional people using the tennis club then this would worsen the parking problems that already existed.
- The application was harmful and detrimental to the area.
- If a fence was built then it would ruin the atmosphere of the round window area of Imada.
- It was already noisy in the patio area; the application would increase the noise levels.
- The increase in the social aspect of the development would increase the noise and parking problems.
- The petitioners were concerned for the future as it was an area that was rejuvenated from a derelict site.
- It was not in keep with the ambiance of the area.
- The lead petitioner stated she was surprised that officers had recommended this application for approval in the report.
- She stated that there were serious effects to consider.
- Mr Fernandez spoke on behalf of the second petition; he was an owner of Imada.
- He believed that inaccurate information was submitted by the applicants. The plans shown to committee showed land that was owned by Imada that was being used as parking for the Tennis Club.
- Socialising late in the evening would cause noise disturbance.
- The restaurant users at Imada could not dine and enjoy.
- The enclosure would make it look like a prison camp.
- There were parking implications to consider.
- The 19 car park spaces stated in the report were incorrect. The Tennis Club had 14. 3 of the spaces belonged to Imada, which the Tennis Club users could not use. The remaining 2 spaces were Council owned.
- They claimed this was a legal invalid application.
- The application would result in an increase in on-street parking.
- The Tennis Club could not provide the additional parking space for additional customers.
- The petitioner asked that the Committee withdraw the application as it was legally invalid or reject it.

The agent spoke on behalf of the application submitted:

- Mrs Corbett spoke on behalf of the application.
- The main objection from Imada was parking. There were 14 spaces and the remaining 5 were on the public highway, none belonged to Imada.
- Over the number of years that the Tennis Club had been there residents had not complained about any parking issues.
- There was no noise concerns, many of the Tennis Club users would be wearing rubber shoes.
- The total number of full membership that was allowed at the Club was 180, they presently had 120.
- The Tennis Club did wish to increase activity on the site but did not intend of hosting for huge parties. Unlike Imada which

	<p>advertised that they could host for 160 people.</p> <p>Members asked officers if there would be any additional noise from the decking that would affect residents. Officers explained that the nearest property was 18metres away.</p> <p>Members asked for clarification on the land ownership and parking issues discussed by petitioners and Officers clarified the land which was owned by the Tennis Club.</p> <p>Members also discussed issues raised regarding the fencing proposed and any obstruction in the view discussed by petitioners.</p> <p>Members commented on the parking issue and said this was an issue between the Tennis club and Imada to resolve. It was not an issue for discussion with the application presented to them.</p> <p>Members felt that it was an appropriate design, the urban designer was happy with the application and that there would be no significant change to the usage of the site from the application.</p> <p>Members were happy with the officer report and recommendation.</p> <p>The recommendation for approved was moved, seconded and on being put to the vote was unanimously agreed.</p> <p>Resolved –</p> <p>That the application be approved as per the agenda.</p>	
10.	<p>41 RAISINS HILL, PINNER (<i>Agenda Item 10</i>)</p> <p>Part two storey, part single storey side/rear extension, single storey front extension and conversion of existing integral garage and store into habitable space involving the installation of 2 rear rooflight and 1 front rooflight.</p> <p>64909/APP/2011/1165</p> <p>The application site was located on the west side of Raisins Hill and comprises a two storey semi-detached dwelling with a fully hipped roof and bay window detail to both the front and rear elevations. An original attached garage with store room behind was located on the north west elevation. The garage was set 0.6m from the boundary with the adjacent property no.43 and flush with the front elevation of the main house. The house was set back 8m from the road with a 5m wide front driveway and lawned area with hedge separating the site from the adjoining semi (No.39). A 22m garden runs to the rear. The adjoining property, No.39, had recently carried out a hip to gable loft conversion with rear dormer, under permitted development, and was currently completing a single storey side, front and rear extension approved in September 2010. The street scene was residential in character and appearance and the application site lies within the Developed Area, as identified in the Adopted Hillingdon</p>	Action by

Unitary Development Plan Saved Policies (September 2007).

Planning permission was sought to demolish the existing garage and store to the side and construct a two storey side extension and a part two storey/part single storey rear extension.

To the rear, the proposed single storey extension would measure 3.6m deep with a 3m high flat roof. The two storey element would commence 3.1m from the boundary with the adjoining property (No.39) and measure 2.6m deep. The two storey extension would measure 4.9m wide projecting out from the side elevation by 1.5m, stopping 1m away from the boundary with No.43 and wrapping around the side elevation stopping 1m short of the front elevation of the house. To the side of the house, the roof of the proposed two storey extension would be at 0.5m below the ridge.

24 neighbouring properties and the Northwood Hills Residents Association had been consulted. 16 individual letters and a petition with 46 signatories had been received objecting to the proposal

In accordance with the Council's constitution a representative of the petition received in objection to the proposal was invited to address the meeting.

Points raised by the petitioners:

- Mr Winscom spoke on behalf of the petitioners.
- He spoke about the history of the application which had been discussed previously.
- A previous application had been rejected and on appeal.
- The new application was basically the same as previous so residents had signed a new petition.
- The dark alleyway would have an effect on residents and the application would have an effect on the neighbouring garden.
- It was a significant and overbearing development.
- The petitioner raised points that were brought up in the planning inspectors report.
- It was detrimental to the appearance of dwellings and character of the area.
- It failed to harmonise with the street scene.
- The garden scene was particularly important to note.
- Petitioners felt that the application should be rejected as there was no real change to the original application.
- It was conflicting to policy.
- Petitioners urged the Committee to reject the application.

The agent spoke on behalf of the application submitted:

- Mr Shah spoke on behalf of the applicant.
- His clients brought the house as a family home, it was growing family.
- The extension to the front and side was in keep with the existing street scene.
- The development would not harm the frontage.

- There were no previous issues.
- There rear width projections were in-line with policy.
- The adjoining neighbour had no objection to the application.
- The house needed severe overhaul.
- There was no intention to divide the house into flats or have multiple occupants. The development was for a family home.

Councillor Andrew Retter was present and spoke as a Ward Councillor:

- Councillor Retter asked the Committee to consider how they would feel if this application was to be built on their own street or own back yard.
- He stated that the adjoining neighbour did sign the petition objecting to the application.
- He understood that people did need to extend property but people needed to consider the area and harmonise.
- He disagreed with the officer report that this application harmonised with existing street scene.
- It did not compliment the area.
- Members should take into consideration the light aspect, which would have a detrimental effect on neighbours.
- Car parking issues needed to be considered.
- Residents had petitioned a number of times for a residents parking scheme.
- There were also human rights to consider for both the applicant and residents.

Members requested clarification from officers on the size and depth of the application. These were both within the requirements. The application had reduced since the appeal and the Inspector did not dismiss the appeal on this basis.

The Legal Officer stated that the Human Rights Act was relevant to planning policy and this needed to be balanced with Council policy.

Members discussed the front and street scene impact. Members noted the emotional issues regarding this application and how the petitioners felt about the application.

Members had carried out a site visit and discussed the front and rear extensions to the property.

It was noted that the last application was dismissed by the planning inspector on street scene reasons and not bulk or impact of the frontage.

Members were concerned about the detrimental impact that the application could have on neighbours.

On being put to vote Members voted by 4:3 to refuse the application with reasons relating to the impact on the adjoining occupier. The officer recommendation was overturned. Councillors Dave Allam and Jazz Dhillon wished to record this dissent at the decision.

	<p>The recommendation for refusal was moved, seconded and on being put to the vote was agreed by a majority of 4:3. The reasons for refusal concerned the rear extension and there were concerns with its compliance with policy BE21.</p> <p>Resolved –</p> <p>That the application be refused and the officers recommendation as per the agenda be overturned. Details of conditions to be agreed with the Chairman.</p>	
11.	<p>LAND AT CROWS NEST FARM, BREAKSPEAR ROAD SOUTH, HAREFIELD (<i>Agenda Item 11</i>)</p> <p>Detached storage building to be used for the processing and storage of bio fuel and compost</p> <p>1113/APP/2011/1020</p> <p>The application related to the construction of a detached storage building within the curtilage of an existing waste facility in the Green Belt. It was stated that this building would be used for the processing and storage of bio fuel and compost. As the site was located in the Green Belt and waste facilities were not one of the essential uses of land and buildings which were specified as acceptable, this building and its intended use was considered inappropriate development within the Green Belt and no very special circumstances had been put forward by the applicant.</p> <p>No details had been supplied to show that the site is suitable for the proposal in terms of its proximity to the source of waste; ability to use transport sources other than road haulage; the nature of the proposed use and its scale; and the full transport impact of all collection and transfer movements and therefore fails to satisfy the criteria of Policy 5.17 of the London Plan 2011.</p> <p>In accordance with the Council's constitution a representative of the petition received in support to the proposal was invited to address the meeting.</p> <p>Points raised by the petitioners:</p> <ul style="list-style-type: none"> • Mr Butterworth spoke on behalf of the petitioners. • During discussions with the case worker the question of Green Belt was raised. • The petitioner asked the Committee to consider that the application was within the existing area of which it sympathised with. • The compost did not compromise the Green Belt. • The application would help to preserve the five jobs that existed already. • It would help in reducing noise, and protect machinery and staff. • There would be better compost to supply, and better fuels. • It would generate renewal energy. • They were not proposing to expand the site but the application 	Action by

	<p>was on the existing site which was used for processing and storage of bio fuel and compost.</p> <ul style="list-style-type: none"> • The application was related to better products and to secure jobs. <p>Members asked for clarification on whether composting already existed on the site. Officer explained to Members that there was unauthorised use for composting on the site and since 2002 policies had been updated. There was an emphasis on locating these sites and improving them to comply with policy. Officers accepted the use already existed on the site but Members needed to consider if the Council allowed a new build for this usage.</p> <p>Members felt they lacked sufficient evidence on whether it was justified or not. That the applicants had failed to justify to officers that this was appropriate use of Green Belt. Members agreed that it was up to the applicant to justify the usage. Members asked that this item be deferred to give the applicant an opportunity to provide this information.</p> <p>The recommendation for a deferral for additional information and justification to be provided was moved, seconded and on being put to the vote was unanimously agreed.</p> <p>Resolved –</p> <p>That the application be deferred for additional information and justification to be provided.</p>	
12.	<p>47 COPSE WOOD WAY, NORTHWOOD (<i>Agenda Item 12</i>)</p> <p>Erection of two storey, five-bedroom, detached dwelling with conversion of roof space to habitable use to include 2 rear dormers and 5 rooflights involving demolition of existing dwelling.</p> <p>18371/APP/2011/1271</p> <p>This application was for the demolition of the existing house and its replacement with a larger house. The site lies within the Copse Wood Area of Special Local Character and consideration had to be given to the impact that the development has on this area, in addition to the normal planning considerations relating to the impact on the streetscene, impact on neighbours, impact on trees and vegetation and the parking and highway implications.</p> <p>The proposal was for a detached dwelling. It is considered that due to the bulk, design, and roof form, the development was overly bulky in relation to its surroundings, resulting in an incongruous feature and an over-development of the site to the detriment of the street scene and the Area of Special Local Character of which it forms part.</p> <p>22 occupiers of adjoining and nearby properties had been notified of the application. One letter of representation had been received</p>	Action by

	<p>commenting that there was no objection to this application other than to understand the steps they propose to take to ensure no damage to the adjoining property, the need for a surveyor to avoid damage and to ensure that any windows that overlook the adjoining property are within the rules established by the council.</p> <p>Members thanked officers for a detailed report. This was a big house which was requesting a larger development. Members agreed with the officer's recommendation.</p> <p>The recommendation for refusal was moved, seconded and on being put to the vote was unanimously agreed.</p> <p>Resolved –</p> <p>That the application be refused as per the agenda.</p>	
13.	<p>12 KEWFERRY ROAD, NORTHWOOD (<i>Agenda Item 13</i>)</p> <p>Single storey front extension.</p> <p>33988/APP/2011/684</p> <p>The application site was located within a residential area of Northwood comprising a variety of substantial two storey detached dwellings of pre and inter war design and more modern apartment buildings. The application site was located on the east side of Kewferry Road at its junction with Harrison Close and was bordered by a substantial two storey detached dwelling to the south and faces two storey detached dwellings to the west. The Holy Trinity COE Primary School was located to the southwest.</p> <p>The application site comprises an attractive two storey detached dwelling of traditional design and features a hipped roof, front two storey gable and a more recent side double garage addition. The property included front and rear gardens with a 1.8 metre high hedgerow along the front elevation with mature tree planting and hedgerows along the side and rear boundaries. The dwelling was faced with red brick to the ground floor, with white render and red clay roof tiles. The existing front porch was modest in size, open sided and an attractive feature in its own right, consisting of a flat roof, two plain arches with three decoratively unadorned pillars.</p> <p>This planning application proposed the construction of a single storey front extension to form WC/ shower room and porch. The proposed single storey hipped roof extension would measure 4.9 metres in length by 1.5 metres in depth and would extend to 3.5 metres in height and would be faced with materials to match the existing dwelling.</p> <p>Members had carried out a site visit and agreed that it would not be detrimental to the street scene.</p> <p>The recommendation for approval was moved, seconded and on being</p>	Action by

	<p>put to the vote was unanimously agreed.</p> <p>Resolved –</p> <p>That the application be approved and the officers recommendation as per the agenda be overturned with standard conditions T8, OM1, M2.</p>	
14.	<p>ENFORCEMENT REPORT (<i>Agenda Item 14</i>)</p> <p>The enforcement report was presented to Members.</p> <p>It was moved, seconded and approved that enforcement action be agreed as per the report.</p> <p>Resolved</p> <p>1. That the enforcement actions as recommended in the officer’s report be agreed.</p>	Action by
15.	<p>KNIGHTSCOTE FARM, BREAKSPEAR ROAD, NORTH HAREFIELD (<i>Agenda Item 15a</i>)</p> <p>Erection of a new cow shed.</p> <p>4729/APP/2011/1600</p> <p>This application sought planning permission for a new open sided cow shed within an existing farm complex located within the open countryside which forms part of the Green Belt. The applicant advised that the building was needed to comply with new legislation that required a 5 month capacity for slurry storage on the farm. The shed would prevent rainwater mixing with animal waste in the feeding area and prevent seepage into the ground. There would be no increase in cattle numbers or deliveries to the farm.</p> <p>There was no objection in principal as it represents appropriate development within the Green Belt. The shed was considered to be satisfactorily related to surrounding farm buildings so that it would not extend beyond the built envelope of the existing farm complex. The design and materials of the shed also reduced its impact. The siting of the building would also not harm the setting of two Grade II Listed granaries within the farm complex. The Environment Agency initially objected to the scheme on grounds of lack of information, although they did agree that the scheme would benefit groundwater supplies in this sensitive area. They have now withdrawn their objection.</p> <p>The recommendation for approved was moved, seconded and on being put to the vote was unanimously agreed.</p> <p>Resolved –</p> <p>That the application be approved as per the agenda and the</p>	Action by

	changes set out in the addendum.	
	The meeting, which commenced at 7.00 pm, closed at 9.50 pm.	

These are the minutes of the above meeting. For more information on any of the resolutions please contact Nav Johal on 01895 250692. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

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Minutes

NORTH PLANNING COMMITTEE

4 October 2011

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



	<p>Committee Members Present: Councillors Eddie Lavery (Chairman) Alan Kauffman (Vice-Chairman) David Allam Jazz Dhillon Michael Markham Carol Melvin John Morgan David Payne</p> <p>LBH Officers Present: James Rodger (Head of Planning) Meg Hirani (North Team Leader) Manmohan Ranger (Principal Highways Engineer) Rory Stracey (Planning Lawyer) Charles Francis (Democratic Services)</p> <p>Also Present: Cllr Richard Lewis</p>	
16.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>None.</p>	
17.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>None.</p>	
18.	<p>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETING - 25 AUGUST 2011 (<i>Agenda Item 3</i>)</p> <p>Were agreed as a correct record.</p>	
19.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>	
20.	<p>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART 1 WILL BE CONSIDERED IN PUBLIC AND THAT THE ITEMS MARKED PART 2 WILL BE CONSIDERED IN PRIVATE (<i>Agenda Item 5</i>)</p>	

	All items were considered in Public.	
21.	<p>39 HIGHFIELD DRIVE, ICKENHAM - 67201/APP/2010/1803 (<i>Agenda Item 6</i>)</p> <p>The Chairman explained this item had been withdrawn from the agenda due to the late receipt of revised plans.</p>	<p>Action by</p> <p>Meg Hirani & James Rodger</p>
22.	<p>LAND AT 30-32 CHESTER ROAD, NORTHWOOD - 13800/APP/2011/1140 (<i>Agenda Item 7</i>)</p> <p>At the beginning of the item the Planning Officer introduced the report and drew the Committee's attention to amended conditions 6 and 21 the following additional conditions: 24, 25, 26 and 27 as set out in the Addendum. Members were also provided with a copy of the full appeal decision as part of the Addendum.</p> <p>In accordance with the Council's constitution a representative of the petitioners in objection to the application addressed the meeting:</p> <p>The petitioner made the following points:</p> <ul style="list-style-type: none"> • Many of the signatories objected to the development at 30-32 Chester Road based on the impact of 36-38 - owing to its size and bulk in relation to surrounding properties. • The proposal would have an adverse impact on the essentially Victorian / Edwardian street scene. • If the proposal were approved, the development would house an additional 58 residents plus additional care staff. This would be the largest development on a single residential road in Northwood. • The proposed development would generate unacceptable noise levels from day to day activities at the care home. • The proposed development does not incorporate sufficient parking spaces for staff or visitors. • The proposed development would adversely affect parking locally. Events held at St Johns and St Matthews in Hallowell Road and Emmanuel in Church road already generate substantial traffic levels from play groups, mother / toddler groups, keep fit classes, funerals and other day and evening functions. • Heavy vehicles used by contractors would impede the vehicular movement of local residents. • It was highly likely that visitors would not use public transport when visiting residents and so car parking would be adversely affected. • The proposal will have an adverse effect on the quality of the life of the residents at 28 Chester Road • The plans for the proposed development appeared to be inaccurate as the gap between 28 and 32 had 'disappeared'. • The proposed development does not incorporate dedicated laundry or cooking facilities. Therefore the proposal should not be considered in isolation but with reference to the proposed developments at 34 and 36/38 Chester Road. • A number of the bedrooms within the proposed development do 	<p>Action by</p> <p>Meg Hirani & James Rodger</p>

not incorporate an en suite facility which contravenes modern care home standards.

- The proposed development may adversely affect local drainage.

The applicant or agent did not attend the meeting.

A Ward Councillor addressed the meeting in support of the petitioners. The following points were made:

- The proposal was out of keeping with the street scene and would fail to harmonise with an area of special character.
- The size and scale of the proposed development would change the residential density of the road.
- The proposed development did not incorporate sufficient car parking spaces.
- There was a glut of residential care homes in Northwood already and family homes needed to be protected.
- The proposed development was at odds with the aims of “Localism” and if approved would show that the concerns of local people were being ignored.

In discussing the application, the Committee focused on the cumulative effect of the proposal (in conjunction with the developments at 34 and 36-38 Chester Road), the comments made by the Planning Inspector and parking issues.

Officers informed the Committee that while the planning application was for one unit only, it would be prudent of the Committee to take account the use/s of adjoining properties.

With regard to parking issues, the Highways officer confirmed the Planning Inspector had visited that application site and had been guided by the findings of a supplementary Traffic Survey. The Committee expressed concerns about the interaction between the three buildings (30-32, 34 and 36-38 Chester Road) and enquired whether the traffic survey related to anticipated traffic levels at one site or the cumulative effect of all three. In response, the Highways Officer explained it was usual for the modelling to consider similar schemes elsewhere, but in this particular case, the modelling information appeared to relate to the 30-32 Chester Road proposal only and not all three.

Members noted the proposed development did not have laundry or cooking facilities and on this basis questioned whether the proposals at 34 and 36-38 Chester Road had sufficient capacity to support those residents residing at 30-32 Chester Road. The Committee expressed concern about how services would be provided between each of the three proposed developments as the current plans did not show dedicated service thoroughfares.

As the degree of interaction between the proposed developments remained unclear, the Committee agreed to defer consideration of the item until a site visit had taken place and further information had been supplied by officers covering the following points:

- Further information on catering and laundry arrangements

	<ul style="list-style-type: none"> • Further information on anticipated staff numbers and how these figure might fluctuate a different times of the working day • The maximum number of staff on the proposed development sites (with reference to car parking facilities) • Further clarification about the outcomes of the traffic survey <p>On the balance of the information provided, Members requested officers to arrange a site visit to inform the future decision.</p> <p>On being put to the vote, it was moved and seconded and agreed that a site visit be arranged.</p> <p>Resolved – That the application be deferred for a site visit and further information as set out above.</p>	
23.	<p>HAREFIELD HOSPITAL, HILL END ROAD, HAREFIELD - 9011/APP/2011/1603 (<i>Agenda Item 8</i>)</p> <p>The recommendation for approval was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved – That the application be Approved as set out in the Officer’s report.</p>	<p>Action by</p> <p>Meg Hirani & James Rodger</p>
24.	<p>HAREFIELD HOSPITAL BOWLING CLUB, HILL END ROAD, HAREFIELD - 46815/APP/2010/1826 (<i>Agenda Item 9</i>)</p> <p>The recommendation for approval was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved – That the application be Approved as set out in the Officer’s report.</p>	<p>Action by</p>
25.	<p>WILLIAM OLD CENTRE, DUCKS HILL ROAD, NORTHWOOD - 67902/APP/2011/1594 (<i>Agenda Item 10</i>)</p> <p>At the beginning of the item the Planning Officer introduced the report and drew the Committees attention to amended condition 2 as set out in the Addendum.</p> <p>The recommendation for approval was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved – That the application be Approved as set out in the Officer’s report and Addendum.</p>	<p>Action by</p> <p>Meg Hirani & James Rodger</p>
26.	<p>LAND REAR OF NORTHWOOD BOYS CLUB, 54 HALLOWELL ROAD, NORTHWOOD - 67999/APP/2011/2021 (<i>Agenda Item 11</i>)</p> <p>At the beginning of the item the Planning Officer introduced the report and drew the Committee’s attention to photographs of the development site.</p> <p>Officers explained that despite substantial efforts to screen the mast,</p>	<p>Action by</p> <p>Meg Hirani & James Rodger</p>

	<p>its overall height meant that it would be visible from the street scene. While some concerns were raised about the sighting of the mast near a youth centre, there was general agreement this site would be less harmful than if it had been sited next to a residential property.</p> <p>Officers explained the Committee could refuse planning permission for telecom masts on the grounds of visual amenity but could not refuse an application on health grounds.</p> <p>The recommendation for approval was moved, seconded and on being put to the vote was agreed with four votes in favour, one against and two abstentions.</p> <p>Resolved – That the application be Approved as set out in the Officer’s report.</p>	
27.	<p>LAND ADJACENT TO HALFORDS AND OPPOSITE 777 FIELD END ROAD, RUISLIP - 67973/ADV/2011/59 (<i>Agenda Item 12</i>)</p> <p>The recommendation for approval was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved – That the application be Approved as set out in the Officer’s report.</p>	<p>Action by</p> <p>Meg Hirani & James Rodger</p>
28.	<p>LAND OPPOSITE JUNCTION OF QUEENS WALK, VICTORIA ROAD RUISLIP - 67976/ADV/2011/61 (<i>Agenda Item 13</i>)</p> <p>The recommendation for approval was moved, seconded and on being put to the vote was agreed with six votes in favour and one abstention</p> <p>Resolved – That the application be Approved as set out in the Officer’s report.</p>	<p>Action by</p> <p>Meg Hirani & James Rodger</p>
29.	<p>ANY ITEMS TRANSFERRED FROM PART 1 (<i>Agenda Item 14</i>)</p> <p>None.</p>	<p>Action by</p>
	<p>The meeting, which commenced at 7.00 pm, closed at 8.20 pm.</p>	

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

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Report of the Head of Planning & Enforcement Services

- Address** HIGHGROVE HOUSE EASTCOTE ROAD RUISLIP
- Development:** Variation of Condition 3 - Minor material amendment to planning permission ref: 10622/APP/2009/2504 dated 11/02/2010: Refurbishment and conversion of listed building to 12 residential units and erection of 4 two-bedroom mews dwellinghouses and associated works (time extension of planning permission ref: 10622/APP/ 2006/2490 dated 11/01/2007) to allow alterations to the siting and design of the two blocks of mews housing (Retrospective application).
- LBH Ref Nos:** 10622/APP/2010/1822
- Drawing Nos:**
- 1134 18 Rev. B
 - 1134 25 (Block A relationship has been amended by Drw. No. 1134 33 received 03/05/11)
 - 1134/27
 - Addendum to Approved Design & Access Statement
 - 1134 33
 - Drawing Extract of Planning Approved Site Layout overlaid with Surveyed Position of 28/29 Kent Gardens
 - 1190 (Survey Drawing)
 - MCA0310/01D
 - DS13100902.01 Rev. D
 - 5 Year Landscape Management Plan, March 2010, Revised June 2011
 - Arboricultural Methode Statement, Rev. A dated 27/06/11
 - 1134 20 Rev. B
 - Ecological and Construction Management Plan, Rev. A, July 2010
 - Material Samples - Wienerberger Warnham Red/Orange Blend brick, Marley Eternit Clay plain tile, buff sample of resin bonded gravel, Marshalls Drivesett Tegula, Traditional paviments and Bitmac surfacing within new courtyard
 - Demolition and Construction Plan
 - Method Statement: Badgers, February 2011
 - Email from Alan Beaumont dated 22/02/11
 - Method Statement: Great Crested Newts, September 2010
 - Letter from AA Environmental LLP dated 15/10/10
 - Email from agent dated 12/05/11 at 12:37
 - Unilateral Undertaking dated 8th November 2010
 - 1134 09 Rev. Q
 - 1134 14 Rev. H
 - 1134 15 Rev. G
 - 1134 16 Rev. E
 - 1134 17 Rev. D
 - J06.055/ D(00)-03 Rev. A
 - J06.055/ D(20)-61
 - J06.055/ D(20)-62
 - J06.055/ D(20)-63
 - J06.055/ D(20)-64
 - J06.055/ D(20)-65
 - J06.055/ D(20)-66
 - J06.055/ D(20)-67

Design and Access Statement

1134/13 Rev. B

1134/19 Rev. C

1134/28 Rev. A

1134/29 Rev. D

1134/31

1134/REP/1

Agent's email dated 26/11/10

Un-numbered R.P.T. Joinery Ltd. Existing door sections

Un-numbered R.P.T. Joinery Ltd. Existing sash sections

Un-numbered R.P.T. Joinery Ltd. Proposed sash sections

Un-numbered R.P.T. Joinery Ltd. Section through sash stile & glazing bar

Un-numbered R.P.T. Joinery Ltd. Cross Section of horn detail for box sash windows

Un-numbered horizontal section through panel door with 12mm mortice

Un-numbered R.P.T. Joinery Ltd. Proposed casement window sections

Un-numbered R.P.T. Joinery Ltd. Proposed door sections

Landscape Specification dated March 2010

Schedule of External, Remedial and Maintenance/Repair Works Rev. A dated February 2010

Sustainability Statement Rev. A dated January 2010

Report on the Code for Sustainable Homes Pre-Assessment, Ref. E075-CSHPA-00

4 BRE Certificates

Ecological Appraisal

Brickwork Condition Survey

Ecological Appraisal - Appendix 2 - Great Crested Newt Assessment

Date Plans Received:	03/08/2010	Date(s) of Amendment(s):	18/11/2009
Date Application Valid:	20/09/2010		18/03/2010
			19/04/2010
			25/06/2010
			14/07/2010
			28/07/2010
			03/08/2010
			20/09/2010
			14/10/2010
			21/10/2010
			08/11/2010
			26/11/2010
			24/02/2011
			14/03/2011
			16/03/2011
			03/05/2011
			12/05/2011
			25/06/2011
			27/06/2011
			28/06/2011

DEFERRED ON 14th July 2011 FOR FURTHER INFORMATION .

Members will recall that this application was deferred from the North Planning Committee on the 14th July 2011 in order to seek counsel's opinion on the legality of the 2007 permission, which was renewed in 2010.

The Council asked two questions of counsel, namely:

(1) Whether, in the light of the errors in the approved plans, the 2010 planning permission is valid and capable of being implemented in accordance with its terms.

(2) Whether the Council could make a claim for judicial review of the 2010 planning permission on grounds that it was granted on a false basis as a result of the errors in the submitted plans.

Counsel's opinion from Timothy Mould QC of Landmark Chambers was received on 29th September 2011. The executive summary of his advice reads as follows:

'1. I am instructed to advise the London Borough of Hillingdon. On 11 February 2010 the Council granted full planning permission ('the 2010 planning permission') for a scheme of residential development at Highgrove House, Eastcote Road, Ruislip, Middlesex ('the site'). The approved scheme included the erection of 4 two-bedroom mews dwellinghouses. On the approved plans, the proposed mews dwellings are shown in two detached blocks located to the south-east and east of Highgrove House itself. The easterly block is known as Block A. The south-easterly block is known as Block B.

2. In early 2011 the developer, Westcombe Homes Group, began building works for the construction of Blocks A and B. However, in March 2011 the Council received complaints from the occupiers of neighbouring dwellings to the east of the site, known as 27-29 Kent Gardens, that the buildings were not being erected on the sites shown on the approved plans. I note that condition 3 of the 2010 planning permission requires the authorised development to be carried out strictly in accordance with the approved plans, unless otherwise agreed by the Council.

3. Scrutiny of the approved plans comprised in the 2010 planning permission has revealed that the position of the neighbouring dwellings, 27, 28 and 29 Kent Gardens, had not been shown correctly on the application plans, upon the basis of which the 2010 planning permission was granted. The effect of the error was to exaggerate the distance between Blocks A and B and 27, 28 and 28 Kent Gardens. The developer has now submitted an application for planning permission to vary the 2010 planning permission, by substituting amended plans showing the Blocks A and B repositioned on the site so as to accord with the unauthorised building works. The amended plans also propose some changes to the design of the two mews blocks.

4. The planning officer has recommended that planning permission be granted on the basis of the amended plans. The developer contends that the 2010 planning permission remains capable of being implemented in accordance with the approved plans. Members, however, wish to understand whether this is correct; or whether the Council in fact has greater room for negotiation with the developer over the repositioning and design of the two mews blocks.

5. I have been asked to advise on the following 2 questions:

(1) Whether, in the light of the errors in the approved plans, the 2010 planning permission is valid and capable of being implemented in accordance with its terms.

(2) Whether the Council could make a claim for judicial review of the 2010 planning permission on grounds that it was granted on a false basis as a result of the errors in the submitted plans.

6. In summary, my advice is as follows:

(1) Notwithstanding the identified errors in the approved plans, the 2010 planning permission remains valid and capable of being implemented in accordance with its terms. The fact that the position of 27, 28 and 29 Kent Gardens is not shown correctly on the approved plans does not affect the developer's ability to erect Blocks A and B under the authority of the 2010 planning permission. (In order to do so, it would be necessary for the developer to remove the unauthorised building works. Given the existence of the 2010 planning permission, the Council could not reasonably object to that).

(2) The Council (or a Member acting on behalf of the Council) could make a claim for judicial review of the 2010 planning permission on ground that it was granted on a false basis as a result of the errors in the submitted plans. However, for the reasons I give below, such an application would have no realistic prospect of success. The planning solution now proposed by the developer will produce separation distances between the mews blocks and the neighbouring dwellings that are consistent with those that the Council saw on the approved plans. Thus the current application effectively reproduces on the ground a relationship between the proposed and existing dwellings that the Council, exercising its planning judgment and granting the 2010 planning permission, regarded as acceptable on the basis of the approved plans. In these circumstances, the errors in the approved plans provide no substantive justification for quashing the 2010 planning permission.

7. The Court would accept that the Council was misled by the errors on the approved plans. However, the question whether the relationship between the 2 mews blocks and the neighbouring dwellings was acceptable for planning purposes did not turn simply on a consideration of the precise distance between them as shown on plan. The error in the plans must be seen in its overall planning context. In granting the 2010 planning permission, the Council was willing to accept the development of Blocks A and B on the basis of the overall interrelationship between them and the existing dwellings, rather than simply the distances shown on the approved plans. In particular, in granting the 2010 planning permission, the Council both knew and accepted that Block A would be positioned significantly closer to neighbouring dwellings in Kent Gardens than planning guidance would ordinarily advocate. Nevertheless, the Council judged there to be site specific reasons why the relationship between Block A and the neighbouring dwellings in Kent Gardens was acceptable. The reasons are set out in the planning officer's report.

8. The current planning application offers the opportunity both to the developer and the Council to remedy the planning consequences of the error in the approved plans. Moreover, in the judgment of the planning officer, that remedy can be put into effect without harm to the listed building or its setting. In these circumstances, it is very difficult to see any justification for the Court's intervention in the planning process. A further difficulty is that a claim for judicial review must be begun promptly and, in any event, within 3 months of the date of the decision challenged. It is nearly 6 months since the Council discovered the material error in the approved plans. So there has been substantial delay in bringing a claim for judicial review. During the intervening period, the developer has acted on the basis that the 2010 planning permission is valid. He has undertaken substantial work to discharge its pre-commencement conditions. He has pursued his current planning application to vary the approved plans on the basis that the 2010 planning permission remains extant. He has clear grounds for asserting that he would be very substantially prejudiced were the 2010 planning permission now to be quashed. In my opinion, the Court would be likely to judge the quashing the 2010 planning permission as being clearly disproportionate to the planning significance of the error. I would expect such a claim for judicial review to fail.'

Counsel's advice is unequivocal. The 2010 permission is valid and capable of being implemented and if a claim for judicial review of the 2010 permission were to be made, it would be unlikely to be successful. Counsel's opinion therefore does not alter the basis for the officer's recommendation and the application is recommended for approval, as set out in the officer's report.

At the previous Committee meeting, a Councillor raised the issue of whether sustainable urban drainage formed part of the proposal. Dealing with on site drainage is a valid material planning consideration (furthermore, it is subject to policies in the Mayor's London Plan) and therefore an additional condition is recommended to address this matter.

1. SUMMARY

Members may recall planning and listed building applications on this site for the refurbishment and conversion of Highgrove House to provide 12 residential units and the erection of 4 two-bedroomed mews houses with associated amenity space, off-street parking and landscaping, involving the demolition of the stable building. Permission was originally granted at the North Planning Committee meeting on the 09/01/07 (refs. 10622/APP/2006/2490 and 2491) and time limit extensions were granted at its meeting on the 04/02/10 (refs. 10622/APP/2010/2504 and 2506). Works have commenced on site, including work on the mews houses with their revised siting, the subject of this application.

This application as originally submitted was for a revised siting and design of the mews housing. It has since come to light that the original plans submitted were inaccurate in terms of the siting of the adjoining properties in Kent Gardens. Accurate plans have now been submitted. Furthermore, this application seeks to up-date the details which have now been approved in connection with the conditions attached to the renewed planning permission (ref. 10622/APP/2009/2504).

It is considered that as the revised siting of the mews housing does not bring the blocks any nearer to the listed Highgrove House and the alterations to their design are not extensive and are acceptable, its setting would not be adversely affected. For similar reasons, the alterations would not materially harm the amenities of future residents on the site. In terms of the impact upon adjoining residents on Kent Gardens, it is considered that the revised siting and design of the mews housing would have a neutral impact, and with the planting of a laurel hedge on the boundary, possibly a reduced impact in terms of the existing planning permission as approved.

The application is recommended for approval.

2. RECOMMENDATION

1 OM1 Development in accordance with Approved Plans

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

REASON

To ensure that the external appearance of the development is satisfactory and complies

with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

2 OM11 Floodlighting

No floodlighting or other form of external lighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting that is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

REASON

To safeguard the amenity of surrounding properties and the character and appearance of the listed Highgrove House in accordance with policies BE8 and BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 4B.1.

3 RPD1 No Additional Windows or Doors

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

REASON

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

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

The ground floor north facing secondary lounge window on the western mews house in the southern block shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

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

5 RPD5 Restrictions on Erection of Extensions and Outbuildings

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

REASON

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

6 RPD9 Enlargement to Houses - Roof Additions/Alterations

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

REASON

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

7 H3 Vehicular access - construction

The development hereby permitted shall not be occupied until the vehicular means of access has been constructed in accordance with the approved plans. Thereafter, the vehicular means of access shall be retained and kept open for users of the building.

REASON

To ensure the provision of a safe and convenient access for vehicular traffic, prior to occupation in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan (February 2008).

8 H4 Pedestrian/cyclist's access - construction

The development hereby permitted shall not be occupied until the means of access for pedestrians and cyclists has been constructed in accordance with the approved plans. Thereafter, this means of access shall be retained and kept open for pedestrians and cyclists using the buildings.

REASON

To ensure that safe and convenient access is provided for pedestrians and cyclists prior to the occupation of the building in accordance with Policies AM8 and AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan (February 2008).

9 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.

10 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).

11 DIS5 Design to Lifetime Homes Standards & Wheelchair Standards

All residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards. Further 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 'Accessible Hillingdon'.

REASON

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

12 SUS5 Sustainable Urban Drainage

Within two months of the date of this permission, details of the incorporation of sustainable urban drainage for the mews blocks shall be submitted to, and approved in

writing by the Local Planning Authority. The approved details shall thereafter be installed on site and thereafter permanently retained and maintained.

REASON

To ensure that surface water run off is handled as close to its source as possible in compliance with policy 4A.14 of the London Plan (February 2008) /if appropriate/ and to ensure the development does not increase the risk of flooding contrary to Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), London Plan (July 2011) Policy 5.12 and PPS25.

INFORMATIVES

1 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).

2 I53 **Compulsory Informative (2)**

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

PPS1	Delivering Sustainable Development
PPS3	Housing
PPS9	Biodiversity and Geological Conservation
PPS5	Planning for the Historic Environment
LP	London Plan (February 2008)
LP SPG	London Plan: Interim Housing Supplementary Planning Guidance, April 2010
EC1	Protection of sites of special scientific interest, nature conservation importance and nature reserves
EC2	Nature conservation considerations and ecological assessments
EC3	Potential effects of development on sites of nature conservation importance
EC5	Retention of ecological features and creation of new habitats
BE8	Planning applications for alteration or extension of listed buildings
BE9	Listed building consent applications for alterations or extensions
BE10	Proposals detrimental to the setting of a listed building
BE12	Proposals for alternative use (to original historic use) of statutorily listed buildings
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE18	Design considerations - pedestrian security and safety
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.
OE1	Protection of the character and amenities of surrounding properties and the local area
H3	Loss and replacement of residential accommodation
H4	Mix of housing units
H7	Conversion of residential properties into a number of units
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
HDAS	HDAS: Residential Layouts and Accessible Hillingdon
SPD	Planning Obligations Supplementary Planning Document, July 2008
SPG	SPG: Community Safety by Design

3 13 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).

4 15 Party Walls

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

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

5 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.

6 111 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).

7 112 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.

8 115 Control of Environmental Nuisance from Construction Work

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

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

D) No bonfires that create dark smoke or nuisance to local residents.

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

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

9 I16 **Directional Signage**

You are advised that any directional signage on the highway is unlawful. Prior consent from the Council's Street Management Section is required if the developer wishes to erect directional signage on any highway under the control of the Council.

10 I17 **Communal Amenity Space**

Where it is possible to convey communal areas of landscaping to individual householders, the applicant is requested to conclude a clause in the contract of the sale of the properties reminding owners of their responsibilities to maintain landscaped areas in their ownership and drawing to their attention the fact that a condition has been imposed to this effect in this planning permission.

11 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).

12 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).

13 I24 **Works affecting the Public Highway - General**

A licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway. This includes the erection of temporary scaffolding, hoarding or other apparatus in connection with the development for which planning permission is hereby granted. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW

14 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
- 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.
- 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.
- 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.

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

15 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).

16 I48 Refuse/Storage Areas

The proposed refuse and recycling storage areas meet the requirements of the Council's amenity and accessibility standards only. The proposed storage area must also comply with Part H of the Building Regulations. Should design amendments be required to comply with Building Regulations, these should be submitted to the Local Planning Authority for approval. For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250400).

17

The applicant is encouraged to re-use materials from the stable block for the building works hereby approved.

18

The applicant is advised that localised flooding can occur around the location of the mews housing.

3. CONSIDERATIONS

3.1 Site and Locality

The 0.41 hectare application site comprises Highgrove House, together with its grounds, located to the south east of Eastcote Road and west of Kent Gardens. The application site previously formed part of a larger site, including land to the north of the access road. This has now been redeveloped to provide a sheltered housing scheme known as Yew Tree Lodge.

Highgrove House is a two storey Grade II listed building, which dates from 1881, but was gutted by fire in 1978. Following use by Hillingdon Council to provide bedsits, the building had been vacant for a number of years, but is now being redeveloped for residential use, including the conversion of the listed building to flats, together with the erection of two blocks of mews housing, implementing the extant planning and listed building permissions.

Access is from an internal access road from Eastcote Road. The access road sweeps around into the site, between Highgrove House and the adjoining recently constructed Yew Tree Lodge to the north, providing an access and adjoining parking for both buildings. Yew Tree Lodge is a purpose built two storey L-shaped building, with 12 units of sheltered accommodation for people with learning difficulties, together with office and staff accommodation. Planning permission for this building was approved at the same time as the original applications on the application site and formed part of the wider redevelopment proposals for the Highgrove House site.

The site slopes gently from east to west. It contains a number of trees which are more dense on the south and west boundaries, where the site abuts the wooded area of the Highgrove Site of Importance for Nature Conservation (SINC). To the east, the site adjoins two storey houses on Kent Gardens, while to the north, beyond a public footpath, is the former RAF Eastcote site which is currently being developed for residential purposes.

The majority of the application site forms part of the developed area, although the lawn area to the west of the house is designated as being a Nature Conservation Site of Borough Grade II or Local Importance as identified in the saved UDP.

3.2 Proposed Scheme

This application seeks permission for the revised siting and design of the 2, two-storey blocks of mews housing. As the relationship of the mews houses with the adjoining properties in Kent Gardens was incorrectly shown on the plans approved as part of the original permission, this application has now been amended to show the correct relationship. Works have already commenced on site, including work on the mews housing in their revised positions, therefore this application is retrospective. The developers have however signed a legal undertaking, in which they undertake not to allow further construction/development of Block A without the benefit of planning permission.

As compared to the siting previously approved as part of the original permission (refs. 10622/APP/2006/2490 and 2009/2504), the whole of the L shaped building (Block A) would move slightly further north, by about 150mm and its northern limb would increase in width from some 5.1m to 5.8m. The gable end elevation facing Kent Gardens would be sited approximately 1.5m further to the west, away from the rear boundary with residential properties on Kent Gardens. The whole of Block B would move by approximately 1m to the west.

The elevations of these blocks had not been worked up in detail on the original application, which necessitated the imposition of condition 11 requiring the submission of the detailed design, fenestration and materials of the mews housing. From the approved detailed plans, the main changes show that the previously proposed flat roofed half dormers would now have pitched roofs and the roof area comprising solar panels has been reduced, with one panel for each house, and in positions on the roof slopes that do not face the listed Highgrove House. Further amended plans have also been received which show the northern wing of Block A with a half-hipped roof. Furthermore, on the north elevation of Block A, in addition to the shortening of this elevation, the Juliette balcony with French doors would be switched to the eastern window, the two separate window openings below have been joined and one of the first floor windows in the gable has been omitted. On the eastern elevation, a door to the gable end and a skylight window in the internal angle of the roof has been added and a ground floor window has been omitted on the western wing. On the south elevation, a door and first floor window have been added to the northern wing. As regards Block B, two rooflight windows have been added to the south elevation and on the north elevation, a first floor Juliette balcony with French doors has replaced a window at its eastern end.

This application also includes the details, up-dated as necessary, which have previously been submitted to and approved, discharging all but one of the pre-commencement conditions.

3.3 Relevant Planning History

Comment on Relevant Planning History

Applications for planning permission and listed building consent (refs. 10622/APP/2006/2490 and 2491) were originally presented to the North Planning Committee meeting on the 09/01/07 for the refurbishment and conversion of Highgrove House to 12 residential units comprising 1 studio, 6 one-bedroom, 2 two-bedroom and 1 three-bedroom flats and 2 two-bedroom maisonettes, together with the erection of 4 two-bedroom mews dwellinghouses in two blocks on the eastern boundary of the site. The works included associated amenity space, off-street parking and landscaping and involved the demolition of a detached stable building at the rear of Highgrove House. Members resolved to grant permission and listed building consent and these were issued on the 11 and 12/01/07 respectively.

Also presented to this committee was application ref. 10622/APP/2006/2494 on the adjoining site to the north of the access road for the erection of a two storey building to provide 12 residential flats for people with learning difficulties, communal amenity space, ancillary office and staff accommodation and landscaping (involving the demolition of the existing hostel building). This was also granted on the 11/01/07 and the scheme has been implemented on site.

Subsequently, applications seeking to extend the time limits of the un-implemented planning permission and listed building consent at Highgrove House were presented to the North Planning Committee meeting on the 04/02/10 and these were approved on the

11 and 12/02/10 respectively (refs. 10622/APP/2009/2504 and 2506).

In total, four applications have been submitted seeking to discharge the various pre-commencement conditions attached to the renewed planning and listed building consent permissions, namely:

10622/APP/2010/657 - Details in compliance with conditions 2 (external materials), 5 (demolition and construction plan), 7 (cycle storage), 8 (storage of refuse), 17 (parking arrangements), 24 (parking provision) and 34 (protected species) of planning permission ref: 10622/APP/2009/2504 was approved on 12/05/11.

10622/APP/2010/887 - Details in compliance with conditions 4 (existing and proposed levels), 6 (fencing and gates), 10 (fenestration), 11 (detailed design and layout of mews housing), 18 (tree survey), 20 (protective fencing), 21 (landscape scheme), 23 (landscape maintenance), 26 (elevations), 32 (sustainability measures and renewable energy) and 35 (sustainable homes assessment) was approved on 31/05/11.

10622/APP/2010/1179 - Details in compliance with condition 7 (building protection measures) of Listed Building Consent: 10622/APP/2009/2506 dated 12/02/2010 - Approved 11/05/11

10622/APP/2010/2583 - Details in compliance with conditions 27 (improvement of community facilities), 28 (education contribution), 29 (improvements to local healthcare provision), 30 (enhancements to Highgrove Woods) and 31 (provision of construction training) of planning permission ref: 10622/APP/2009/2504 dated 11/02/10 - Approved 17/05/11.

It was first brought to the attention of the Local Planning Authority that works had commenced on the mews houses at the end of March 2011. A temporary stop notice was served on the 14/04/11 requiring the cessation of works to Block A. On 11 May 2011, the developers agreed to enter into a legal undertaking preventing the developers from undertaking further works on Block A until planning permission for the re-siting of the mews blocks had been obtained. No further enforcement action has been taken.

4. Planning Policies and Standards

Planning Policy Statement 1: Delivering Sustainable Development

Planning Policy Statement 3: Housing

Planning Policy Statement 5: Planning for the Historic Environment

Planning Policy Statement 9: Biodiversity and Geological Conservation

Planning Policy Statement 22: Renewable Energy

Planning Policy Guidance 13: Transport

London Plan (February 2008)

London Plan: Interim Housing Supplementary Planning Guidance, April 2010

Adopted Hillingdon Unitary Development Plan Saved Policies (September 2007)

HDAS: Residential Layouts

HDAS: Accessible Hillingdon

Planning Obligations Supplementary Planning Document, July 2008

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.6 To safeguard the nature conservation value of Sites of Special Scientific Interest, Sites of Metropolitan Importance for Nature Conservation, designated local nature reserves or other nature reserves, or sites proposed by English Nature or the Local Authority for such designations.
- PT1.9 To seek to preserve statutory Listed Buildings and buildings on the Local List.
- PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.
- PT1.15 To enable the conversion of residential properties to create more units, provided the additional units are suitable to live in and the character of the area and amenities of the adjoining occupiers are not harmed.
- PT1.16 To seek to ensure enough of new residential units are designed to wheelchair and mobility standards.
- PT1.17 To seek to ensure the highest acceptable number of new dwellings are provided in the form of affordable housing.
- PT1.35 To accord priority to pedestrians in the design and implementation of road construction and traffic management schemes, and to seek to provide a network or cycle routes through the Borough to promote safer cycling and better conditions for cyclists.
- PT1.39 To seek where appropriate planning obligations to achieve benefits to the community related to the scale and type of development proposed.

Part 2 Policies:

- PPS1 Delivering Sustainable Development
- PPS3 Housing
- PPS9 Biodiversity and Geological Conservation
- PPS5 Planning for the Historic Environment
- LP London Plan (February 2008)
- LP SPG London Plan: Interim Housing Supplementary Planning Guidance, April 2010
- EC1 Protection of sites of special scientific interest, nature conservation importance and nature reserves
- EC2 Nature conservation considerations and ecological assessments
- EC3 Potential effects of development on sites of nature conservation importance
- EC5 Retention of ecological features and creation of new habitats
- BE8 Planning applications for alteration or extension of listed buildings
- BE9 Listed building consent applications for alterations or extensions
- BE10 Proposals detrimental to the setting of a listed building
- BE12 Proposals for alternative use (to original historic use) of statutorily listed buildings

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE18	Design considerations - pedestrian security and safety
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.
OE1	Protection of the character and amenities of surrounding properties and the local area
H3	Loss and replacement of residential accommodation
H4	Mix of housing units
H7	Conversion of residential properties into a number of units
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
HDAS	HDAS: Residential Layouts and Accessible Hillingdon
SPD	Planning Obligations Supplementary Planning Document, July 2008
SPG	SPG: Community Safety by Design

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

16 neighbouring properties in Kent Gardens have been consulted. Two petitions with 23 and 53

signatories and responses from 10 neighbouring occupiers and interested parties have been received.

The first petition with 23 signatures states:

'We the undersigned wish to be represented at the North Planning Committee meeting re. 10622/APP/2010/1822 Highgrove House, Eastcote. The changes to the footprint will cause loss of light to amenity space and rooms of neighbouring properties.'

The second petition with 53 signatures states:

'Petition to object to planning application to erect 4 new 2-3 storey town houses immediately behind maisonettes in Kent Gardens.

The planning application details are:

Planning ref 10622/APP/2006/2490 and listed building consent (ref 10622/APP/2006/2491) granted for the conversion of Highgrove House into 12 residential units, together with 4 new mews houses (located to the east and south east of the main house) on 11th January 2007. The approvals were renewed on 12 February 2010 (refs 10622/APP/2009/2504 and 10622/APP/2009/2506). A further application ref 10622/APP/2010/1822 relating to minor changes to the design and positioning of the new houses is currently under consideration.

Reason for objection

Planning permission had been granted to the developer to erect 4 town houses in the surrounding grounds of Highgrove House. Over the course of the last six months building work has gone on behind the properties in Kent Gardens to put up the 2-3 storey town houses. These properties are being built directly up against the back garden fences and along the pathway leading to the back gardens and alongside garages. These buildings not only will block out natural light but will intrude on the privacy of affected properties and be an eyesore, not to mention significantly devalue the properties.

The developer has also illegally cut down 'screening' trees between properties and the new development which were protected under a preservation order.

We would like to get the original planning permission revoked and the part-built houses taken down and new, established trees replanted in the original positions.

Please sign below if you object to the new town houses and are in support of our request.'

The individual responses raise the following points:-

- (i) There is a very active and extensive badger sett close to the site. The original planning documents did not refer to a badger sett at all and now have an Ecological and Construction Management Plan (ECMP) which has comprehensive details showing Block B within single figure metres of badger holes, although main badger sett is close to boundary fence, not as shown in the ECMP. I believe a mistake (or worse) was made in granting permission for a building so close to an active sett that is in a nature reserve. Not sure whether changes are better or worse;
- (ii) The proposed site plan is inaccurate, like that of Wimpey's on the RAF site;
- (iii) Highgrove House is only 22m from 28 Kent Gardens and to squeeze 2 two-bedroom semi-detached houses within 22m represents overdevelopment;
- (iv) Location of mews housing has changed significantly from original plans. The re-siting of these blocks will have a significant detrimental impact upon on the enjoyment of residents in Kent

Gardens due to overlooking and overdominance. Adjoining residents understood that building would not encroach more than 1m past the adjoining garages next door to Nos. 28/28a Kent Gardens. If building is allowed to continue, Nos. 28 - 29 Kent Gardens would lose natural light and the building will overlook their bedrooms/kitchens, as well as generally being sited uncomfortably close to these properties. Block A would only be 7m from corner of 28 Kent Gardens which is unacceptable and insufficient to accord with guidelines;

(v) New buildings will intrude on privacy and block natural light to No. 27 Kent Gardens;

(vi) Proximity of building will result in noise pollution to adjoining residents;

(vii) On 25/03/11, the Council was made aware that Block A was being built approximately 1.5 metres nearer to 28 Kent Gardens than shown on the original plans. The building work was stopped for a short time but has proceeded at pace. Advice to builder to stop has fallen on deaf ears, because he knows that once building is erected, even though illegally, the chances of him being ordered to take it down are nil. A temporary stop notice should be served immediately;

(viii) The only way the developer can agree a way forward with the Council is if they say how and when they intend to remove the building. A full stop notice should be served by the committee, and no member of that committee should be allowed to have an opinion without first having visited 28 Kent Gardens and reminding themselves of the following - Paragraph 4.9 of the HDAS: Residential Layouts advises that all residential developments and amenity space should receive adequate daylight and sunlight and that new development should be designed to minimise the negative impacts of overbearing and overshadowing. Where a two storey building abuts a property or its garden, adequate distance should be maintained to overcome possible domination. Generally, 15m will be the minimum acceptable distance between buildings and furthermore, a minimum 21m overlooking distance should be maintained;

(ix) Developer has ignored the original planning permission for commercial gain in hope that neighbours would not complain;

(x) Proposal will set precedent for future developers to build first and worry about permissions later;

(xi) HSE precautions are lacking on site;

(xii) Brickwork is poor;

(xiii) Buildings are an eyesore;

(xiv) Works may have been alleviated if the trees that backed onto adjoining properties and were protected had been left alone instead of being ripped down, along with a small colony of bats that had been living in them for many years;

(xv) Neighbours have had to overlook a building site for some time now and have to leave blinds down and curtains closed throughout the day due to privacy concerns with builders being on site from 7:00am;

(xvi) Works will significantly devalue adjoining property and rental values;

(xvii) Eastern gable elevation of Block A has been built closer to the boundary than the 2m that the amended plans suggest;

(xviii) Revised plans show no alteration to siting of Block A, just only correct the original error made to the positioning of the properties in Kent Gardens. If Kent Garden properties had been shown correctly, original application would not have been granted. Despite my initial objection back in 2006, you now expect me to accept the error made which means from now on I must be completely deprived of daylight and privacy and live with an eyesore for the rest of my life. My garden at No. 28 is less than 15 foot long so this has a massive impact.

NICK HURD MP:

I have been contacted by several constituents who are very concerned about the above building application.

I understand that a temporary stop notice has been issued regarding Block A. As you are no doubt aware, the rear of this building is extremely close to 28 Kent Gardens - in fact it will probably mean that this ground floor maisonette will have virtually no daylight coming in to the rear of the property.

I am writing to request that the North Planning Committee make a site visit before a determination is reached.

WARD COUNCILLOR:

First Response:

Initially requested application be considered by committee given proposal to install electronic gates but request was withdrawn following omission of these gates.

Second Response:

You will remember that I was on the committee that approved the original application for this site. The current works are in a completely different location and are not acceptable. In fact these building works are actually in a different location to that outlined in the new application. I'm surprised that a stop notice has not been served, as the development is now too close to the neighbouring properties and could affect the listed building next door.

On a personal note, I have no doubt that the committee will not approve the current works and if officers visited the site it would be perfectly clear to them that a new application for the current site would not receive their recommendation for approval, especially as it's being built contrary to the amended plans.

We need to be more pro-active in these matters and prevent developers from doing whatever they want, and they must be told, in no uncertain terms (via a stop notice if necessary) that these particular works are unacceptable.

If we continue to use the excuse that we may be held liable for wrong decisions, even if those decisions was made in good faith, we are failing in our duty and are letting the residents down, which once again is not acceptable.

If we make a decision to halt inappropriate works, which for whatever reasons are then allowed on appeal, then at least we can say we've tried which will, without doubt, attract the support of the residents we're trying to serve, rather than their continued anger at our inability to take positive action.

Note: Comments were also made by the Ward Councillor regarding an application in Rusdene Road and have been omitted from the above comments.

Third Response:

The above planning application refers to a development to the rear of Highgrove House, Lidgould Grove, Eastcote. This application is just one of a series of applications that have resulted in the building of two blocks of houses that fail to comply with the original permissions.

As a result, the LPA have served a series of 'stop notices' on the developers and the above application now awaits determination.

I ask that this matter be determined by the North Planning Committee and that before any decisions are made, the committee carry out a site visit to investigate the impact these unlawful buildings have already made on the area in general and the houses and residents of Kent Gardens, situated to the rear of the development, in particular.

EASTCOTE VILLAGE CONSERVATION PANEL:

First Response

Many of the changes are being made at the request of the Principal Conservation & Urban Design Officer, LBH, and we support all of this officer's requests.

However, we are extremely concerned with the new proposal to add electronic gates. Highgrove House is a Grade II listed building, and has considerable historic interest. It is not acceptable to shut this building away from the community. This action would also shut away the assisted housing unit, already occupied on the site. Have the occupants of this building and their families been consulted. Surely this will cause them all great inconvenience.

If there are concerns regarding security, may I suggest that the applicants ask advice from Frank Freeman, Crime prevention Design Advisor, Metropolitan Police Service. I believe at the outline stage of this development Mr. Freeman recommended a very workable plan.

We would ask that the electronic gates be refused.

Second Response

The matter of disturbance to a long standing badger sett was raised at the last meeting of the Friends of Warrender Park/Highgrove Woods MAG. Can this be looked at within the current planning application?

Third Response

This application is to alter the position slightly of blocks A & B, and to date has not been determined.

Building work has started on both of these blocks which is giving great cause for concern.

Block A.

Situated to the rear of 28 Kent Gardens. I visited the site today and block A is definitely being built approximately 1.5 meters nearer to 28 Kent Gardens than shown on the drawings. The drawings are also incorrect as they show 28 Kent Gardens as having a much longer garden than it actually has. I believe that a line has been missed out showing the rear building line of 28.

The current position of Block A will block the light from 28 Kent Gardens which is a ground floor maisonette, also from the amenity space which is no more than 3 metres in length. This is not acceptable.

I attended the site visit when Outline Planning Permission was being sought. Members of the North Planning Committee were assured that these new buildings would be situated behind the Kent Garden Garage Block, and partly across the driveway to the garages and would not take light from the existing dwellings.

Block B.

This block was causing problems with the established badger sett in Highgrove Woods, although Natural England have approved the recently submitted mitigation plan, now that building works have started, without planning permission, please can the positioning etc be checked to ensure that no harm is being made to the sett.

Please can we ask that a stop be put on these elements of the project immediately, until matters are resolved.

RUISLIP, NORTHWOOD & EASTCOTE LOCAL HISTORY SOCIETY:

First Response:

Concern expressed that they have not been consulted on this application, even though it concerns a listed building and the apparent lack of public consultation. The Society may wish to respond on this application.

Second Response:

The footprint of one block has been adjusted to be further away from the boundary fence with Kent Gardens. But our opinion is still, as was stated in our original letter of 9 January 2007, that both blocks are very close to Highgrove House. This will be detrimental to the appearance and setting of this Grade II listed building. We are pleased that it has been specified that the materials to be used for the new houses are to be in keeping with those used for Highgrove House. We would like to stress how important it is that this is monitored so that the development is sympathetic to a historical site.

We are also pleased to note that pitched dormer roofs have been added so that they will be more in keeping with Highgrove House. However we would question whether the provision of juliet balconies on the mews houses will be sympathetic with the appearance of Highgrove House.

Our main concern is the addition of steel entrance gates for both pedestrians and vehicles, which will cut off the whole site including the recently constructed supported housing unit and Highgrove House. This was not part of the original application and we feel such a major change should not be proposed now. They will detract from the overall look of the site and be out of keeping with the setting for an important historical building. Such an area should be part of the community not barricaded behind security gates and fences.

Internal Consultees

CONSERVATION AND URBAN DESIGN OFFICER:

COMMENTS: The minor changes to the position of blocks A and B would not have any significant impact on the setting of Highgrove House. The changes to the roof form of Block A would again have little impact on the setting of the main house or the architectural quality of the new block. The introduction of solar panels to the roof slopes of both of the new buildings would now be acceptable in the positions shown as they can not be viewed with the listed house.

The drawings of the gates and piers to the main entrance are no longer relevant and no longer form part of this application.

CONCLUSION: No objection to revised design or siting.

TREE OFFICER:

Original Comments:

The revised layout and associated details of tree protection and landscaping are described in the plans and documents attached to the applicant's e-mail of 13 May 2011 (see below). In relation to the approved scheme and hence the remainder of the site (other than Block A), the tree-related and landscaping details are approved. Therefore, these observations relate specifically to the revised layout of Block A.

The revised layout, tree protection and landscaping plans show existing trees (part of groups G5

and G6) retained. However, these trees no longer exist.

The plans should, therefore, be revised to show the current situation and to show additional landscaping including new small trees, where appropriate, taking account of the site constraints, in replacement of the trees in groups 5 and 6 and a row of 3m-high laurels along the site boundary between the end/flank wall of Block A and the boundary fence of the neighbouring properties in Kent Gardens.

The laurels should be allowed to grow to a height of 3.5-4m and thereafter be maintained at a height of 3.5-4m. Such tree/shrub planting would provide a low-mid level (3.5-4m high) screen/buffer in that location.

Given the site constraints, in particular the limited space (2.4m-wide strip of land, with a path/ramp to the back/side door in the end/flank of Block A), there is no scope for tree planting in that location. Hence, the planting of large evergreen shrubs (laurel) is suggested.

If necessary, the landscape management plan should be amended to reflect these changes to the landscaping scheme.

Revised Comments:

These amended plans address the TLP points raised in my observations (e-mail) of 23 June 2011.

The revised scheme is acceptable in terms of Saved Policy BE38 of the UDP.

SUSTAINABILITY OFFICER:

Following Natural England's confirmation that the latest details submitted in order to discharge condition 34 (protected species) of planning permission ref: 10622/APP/2009/2504 are adequate to safeguard protected species, particularly the adjoining badger sett, I have no objections to the proposed variation.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

This scheme was originally granted permission in January 2007 and renewed in February 2010. As such, this application to amend the siting and design of the mews housing does not raise any in principle matters.

7.02 Density of the proposed development

This scheme does not alter the unit or habitable room density of the original development previously approved.

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

The amended siting of the mews housing would not result in the new blocks being sited any nearer to the Grade II Listed Highgrove House. Furthermore, the revisions to the design of the blocks are considered to be acceptable. On this basis, the Council's Conservation and Urban Design Officer does not raise any objection to the revisions.

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 revisions to the siting and design of the blocks would have minimal impact upon the character and appearance of the surrounding area. The re-siting of the blocks would reduce the front garden areas to the north of Block A and west of Block B and in the case of Block A, it would be very marginally more conspicuous as you entered the site but these changes would have a negligible impact, given the secluded nature of the site and the siting of the blocks, at the rear of the site and largely screened by Highgrove House.

7.08 Impact on neighbours

The approved plans of the original permission on this site show two, two storey blocks sited at the rear of the site, close to the maisonettes on Kent Gardens.

At its nearest point, Block A was shown to be sited within 8m of the rear elevation of 28/28a Kent Gardens and 9m from the rear elevation of 27/27a. Although the officer's report on the renewal application ref. 10622/APP/2009/2504 noted that these distances are less than the 15m distance advocated by guidance, the report went on to advise that the block would be sited immediately to the rear of the garage block on Kent Gardens sited between these properties. As such, the 45° line of sight taken from the nearest rear facing habitable room windows would only be breached at relatively acute angles, so that the properties would maintain essentially unrestricted views down their rear gardens. The report also noted that there were mature trees and vegetation on the site boundaries that would provide screening.

The southern mews block (Block B) would have been sited some 16m from the rear elevations of Nos. 26-27 Kent Gardens. The report went on to advise that the proposed block would result in the overshadowing of the end of the rear garden of No. 27, but this impact would be minimal and would not constitute a ground for refusal.

The revised siting involves moving the whole of Block A very slightly north, by approximately 150mm, with the width of the northern wing of the L-shaped block increased from approximately 5.1m to 5.8m. This results in the northern side elevation of the block being sited some 850mm further to the north. The revised siting also involves setting the gable end of the northern wing some 1.4m further back from the boundary with properties in Kent Gardens. As regards Block B, the proposed resiting involves moving the whole block some 950mm further to the west, away from residential properties in Kent Gardens. If this were the only issue involved, it is considered that the revised siting of the blocks would be beneficial to adjoining properties in Kent Gardens as compared to the approved scheme as the blocks would be sited further away from the site boundaries, with the only adverse impact being that the side elevation of the northern wing of Block A would be moved 850mm further north to encroach further into the rear field of view from Nos. 28/28a, but this would be compensated by moving the nearest part of the building, its gable end elevation, 1.4m further back into the site.

However, since works have commenced on the mews blocks in their revised, albeit currently unauthorised positions, (works which have also involved the removal of a number of trees and shrubs along this boundary), complaints have been received that the blocks are too close to adjoining houses and do not accord with the submitted plans. Measurements taken on site reveal that the blocks have been sited correctly in terms of their positioning relative to Highgrove House, but it is the siting of surrounding properties that have been shown incorrectly within the original application. In particular, the maisonette block comprising Nos. 26/26a/27/27a was shown some 1m further to the east and some 1.3m further to the north and the maisonette block comprising Nos. 28/28a/29/29a was shown 2.06m further north and 0.9m further east than their actual positions. In such circumstances, it would be difficult to argue that the mews blocks had

not been positioned correctly to accord with the approved plans. The issue lies with the siting of those properties outside of the application site which were incorrectly depicted and approved as part of the original application.

As a consequence, planning permission was granted for Block A in a position which at its nearest point would be sited 6.15m from the rear elevation of Nos. 28/28a Kent Gardens to the north of the garage court and it would encroach further into its rear outlook. The proposed revised siting would bring the block a further 950mm across so that the side elevation of the block roughly aligns with the side elevation of 28/28a Kent Gardens, but the separation distance would increase to 7.5m. As regards Nos. 27/27a Kent Gardens to the south of the garage court, permission was actually granted for Block A at its nearest point some 8.4m from the nearest corner of the adjoining maisonette block although with the correct siting of these properties, the proposed block would encroach less into their rear field of view.

As regards the impact upon privacy, no first floor windows are proposed in the gable end elevations of the mews housing blocks facing Kent Gardens. Furthermore, the northern side elevation of Block A has moved further north, but further away from the rear boundaries of Nos 28 - 29 Kent Gardens and it is considered that overall, there would be no appreciable increase in the potential for overlooking. The additional windows and skylights proposed would also be to building elevations that would not face the adjoining properties in Kent Gardens. The only exception to this would be the new skylight window on Block A, but this would directly face the adjoining garage court. A submitted cross section plan shows that the internal floor height would not allow overlooking of adjoining properties. Furthermore, the potential view of the rear elevation and garden at Nos. 28/28a would effectively be screened by the roof of the northern limb of the building and the window would be sited at too acute an angle to afford any potential to overlook the rear elevation and garden of No. 27 Kent Gardens. As such, the proposed alterations would not have any significant implications for the privacy of adjoining properties.

A meeting was held with the developers where possible mitigation measures were discussed. The roof has changed on Block A from full gable ends to a half gabled roof. As a result, its roof bulk would reduce and the distance between the highest part of the building at its ridge and the rear elevations of Nos. 28/28a Kent Gardens would increase from 6.8m as the scheme was approved with the maisonettes in their correct position to 9.8m. Sun on the ground diagrams have been also been prepared, comparing the approved scheme with the revised siting. They show that the extent of the overshadowing in the rear garden of No. 28 Kent Gardens is similar, with most of the rear garden being overshadowed by 2:00 in the afternoon, although the rear elevation of No. 28 would begin to be overshadowed slightly later in the afternoon from about 2:30 as opposed to 2:00 with the approved scheme, although on the revised scheme, slightly more of the rear garden is affected, particularly at the end of the garden. However, if the trees previously on site are taken into account then it is clear that 28/28a Kent Gardens was already overshadowed by the trees more than the impact of the proposed building. This is very important when considering the impact of the building on the amenity of the occupiers of 28/28a Kent Gardens.

Furthermore, the scheme as approved, although it did show trees to be retained along the boundary with Kent Gardens with only a 1.0m separation distance between the gable on Block A and the boundary with Kent Gardens, it did not allow for any landscaping to screen the nearest part of the building, particularly as the side gap was shown to provide rear access. The Tree Officer advises that the increased separation distance would allow for some screening to be provided in this space and although the space would still not

support tree planting, a problem compounded by the presence of a sewer, a laurel hedge could be planted with 3m high shrubs that could be allowed to grow to a height of 3.5 to 4.0m to provide some screening to the development along this boundary. It is considered that this screening would not be likely to result in any greater overshadowing of adjoining properties than the trees and shrubs that have been removed. An amended landscape plan has been received to show this detail, together with a number of replacement trees along this boundary.

It is therefore considered that the proposed revisions would have at least a neutral impact and with the laurel screen, possibly a reduced impact upon adjoining properties in terms of the planning permission that has been granted.

7.09 Living conditions for future occupiers

The proposed alterations to the siting of Block A would not significantly alter the internal floor area of the houses, which would retain floor areas in excess of 90sqm which satisfies the 63sqm. minimum space required by design guidance. The internal floor areas in Block B would not alter.

As regards private amenity space, there would be little material change, with a very slight increase in the size of rear gardens to these properties.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The revision to the siting of these blocks would not affect parking arrangements.

7.11 Urban design, access and security

These issues are dealt with in Sections 7.03, 7.07 and 7.22.

7.12 Disabled access

The proposed changes do not impede disabled access.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

Although Groups G5 and G6 at the rear of the site on the boundary with Kent Gardens have been removed and were previously shown to be retained, the Tree Officer has not raised any objection to their loss subject to replacement planting. An amended Landscape Scheme has been submitted which shows a laurel hedge along this boundary, with 3m high specimens to be planted and allowed to grow to a height of 3.5 to 4.0m. Two replacement trees would also be planted. On this basis, the Tree Officer does not raise any objection to the scheme.

An initial concern raised to the scheme in general was the impact upon an adjoining badger sett in Highgrove Woods. This was investigated and closely monitored and a number of additional ecological reports and information were submitted, the end result of which is that English Nature were satisfied with the mitigation measures proposed and condition 34 of 10622/APP/2009/2504 which required a detailed ecology assessment was able to be discharged.

As regards one of the neighbours concerns that the removed trees on the boundary with Kent Gardens did contain bats, this would be a civil matter and for it to be taken any further, sufficient evidence would need to be available that this was indeed the case.

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

Previous conditions relating to renewable energy and sustainability have been discharged

and the details, revised as necessary, have been included within this application.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

The development is for the revised siting and design of the mews housing. Given the nature of the revisions, no noise or air quality issues are raised by this application.

7.19 Comments on Public Consultations

The points raised by the petitioners have been dealt with in the main report.

As regards the individual comments, points (i) to (viii), (xiii), (xiv) and (xviii) have been dealt with in the main report. Points (ix) and (xv) are noted. As regards point (x), each application has to be considered on its individual merits. Points (xi) and (xvi) do not raise a material planning considerations. In terms of Point (xii), it is considered that the quality of the brickwork is acceptable. As regards point (xvii), the siting has been measured by officers on site and professionally surveyed since inaccurate plans came to light and is accurate.

7.20 Planning Obligations

Policy R17 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) states that: 'The Local Planning Authority will, where appropriate, seek to supplement the provision of recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals'.

A Unilateral Undertaking was signed on the 8th November 2010 as part of the renewal application (ref. 10622/APP/2009/2504) in order to discharge conditions 27 to 31 and the financial contributions sought in order to improve community and education facilities, local healthcare provision, enhancements to Highgrove Woods and construction training have been paid. There is therefore no need for a deed of variation as the requirements of this development under Policy R17 of the saved UDP have been satisfied.

7.21 Expediency of enforcement action

As it is considered that the revised siting and design of the mews blocks are acceptable, there is no requirement for further enforcement action.

7.22 Other Issues

The only pre-commencement condition which has not been discharged is Condition 33 of 10622/APP/2009/2504 which requires the submission of a CCTV scheme before work commences. The applicants advise that they do not intend to instal a CCTV scheme and given that this is a residential scheme, where it is not standard practice to require such a security measure, it is considered that the condition should not be attached to any new permission, as a CCTV scheme could be intrusive for future residents.

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

10. CONCLUSION

The revised siting and design of the two mews housing blocks would not be detrimental to the setting of the listed Highgrove House.

The revised siting of Block B represents an improvement in terms of the approved scheme as it moves the block further away from adjoining residential properties.

Although the revised siting of Block A in relation to adjoining residents, particularly Nos. 28 and 28a Kent Gardens is less than ideal, as planning permission has already been granted for Block A in a position that has a greater adverse impact upon adjoining properties, the revised siting, coupled with the mitigation measures proposed as part of this application, is considered to represent an improvement in terms of the permission that has been granted.

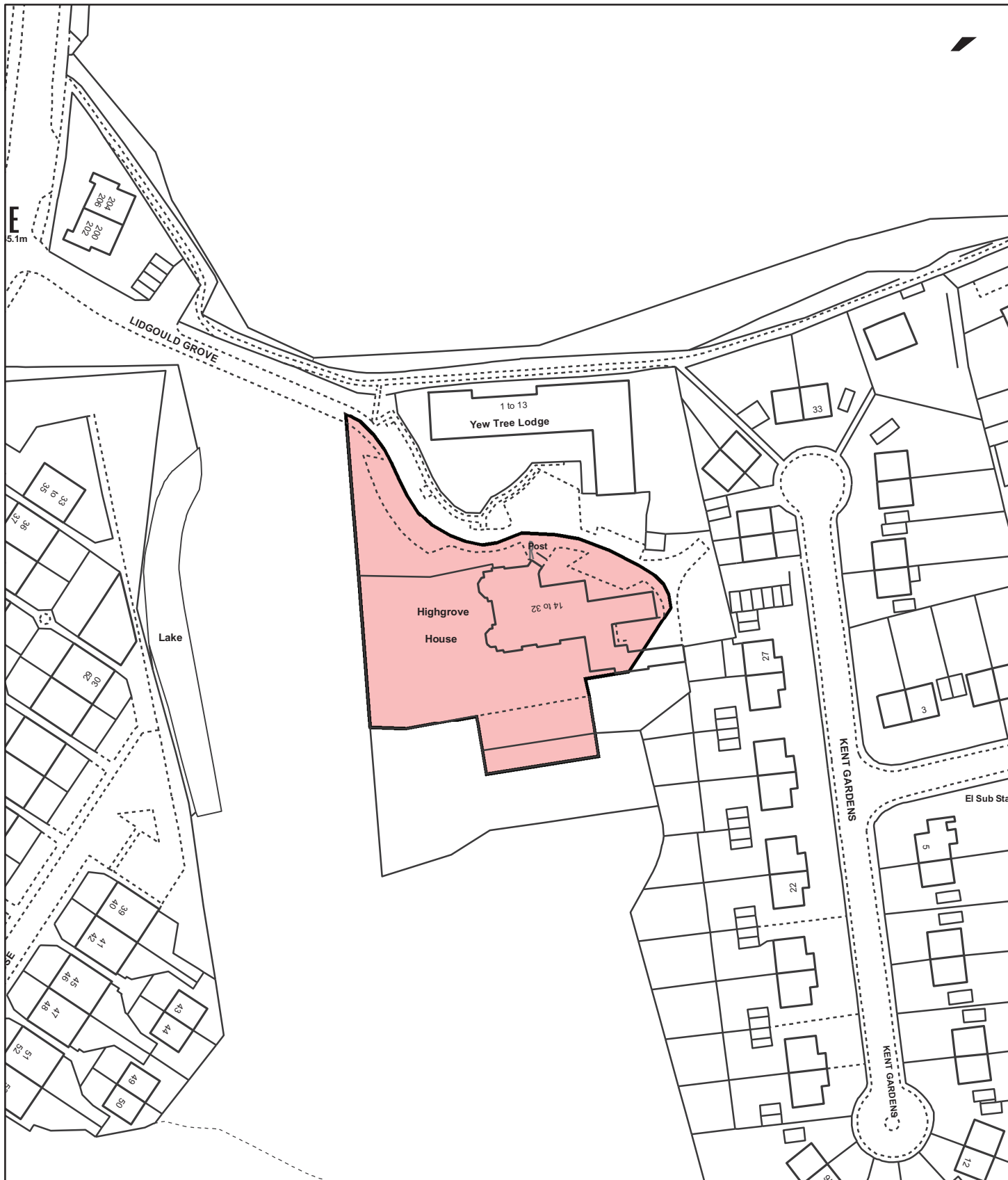
The application is recommended accordingly.

11. Reference Documents


Planning Policy Statement 1: Delivering Sustainable Development
Planning Policy Statement 3: Housing
Planning Policy Statement 5: Planning for the Historic Environment
Planning Policy Statement 9: Biodiversity and Geological Conservation
Planning Policy Statement 22: Renewable Energy
Planning Policy Guidance 13: Transport
London Plan (February 2008)
London Plan: Interim Housing Supplementary Planning Guidance, April 2010
Adopted Hillingdon Unitary Development Plan Saved Policies (September 2007)
HDAS: Residential Layouts
HDAS: Accessible Hillingdon
Planning Obligations Supplementary Planning Document, July 2008
Consultation responses

Contact Officer: Richard Phillips

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address	
Highgrove House Eastcote Road Ruislip	
Planning Application Ref:	Scale
10622/APP/2010/1822	1:1,250
Planning Committee	Date
North Page 53	July 2011

**LONDON BOROUGH
OF HILLINGDON**

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

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



HILLINGDON

LONDON

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Report of the Head of Planning & Enforcement Services

Address FORMER R A F EASTCOTE LIME GROVE RUISLIP

Development: Replacement of one 5 Bedroom dwelling (type 2000 D) with an alternative 5 bedroom dwelling at plot 314. (Amendment to reserved matters approval ref: 10189/APP/2007/3046 dated 31/03/2008)

LBH Ref Nos: 10189/APP/2011/1724

Drawing Nos: Design and Access Statement
5585-WIM-WL-03 Rev. A
5585/WIM-WL/101 Rev. F
5585/WIM.W.L/2000 D/P1
5585/WIM.W.L/2000/E1
dpp Letter dated 06/07/2011
5585/WIM-WL/REP-02 Rev. A
5585/WIM-WL/REP/314/P1 Rev. A
5585/WIM-WL/REP/314/P2 Rev. A
5585/WIM-WL/REP/314/E1
5585/WIM-WL/REP/314/E2 Rev. A1
E-Mail Dated 6/9/2011
Arboricultural Implications Assessment (AIA) dated 6 October 2011

Date Plans Received:	14/07/2011	Date(s) of Amendment(s):	14/07/2011
Date Application Valid:	14/07/2011		06/09/2011
			06/10/2011

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), for the former RAF Eastcote site, which was approved on 31 March 2008. The amendments would allow for a larger 5 bedroom detached dwelling than originally approved on plot 314. This plot is located in the north east corner of the northern section of the former RAF Eastcote site.

The amendments to this plot, in terms of the layout, design and landscaping is in general accordance with the reserved matters approval. It is considered that the proposal would respect the character of the local area and not detract from the internal character of the development. The larger dwelling on this plot would not have an adverse impact on the amenities of surrounding residents in terms of loss of privacy, outlook, daylight or sunlight. The remaining external amenity area of this plot is considered sufficient to meet the needs of future occupiers, whilst the development would not prejudice the implementation of the approved landscaping scheme, including the retention of existing trees. Approval is recommended accordingly.

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 plots 285 to 337 under ref: 10189/APP/011/981 dated 27/7/2011, unless otherwise agreed in writing by the Local Planning Authority.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policies BE13 and BE19 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 the dwelling house 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 unit 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 bathroom 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 3.12 and the Hillingdon Design and Accessibility Statement (HDAS) Access for All.

7 NONSC Non Standard Condition

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 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. 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 (July 2011) Policies 3.1, 3.8, and 7.2.

8 NONSC Non Standard Condition

Parking provision for wheelchair users shall be 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. The approved facilities should be provided prior to the occupation of the development and shall be permanently retained thereafter.

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 not 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 the drains and utility runs for plot 314 must be implemented in accordance with the approved schemes for the RAF Eastcote site.

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).

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 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).

2 I53 Compulsory Informative (2)

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

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

3 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.

3. CONSIDERATIONS

3.1 Site and Locality

The application relates to plot 314, 0.073 ha in extent, located in the north eastern corner of the northern section of the former RAF Eastcote site. To the east and north are properties fronting Azalea Walk. Reserved Matters approval was granted for a 5 bedroom detached dwelling on this plot on 31 March 2008.

The larger site is 7.7 hectares in area and is bisected into northern and southern areas by an existing public footpath.

3.2 Proposed Scheme

The application seeks to vary reserved matters consent ref:10189/APP/2007/3046, to allow for the erection of a 5 bedroom detached dwelling, which would be larger than that originally approved. The proposed dwelling would provide 282.6 m² gross internal floor area, which would be 97.6m² more than originally approved.

The house subject to this application is arranged over 2 1/2 floors and the footprint of the main building will be largely unaltered, with the exception of a two storey wing at the front (south), replacing a detached garage and hard standing on the originally approved scheme. This would comprise a double garage on the ground floor, with an en-suite master bedroom on the first floor. The proposal will involve minor modifications to the plot boundary with the adjacent plot 315, resulting in an extra 27sq. m of garden area. In addition, the previously approved rear conservatory is now replaced by a brick built single storey element, to serve as an enlarged kitchen/family room.

Amended plans have been submitted showing the following alterations to the proposed dwelling, in response to concerns raised by officers to the proximity of the building to retained trees:

- Balcony deleted from eastern elevation to remove potential conflict with adjacent trees;
- Southernmost window at ground floor level and northernmost window at first floor level along eastern elevation removed;
- An additional window at the southern edge of the chimney breast has been added to the ground floor of the eastern elevation.

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

On February 21st 2008 outline planning permission was approved (application ref: 10189/APP/2007/3383), for residential development at the former RAF Eastcote site. Reserved matters covering details of siting, design, external appearance and landscaping for 385 residential units (ref: 10189/APP/2007/3046) were approved on 31 March 2008.

In addition to the reserved matters approval, 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.

Phase 1 development comprising the southern parcel of land and the vehicular link to Lime Grove is presently under construction and well advanced. Phase 2 to the north of the public footpath is also under construction.

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:

- | | |
|------|---|
| 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.
OE1	Protection of the character and amenities of surrounding properties and the local area
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

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **22nd August 2011**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

The application has 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. 15 adjoining occupiers were consulted. One response has been received objecting on the grounds of increased noise and loss of privacy.

Eastcote Residents Association: No response.

Internal Consultees

URBAN DESIGN OFFICER:

COMMENTS: Although larger than the approved dwelling, no objections are raised to the proposed scheme.

TREE AND LANDSCAPE OFFICER:

The revised application is now supported by an updated Arboricultural Implications Assessment (AIA) dated 6 October 2011 (forwarded 12 October 2011).

This AIA document refers to the approved tree protection for the entire site, which is in place and will be retained or, if necessary, modified in accordance with the recommendations of BS 5837:2005, and confirms (clause 3.4) that all drainage and utility runs will be as per the approved scheme for the entire site, such that the retained and valuable trees on and close to the site will not be affected by the proposed development, which has already been redesigned to remove any indirect threat (due to shading and/or dominance) to those trees.

Subject to conditions TL2, TL3 (modified to require that the existing protective fencing on plot 314 is retained until all works are completed and the drains and utility runs for plot 314 must be implemented in accordance with the approved schemes for the RAF Eastcote site), the application is acceptable in terms of Saved Policy BE38 of the UDP.

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 application to vary the reserved matters approval, to allow for the a larger unit on 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. As such, no objections are raised to the principle of the development.

7.02 Density of the proposed development

The proposal will result in the provision of an additional 2 habitable rooms, but would not change the number of units or the unit mix in the overall development. The proposal will therefore not materially increase the density of housing on the wider development at the RAF Eastcote site. In addition, the proposed replacement unit will make a more sustainable use of this relatively large plot, in line with the objectives of national planning policy for sustainable residential development, set out in PPS1 and PPS3.

Given that good environmental conditions can be provided for surrounding and future occupiers, (issues of which are dealt with elsewhere in the report), the proposed density is considered appropriate in this case.

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 a 5 bedroom detached dwelling arranged over 2 1/2 floors. The previously approved dwelling on this plot was also a 2 1/2 storey detached house (house type 200D). Both the approved and proposed dwellings have generous side and rear gardens.

In terms of massing, the proposed dwelling will stand 200mm higher than the approved building but preserve its 2 1/2 storey character. In terms of siting the footprint of the proposed unit is only marginally larger than the approved unit and would maintain

adequate distances from the site boundaries.

The main differences between the proposed and approved dwellings are as follows:

The footprint of the main building will be largely unaltered. However the revised scheme would now include a two storey wing at the front (south) of the main building, comprising an attached double garage on the ground floor, with an en-suite master bedroom on the first floor. This would be located in an area previously shown as hard standing and a detached garage. The proposed garage and master bedroom wing will not stand higher than the roof line of the approved unit and will not extend beyond the line of the previously approved detached garage, which will no longer form part of this proposal. It is considered that the utilisation of the space between the main building and previously approved detached garage efficiently utilises the plot, increasing the floorspace of the dwelling without impacting adversely on the wider development and proposed streetscape.

2 car parking spaces would be maintained, while an additional 27m² of garden area would be created, as a result of the loss of the detached garage and minor modifications to the plot boundary with the adjacent plot 315. The adjacent plot 315 would still retain over 130m² of external private amenity space.

The north facing rear conservatory is now replaced by a single storey projection to serve as an enlarged kitchen/family room, with exactly the same footprint. This element of the proposal is considered acceptable, as it has been designed to integrate satisfactorily and is subservient to the main building. Similarly the first floor north facing balcony, modifications to fenestration and detailing are in keeping with the design features of adjoining house types. The Urban Design Officer raises no objections to the general design principles and it is considered that external materials can be controlled by condition, in order to achieve a high quality, functional and attractive design. Overall it is considered that the amended layout, design and landscaping of the revised scheme is in general accordance with the reserved matters approval.

In conclusion, it is considered that the proposal would respect the character of the local area and not detract from the internal character of the development. The proposal is therefore considered to be in compliance with Policies BE13 and BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.08 Impact on neighbours

OUTLOOK

In relation to outlook, Saved Policy BE21 of the UDP requires new residential developments to be designed so as to ensure adequate outlook for occupants of the site and surrounding properties.

The plot is located in the north eastern corner of the northern section of the former RAF Eastcote site and shares a common boundary with existing properties fronting Azalea Walk to the north and east. It is considered that the proposed unit on this plot would not have an adverse impact on the amenities of surrounding residents in terms of loss of privacy, outlook, daylight or sunlight.

The building would maintain a distance of approximately 12 metres from the northern boundary and 21 metres to 66a - 67 Azalia Walk, which front the application site beyond. This is a similar relationship with the approved dwelling on this plot. With regard to the

relationship with Nos.63-65 Azalia Walk, which back onto the application site to the east, although the proposed building would be slightly closer to the eastern boundary than the approved scheme, a distance of between 13 - 16 metres would be maintained to that boundary and a gap of between 34 to 38 metres would be maintained to those adjoining properties.

It is also noted that the proposed landscape scheme for the site is based on the retention of a dense belt of trees along the eastern boundary and new buffer tree planting to along the northern and north eastern boundaries. These important boundary screens are secured by condition on the approved scheme and these conditions could be rolled forward to the new scheme, to ensure retention and compliance.

Given the above factors, it is not considered that the siting, height and massing of the proposed building would result in an unacceptable impact in terms of outlook, on the occupiers of adjoining residents in Azalia Walk.

SUNLIGHT AND OVERSHADOWING

In relation to sunlight, Saved 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 also considered that given the distances and orientation, the proposal would not have an unacceptable impact on the level of daylight and sunlight to adjoining properties in Azalea Walk. Similarly, it is not considered development would result in an unacceptable impact on the future occupiers of the proposed plots to the west (plot 313) and south (plot 315).

PRIVACY

Saved Policy BE24 of the UDP 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.

Although additional first floor windows have been introduced to the eastern elevation facing Azalea Walk, the distance between habitable windows and private amenity areas to these adjoining dwellings complies with HDAS standards in terms of overlooking distances. In addition the retained and proposed tree planting will provide effective screening, while the proposed fencing to the individual plots would prevent overlooking and loss of privacy to adjoining residents from ground floor windows and amenity areas.

Overall, it is considered that the proposed dwelling 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

Saved Policy BE23 of the UDP 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 5 bedroom house is 100sq. metres.

The remaining garden areas of the plot will be over 300sq. m. This is in excess of the HDAS minimum amenity space requirements for a 5 bedroom house. The remaining garden area would therefore provide a generous space for outdoor family activities.

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.

In terms of the internal layout of the proposed dwelling, this will provide increased storage and circulation space and allow each of the bedrooms to benefit from en-suite bathroom facilities.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The detached garage and hard standing are to be replaced by an integral double garage. Adequate off street parking is therefore maintained, in accordance with Saved Policy AM14. There is ample space for the secure storage of bicycles, in accordance with Saved Policy AM9. There are no other 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 of this report.

7.12 Disabled access

The dwelling has been designed to meet the requirements of Part M of the Building Regulations and Lifetime Homes. There will be no impact on the approved scheme with regard to mobility through the site. The house has been designed to ensure easy passage by those with limited mobility, with access to the garden from the ground floor, 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

Although the proposed building would be slightly closer to the eastern boundary and the retained trees than the approved scheme, the building would not encroach on the root protection zones of the retained trees. In addition, the enlarged building would be sited on an area already approved for either building or hard standing. Similarly the proposed building would be sited no closer to the proposed tree planning at the northern end of the site than the approved scheme.

In terms of the potential shading from the retained trees, it is considered that the proposed unit will have access to satisfactory levels of light, as the eastern first floor bedroom and second floor media room are dual aspect. In addition there will still be generous portions of the garden which will not be shaded by the retained and proposed trees. It is therefore considered unlikely that there would be undue pressure to fell or lope the trees, which are protected in any event by legal agreement and conditions. In addition, it is not considered that the development would not prejudice the implementation of the approved landscaping scheme for the larger site.

The Tree and Landscape Officer considers that subject to conditions requiring the existing protective fencing on the plot to be retained until all works are completed and that the drains and utility runs should be implemented in accordance with the approved schemes for the RAF Eastcote site), the application is 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 larger unit on 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

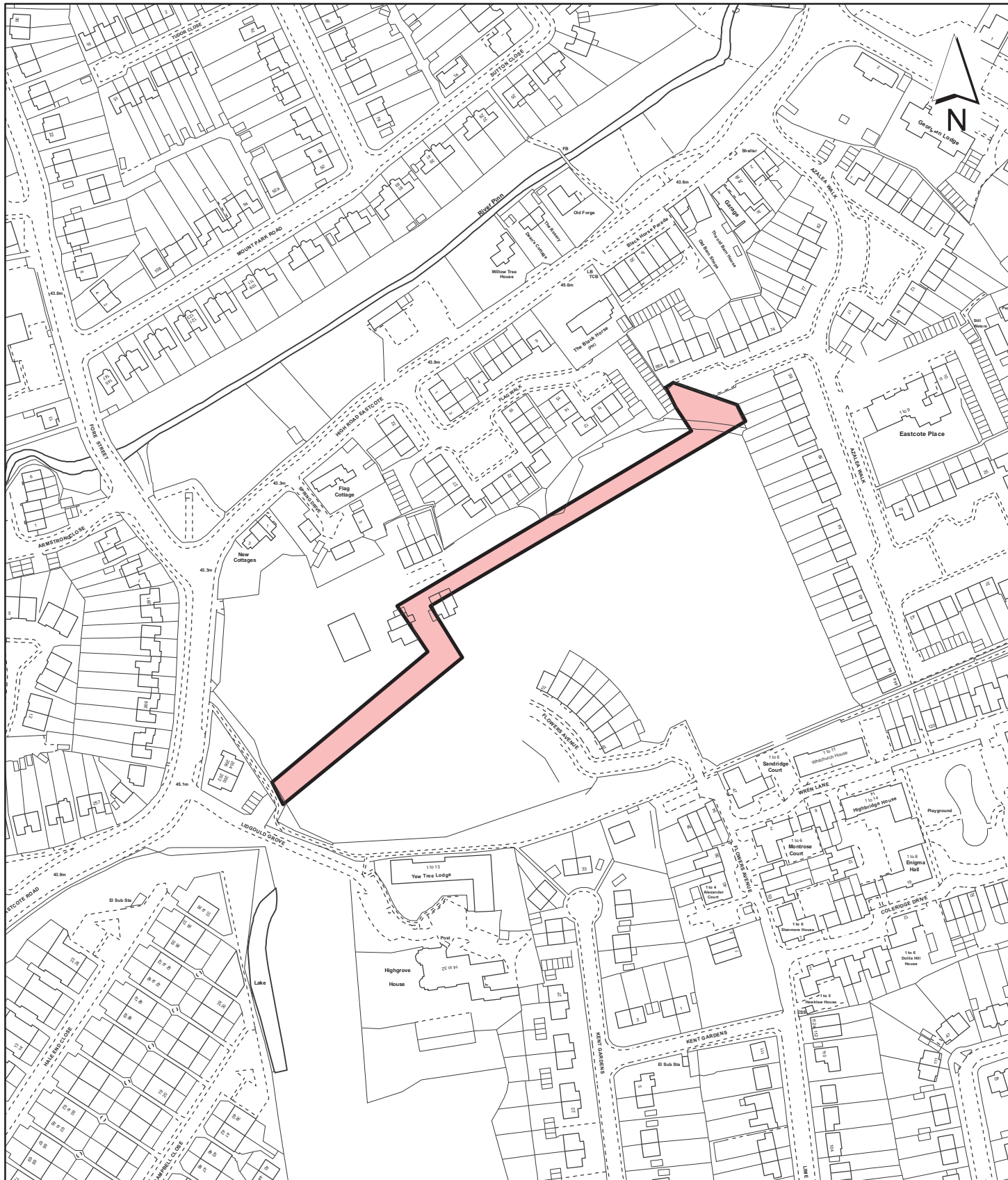
It is considered that the application to vary the reserved matters approval, to allow for a larger 5 bedroom unit on this plot would have only limited local impact on the immediate environment. The proposed scheme would be sympathetic to the character of the surrounding area, whilst creating good living conditions for future occupiers. The development would not result in unacceptable impacts on the amenities of neighbouring properties. 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
HDAS: Residential Extensions
Supplementary Planning Guidance Community Safety by Design

Contact Officer: Karl Dafe

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address	
Former RAF Eastcote Lime Grove Eastcote	
Planning Application Ref:	Scale
10189/APP/2011/1724	1:2,500
Planning Committee	Date
North Page 68	October 2011

**LONDON BOROUGH
OF HILLINGDON**
 Planning,
 Environment, Education
 & Community Services
 Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111



HILLINGDON
LONDON

Report of the Head of Planning & Enforcement Services

Address PYLON FARM NEWYEARS GREEN LANE HAREFIELD

Development: Variation of condition 1 of planning permission ref: 12579/APP/2006/673 dated 18/08/2006 to allow continued use of the land as an organic composting site. (Section 73 application)

LBH Ref Nos: 12579/APP/2011/1991

Drawing Nos: Planning Supporting Statement
001
002

Date Plans Received: 15/08/2011 **Date(s) of Amendment(s):**

Date Application Valid: 24/08/2011

1. SUMMARY

Planning permission is sought for the continued use of land at Pylon Farm as an organic composting site for a further temporary period of 12 months. Composting is a form of industrial use which is not normally considered appropriate in a Green Belt location. However, as Council policy aims to increase green waste recycling in line with the Government's Waste Strategy, it is considered that there are special circumstances to justify the continued use at this location, to the extent that the harm on the openness of the Green Belt has been outweighed. Therefore, even though the application is contrary to Saved Policy OL1 of the UDP, approval is recommended.

The activities would not be visually intrusive, increase the built up nature of the site, or harm the openness of the area, while the proposal is considered acceptable on highway safety grounds. Therefore approval is recommended.

2. RECOMMENDATION

APPROVAL subject to the following:

1 NONSC Non Standard Condition

The use hereby permitted shall be discontinued and the land restored to its former condition on or before one year from the date of this permission, in accordance with a scheme of work submitted to and approved by the Local Planning Authority.

REASON

1. It is not considered appropriate to grant a permanent permission for the use until its effect on the amenities of the locality has been assessed.
2. In order to comply with the terms of the application.
3. The proposal constitutes inappropriate development within the Green Belt.

2 TL7 Maintenance of Landscaped Areas

Within one month of the date of this permission a schedule of landscape maintenance for a minimum period of 1 year shall be 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 Saved Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 NONSC Non Standard Condition

Unless previously agreed in writing with the Local Planning Authority, there shall be no more than 52 HGV movements (26 in, 26 out) at the facility approved under planning permissions 39755/APP/2006/1446, 12579/APP/2011/1991, 12579/APP/2011/1992 and 39755/APP/2002/3026 in any one working day, involving a cumulative total (including the existing facilities) not exceeding a maximum 50,000 tonnes of waste input each year. Any temporary modification of the current restriction in HGV movements must be preceded by a written application to the Council providing information on: the source and volume of the material, the route between the source and the site, the maximum number of trips per day sought for that particular material and the planned duration of the extra number of trips

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties, to safeguard the amenity of the Green Belt and to ensure that pedestrian and vehicular safety is not prejudiced, in compliance with Policies OE1, OL1 and AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4 NONSC Non Standard Condition

The windrows shall not exceed 2.0 metres in height.

REASON

To protect the visual amenities of the Green Belt and Colne Valley Park, in compliance with Saved Policies OL5 and OL9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 NONSC Non Standard Condition

The stockpiles shall not exceed 3.0 metres in height.

REASON

To protect the visual amenities of the Green Belt and Colne Valley Park, in compliance with Policies OL5 and OL9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

6 NONSC Non Standard Condition

No machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site between 07:30 hours and 18:00 hours Mondays to Fridays, between 07:30 hours and hours 13:00 on Saturdays and at no time on Sundays and Bank Holidays.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

7 NONSC Non Standard Condition

All delivery and collection vehicles servicing the development hereby approved shall enter and depart the site using the eastern section of New Years Green Lane, via

Breakspear Road.

REASON

To safeguard the amenity of the Green Belt and to ensure that pedestrian and vehicular safety is not prejudiced, in compliance with policies OE1, OL1 and AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

8 NONSC Non Standard Condition

An odour suppression system shall be installed and maintained around the maturation site to mitigate odour emanating from the windrows.

REASON

To mitigate odour emanating from the windrows in compliance with Policy 7.14 of the London Plan (July 2011).

9 NONSC Non Standard Condition

The composting facility hereby approved shall be used only for the processing of organic biodegradable waste (excluding commercial food waste) and shall not be used for the processing or disposal of hazardous or toxic materials.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

10 NONSC Non Standard Condition

Within 1 month of grant of this planning permission (or other date as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

1. A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- potential contaminants associated with the current use
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2. A "monitoring and maintenance plan" for monitoring of potentially unacceptable pollutant linkages, as identified in the preliminary risk assessment. The plan shall include maintenance arrangements, contingency action and a scheme for reporting the monitoring results to the

Local Planning Authority. Any changes to these components require the express consent of the local

planning authority. The plan shall be implemented as approved.

REASON

Groundwater is very sensitive beneath the site and it is not known what the risk of pollution to groundwater posed by the site and by this activity would pose. Geology maps indicate there is some clay beneath the site but that this is likely to be thin. Consequently, there is limited natural protection for the Chalk Principal Aquifer beneath the clay, from which groundwater is abstracted.

The site lies within Inner Source Protection Zone (SPZ1) for a public water supply abstraction, so the groundwater beneath the site is a precious resource that must be

protected from pollution, in compliance with Policies 5.13 and 5.14 of the London Plan (July 2011).

11 NONSC Non Standard Condition

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority.

REASON

To protect the quality of the very sensitive groundwater beneath the site from pollution, in compliance with Policies 5.13 and 5.14 of the London Plan (July 2011).

INFORMATIVES

1 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).

2 I53 Compulsory Informative (2)

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

AM7	Consideration of traffic generated by proposed developments.
BE8	Planning applications for alteration or extension of listed buildings
MIN16	Waste recycling and disposal - encouragement of efficient and environmentally acceptable facilities
MIN18	Safeguarding of existing civic amenity and waste transfer sites
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
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL5	Development proposals adjacent to the Green Belt
OL9	Areas of Environmental Opportunity - condition and use of open land
LPP 5.13	(2011) Sustainable drainage
LPP 5.14	(2011) Water quality and wastewater infrastructure
LPP 5.16	(2011) Waste self-sufficiency
LPP 5.17	(2011) Waste capacity
LPP 7.14	(2011) Improving air quality
LPP 7.16	(2011) Green Belt
PPG13	Transport

PPG2	Green Belts
PPS1	Delivering Sustainable Development
PPS10	Planning for Sustainable Waste Management

3

You are reminded that this site is regulated through environmental permits, issued by the Environment Agency. You are advised to contact the Environment Agency for any future overarching planning application as early as possible, in order to identify any issues before an application is submitted. A number of additional reports may be required with the overarching application, such as surface water flood risk assessments, drainage scheme details and further ground and contamination investigations.

3. CONSIDERATIONS

3.1 Site and Locality

The West London Composting (WLC) Operational Facility is effectively divided into two operational areas off New Years Green Lane, with the existing compost maturation area (Pylon Farm) located on the northern side of the road and the waste reception and in-vessel facility located at Highview Farm on the southern side of the road.

The application relates to a part of Pylon Farm, located 2.5km to the South East of Harefield. The overall farm area, together with the adjoining Highway Farm is approximately 60 hectares in extent and falls within Hillingdon's designated Green Belt and the Colne Valley Park. The site is accessed from New Years Green Lane, a single track lane with passing places and links two distributor roads, Breakspear Road South and Harvil Road.

The nearest major residential area on the edge of Ruislip is approximately 1km to the east of the development site, although the site is in close proximity to a number of farms (St. Leonard's, Pylon, High View, Elm Tree) and small settlements including Newyears Green and Tile Kiln, which are also predominantly farming settlements. The site is located to the north of the air quality management area (AQMA) boundary, although it would be expected that vehicles associated with the proposal will use the A40, which is within the AQMA.

The WLC Harefield facility is licensed to accept up to 50,000 tonnes of waste per annum, of this material approximately 30,000 tonnes is processed into useable compost.

The maturation area is bounded to the north by an engineered drainage lagoon. A hedgerow and further vegetation have been planted on the northern and eastern edges of the site. site levels are typically 57m AOD.

The compost maturation area has been constructed from crushed concrete and subsequently coated with high specification heat resistant asphalt surface. The surface has been designed and constructed with engineered gradients for surface water management. The concrete apron slopes towards the engineered drainage lagoon, which has a capacity of 900m³ and has been designed to accommodate a worst case storm event.

3.2 Proposed Scheme

No changes are proposed to the physical characteristics of the maturation pad. Planning permission is sought to vary condition 1 of Planning consent 12579/APP/2006/673 dated 18th August 2006 to allow the continued use of the site for organic composting involving open windrows. The existing compost maturation area is approximately 74 x 127 metres (9,398 sq. metres).

Condition 1 of the planning consent states:

The use hereby permitted shall be discontinued and the land restored to its former condition on or before five years from the date of this permission, in accordance with a scheme of work submitted to and approved by the Local Planning Authority

The reason for including condition 1 of the Planning Consent was that:

It is not considered appropriate to grant a permanent permission for the use until its effect on the amenities of the locality has been assessed.

The requested variation of Condition 1 is set out below:

The use hereby permitted shall be discontinued on or before 17th August 2012, in accordance with a scheme of work submitted to and approved by the Local Planning Authority.

It is not considered necessary to treat this application as a departure from the development Plan, as the proposal merely seeks a temporary extension of time for operations that have already been considered by the Secretary of State. However, should an application be submitted for a permanent permission, to consolidate the various consents on the site, then such a scheme would be treated as a departure and referred to the Secretary of State and the Mayor of London (as appropriate) at that time.

3.3 Relevant Planning History

12579/APP/2006/1524 Land Adjacent To Compost Maturation Site Pylon Farm New Years G
CHANGE OF USE FROM LOW GRADE AGRICULTURAL LAND TO ALLOW THE
NORTHERN EXTENSION OF THE EXISTING COMPOST MATURATION FACILITY

Decision: 17-08-2006 Approved

12579/APP/2006/673 Pylon Farm Newyears Green Lane Harefield
VARIATION OF CONDITION 2 OF PLANNING PERMISSION REF. 2579/M/99/2048 DATED
13/09/2002 TO ALLOW CONTINUED USE OF THE LAND AS AN ORGANIC COMPOSTING
SITE.

Decision: 18-08-2006 Approved

12579/APP/2007/534 Land Adjacent To Compost Maturation Site At Pylon Farm New Years
RELOCATION OF EXISTING DRAINAGE LAGOON TO THE NORTHERN END OF THE SITE
TO FACILITATE IMPROVED MANAGEMENT OF THE SITE IN ACCORDANCE WITH
PLANNING PERMISSION 12579/APP/2006/1524 DATED 17-08-2006 'CHANGE OF USE
FROM LOW GRADE AGRICULTURAL LAND TO ALLOW THE NORTHERN EXTENSION OF
THE EXISTING COMPOST MATURATION FACILITY'

Decision: 24-05-2007 Approved

12579/M/99/2048 Land At Pylon Farm New Years Green Lane Harefield
CHANGE OF USE FROM AGRICULTURAL TO ORGANIC COMPOSTING SITE (INVOLVING
ERECTION OF FOUR 1.5 METRE HIGH DOME WINDROWS)

Decision: 13-09-2002 Approved

Comment on Relevant Planning History

The existing recycling facility is located on two sites and was the subject of separate planning applications. The facility involves the deposition of household green waste collected predominantly from the Local Waste Authority contractors. The composting process is carried out initially at High View Farm, where the incoming waste is received, sorted and shredded. The waste is then transferred to enclosed pods, incorporating ventilation and sprays. Once the initial processing is complete, the waste is transferred to the adjoining Pylon Farm (the subject of this application), to the north of New Years Green Lane, where it is deposited on tarmac aprons and formed into rows of material (windrows), where the material is turned during maturation. Relevant planning history of the application site is given below:

Pylon Farm

Planning permission was granted on 13 September 2002 for change of use from agriculture to organic composting site for open windrows (Ref:12579/M/99/2048). Since Council policy aims to increase green waste recycling, this was considered sufficient special circumstances to justify the use in this location, to the extent that the harm on the openness of the Green Belt had been outweighed. Therefore, even though the application was contrary to Green Belt policy, approval was recommended subject to a S106 Agreement to divert public footpath U36. Engineering and development of the compost maturation area (application site) commenced in May 2004 and the facility was opened to accept waste on 16th July 2004.

There are no restrictions governing the level of use on this site other than that the windrows shall not exceed 1.5 metres in height (condition 9). However, this permission was temporary until 6 May 2006.

In March 2004 it was established that engineering operations to level the land in preparation for laying of hard core and excavations for a drainage lagoon had extended some 80 metres to the north of the boundary of the approved site relating to the 2002 planning permission. The land owner agreed to reinstate all the land outside the application site to its original condition by filling in the excavated lagoon, furrowing the land and seeding to grass. He also agreed to limit the hard surface to the area shown on the approved drawings. A site visit was carried out in May 2004, when it was established that the remedial work to rectify the breach of planning control had been carried out.

On March 6th 2006 an application (Ref 12579/APP/2006/673) was submitted to allow the continued use of the original maturation area for a further five years and was granted. The permission expires on 17th August 2011.

On May 18th 2006 another application (ref:12579/APP/2006/ 1524) was granted on 18/8/2006 for increasing the size of the maturation area (to allow operations to become more efficient). The permission expired on 17 August 2011.

On 19th February 2007 an application Ref: 12579/APP/2007/534 submitted to relocate the drainage lagoon to the northern end of the site. The application was approved on 24/5/2007. The permission expires 16th August 2011.

4. Planning Policies and Standards

London Plan (July 2011)

- Policy 5.16 Waste Self Sufficiency; and
- Policy 5.17 Waste Capacity

UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
BE8	Planning applications for alteration or extension of listed buildings
MIN16	Waste recycling and disposal - encouragement of efficient and environmentally acceptable facilities
MIN18	Safeguarding of existing civic amenity and waste transfer sites
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
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL5	Development proposals adjacent to the Green Belt
OL9	Areas of Environmental Opportunity - condition and use of open land
LPP 5.13	(2011) Sustainable drainage
LPP 5.14	(2011) Water quality and wastewater infrastructure
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LPP 5.17	(2011) Waste capacity
LPP 7.14	(2011) Improving air quality
LPP 7.16	(2011) Green Belt
PPG13	Transport
PPG2	Green Belts
PPS1	Delivering Sustainable Development
PPS10	Planning for Sustainable Waste Management

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **16th September 2011**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

The application has been advertised as a development of a type likely to be of wider concern. 18 adjoining owner/occupiers have been notified. In addition, Harefield and Ruislip Residents Associations were notified. One letter has been received objecting to the application. The objections, from a local resident, are summarised below.

1. The area is considered to be 'green belt' and the composting facility is effectively an industrial site. This is not in line with the purpose and intention of creating the green belt at the first place. Should this application be approved, it will be used as a precedent by other garbage processing industrial companies. The area could become a polluting industrial area. A far cry from its original intended purpose.

2. During the time during which composting was allowed 'temporarily' there were incidents of stench and other pollution (smoke) in the area. The applicants have taken good care of this recently, but presumably at a financial cost to themselves. It is less likely that they will continue to take care in future should the permanent application (for composting site) be approved. I would recommend that the planning application is not approved permanently, but rather as an extension for a fixed number of years, at which point it may be extended again (for another fixed period) by the applicants. This way, the residents will be assured no pollution and stench will be generated by the composting facility.

3. We have seen large heavy lorries make their way to/from the site. The roads in the area (especially Breakspear Rd South and New Year's Lane) are not suitable for this kind of traffic. The roads are used also by cyclists and pedestrians (no pavement) and this is a serious risk of a potentially fatal accident. Should the composting site be allowed to continue to operate, they should be banned from using heavy vehicles (above 3.5 Tons) until the roads have been upgraded.

ENVIRONMENT AGENCY

We consider that permission to vary these conditions should only be granted if the planning conditions can be amended to include the elements as set out below. Without these elements, the proposed variations pose an unacceptable/unknown risk to the environment and we would wish to object to the applications.

A - Within 1 month of grant of this planning permission (or other date as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

1. A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- potential contaminants associated with the current use
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2. A "monitoring and maintenance plan" for monitoring of potentially unacceptable pollutant linkages, as identified in the preliminary risk assessment. The plan shall include maintenance arrangements, contingency action and a scheme for reporting the monitoring results to the

Local Planning Authority. Any changes to these components require the express consent of the local planning authority. The plan shall be implemented as approved.

B - On completion of the activities identified in the agreed monitoring and maintenance plan, a final report including the findings of the all the monitoring shall be submitted to and approved in writing by the local planning authority.

Reason for parts A and B - Groundwater is very sensitive beneath the site and we do not know the risk of pollution to groundwater posed by the site and by this activity. Our geology maps indicate there is some Clay beneath the site but that this is likely to be thin. Consequently, there is limited natural protection for the Chalk Principal Aquifer beneath the clay, from which groundwater is abstracted. The site lies within Inner Source Protection Zone (SPZ1) for a public water supply abstraction, so the groundwater beneath the site is a precious resource that must be protected from pollution.

C - No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority.

Reason: To protect the quality of the very sensitive groundwater beneath the site from pollution.

Environmental permits

Please be aware that we regulate this site through environmental permits. Please contact me if you need any further details on this. Future overarching planning application I recommend that the applicant contacts me for pre-application discussions for the full application as early as possible. This is currently a free service and will help to identify any issues before an application is submitted. A number of additional reports may be required with the overarching application, such as surface water flood risk assessments, drainage scheme details and further ground and contamination investigations.

HAREFIELD RESIDENTS ASSOCIATION: No response.

RUISLIP RESIDENTS ASSOCIATION: No response.

Internal Consultees

POLICY AND ENVIRONMENTAL PLANNING

1. Site

The proposal site is located approximately 2.5km south-east of the village of Harefield and 2km west of Ruislip. The site is accessed by New Years Green Lane, which links to the A4180. The site is located on land designated as Green Belt.

2. London Plan (adopted July 2011)

The London Plan strongly supports the protection, promotion and enhancement of London's open spaces and natural environments. Policy 7.16: Green Belt states that in terms of planning decisions:

The strongest protection should be given to London's Green Belt, in accordance with national guidance. Inappropriate development should be refused, except in very special circumstances. Development will be supported if it is appropriate and helps secure the objectives of improving the Green Belt as set out in national guidance.

3. Previous Applications

The existing uses on the site were established by 39755/APP/2002/3026. Condition 14 of 02/3026 requires that the activities on site are restricted to a maximum of 50,000 cumulative tonnes of waste processed on the site per year. (Reason: To safeguard Green Belt amenity).

A renewal of permission was granted on 18 August 2006, (ref.12579/APP/2006/673), condition 1 limits the use of the site for organic composting for five years with the following reason: it is not considered appropriate to grant a permanent permission for the use until its effects on the amenities of the locality has been assessed.

While, the application stipulates that no intensification of the waste processed on the site will occur, Officers will need to be certain that this is the case and that in allowing the application this will not result in the cumulative justification for a future application to increase the waste processed.

4. Main Policy Issues

Land-use

The site is located within designated Green Belt land. Under the terms of Policy OL1 development in the Green Belt is normally unacceptable unless it is agriculture, cemetery or recreation related. The existing site use for composting organic waste does not conform to the type of development allowed by Policy OL1.

In accordance with PPG2 very special circumstance need to exist to justify the inappropriate development in the Green Belt and that the harm is clearly outweighed by other considerations.

It is noted that the uses on the site promote the recycling of green waste, which at a Borough wide level is beneficial to Hillingdon. While this in isolation may not be a justification for approving the application, it can be a material consideration, to balance against the use being located within the Green Belt.

The existing use of the site for composting waste was granted planning permission for a period of 5 years. The Council policy aims to increase green waste were considered a sufficient special circumstance to justify the use in this location, to the extent that the harm on the openness of the Green Belt had been outweighed.

West London Waste Plan

The West London Waste Plan (WLWP) safeguards all waste facilities within its administrative area (The London Boroughs of Brent, Ealing, Harrow, Hillingdon, Hounslow and Richmond upon Thames) that have current planning permission for a waste activity. Those located in the Metropolitan Green Belt although safeguarded are not allocated for intensification as this does not align with national and regional policy, nor does it accord with the vision and objectives of the WLWP.

4. Conclusion

Whilst the use of the site is not appropriate within the Green Belt, the LDF Team have no specific objections to the renewal of planning permissions for a temporary period of one year.

ENVIRONMENTAL PROTECTION UNIT (EPU)

EPU does not have any objections to this proposal to extend the planning permission.

TRES AND LANDSCAPE OFFICER

LANDSCAPE CONTEXT: The site is occupied by an area of asphalt used to accommodate the

windrows of an organic organic composting operation. Situated within the Green Belt, the original proposal included woodland shelter planting around the perimeter to provide shelter and visual screening. There are no Tree Preservation Orders on, or close to, the site, nor does it fall within a designated Conservation Area.

PROPOSAL: The original proposal was granted a five year temporary permission. The current application is to allow the continued use of the land for a further 12 months.

LANDSCAPE CONSIDERATIONS: Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

- No trees or other landscape features will be affected by the development and the proposed new building will have little impact on views into the site, or the landscape setting.
- The management, maintenance and replacement planting (of any failed trees or shrubs) should continue in accordance with the previous approvals.

RECOMMENDATIONS: No objection, subject to the above considerations and condition TL7.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Of particular relevance is policy OL1 which states that agriculture, horticulture, nature conservation, open air recreation and cemeteries are the only open land uses which are acceptable in the Green Belt. Commercial composting, if it is not small scale or ancillary to a residential or farm use, is normally considered to be an industrial use, being a form of recycling, where waste undergoes a process that will break down the matter and be converted into useable material. In principle this type of use is to be encouraged (saved policy MIN 16) in an appropriate location. However, proposals for industrial and waste uses are not normally considered appropriate in a Green Belt location. The use of this site for composting is therefore contrary to Saved Policy OL1 of the UDP and constitutes inappropriate development within the Green Belt.

Planning Policy Guidance Note 2: Green Belts (PPG2) states that there is a general presumption against inappropriate development and the construction of new buildings within Green Belts. It goes on to state that: It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

With regard to Pylon Farm, the existing open composting, although contrary to Green Belt Policy, was considered to outweigh the harm to Green Belt objectives. National and local requirements to increase green waste recycling still apply and it is considered that this need continues to constitute the very special circumstances to justify inappropriate development. This policy justification is set out below.

Planning Policy Statement 10: Planning for Sustainable Waste Management (July 2005) states that the overall objective of the Governments Policy on waste is to protect human health and the environment by producing less waste and by using it as a resource wherever possible. PPS10 sets out the key planning objectives, decision making processes and advice on preparing Regional Spatial Strategies, Local development Documents and determining planning applications.

Annex E of PPS10 provides advice on the locational criteria for siting waste management facilities.

Key planning objectives are stated as including:

- help deliver sustainable development through driving waste management up the waste hierarchy, addressing waste as a resource and looking to disposal as the last option, but one which must be adequately catered for;
- provide a framework in which communities take more responsibility for their own waste and enable sufficient and timely provision of waste management facilities to meet the needs of their communities;
- help implement the national waste strategy; and supporting targets, are consistent with obligations required under European legislation and support and complement other guidance and legal controls such as those set out in the Environmental Permitting (England and Wales) Regulations 2007;
- help secure the recovery or disposal of waste without endangering human health and without harming the environment, and enable waste collection authorities, waste disposal authorities and business, and encourage competitiveness; and
- protect green belts but recognise the particular locational needs of some types of waste management facilities when defining detailed green belt boundaries, and, in determining planning applications, that these locational needs, together with the wider environmental and economic benefits of sustainable waste management, are material considerations that should be given sufficient weight in determining whether proposals should be given planning permission.

In this regard, it is noted that a composting facility on this scale requires large open areas not normally available in a more urban environment. Since the site is located within the Borough, it is considered that this is a sustainable location, as it satisfies the Government's proximity principle, whereby it is deemed environmentally beneficial to manage waste as close as possible to its point of origin.

DEFRA has also published the Government Review of Waste Policy in England in 2011. The strategy continues to provide a strong emphasis on waste prevention.

The consultation period for the West London Waste Plan Proposed Sites and Policies Document ended on 25th March 2011. A summary report on the consultation responses has now been published. Six west London Boroughs (Brent, Ealing, Harrow, Hillingdon, Hounslow and Richmond upon Thames) have joined together to plan for their future waste. The forthcoming West London Waste Plan (WLWP) will plan for all waste in the plan area up to 2026. It will identify sufficient sites to deal with this waste. The Plan will also contain policy to support site development and awareness of sustainable waste management. It will give priority to waste reduction, recycling and composting. However, it will still need to plan for disposal of waste in other ways. It is considered that the extension of time needed for the maturation area would be in compliance with the emerging Plan.

London Plan Policies 5.16 (Waste Self Sufficiency) and 5.17 (Waste Capacity) seek to reduce the amount of waste that arises in the first place. Where this is not possible, an approach based on the waste hierarchy that emphasises re-use, and then recycling and composting, before energy recovery and disposal is encouraged. The continuation of the maturation area is considered to be in accordance with the aforementioned policies.

UDP Saved Policy MIN16 encourages the provision and improvement of premises for efficient and environmentally acceptable recycling of waste and it is considered that the allowing the continuation of the use accords with this policy.

Saved Policy MIN18 of the UDP states that the Planning Authority will normally oppose the use of existing civic amenity and waste transfer sites for purposes unconnected with waste handling, treatment, recycling, energy recovery or allied activities, unless an

alternative facility is available offering the same or enhanced benefits and has a secure long-term future, or it can be demonstrated conclusively that the long-term changes in the nature and pattern of waste disposal have removed the long-term need for the civic amenity and/or waste transfer facility. Policy MIN18 as a safeguarding policy is considered to be applicable to the site, as it is used for the purpose of waste handling, treatment and recycling.

The applicant has also put forward a case for the need of the development. The applicant currently has contracts with 3 of the 6 constituent boroughs of the West London Waste Authority (West Waste) to accept green waste and household foodstuffs from kerbside and civic amenity collections. Contracts are held with London Borough of Hillingdon (LBH), London Borough of Harrow and the London Borough of Brent. Waste is accepted from another 2 constituent boroughs (London Borough of Richmond and London Borough of Ealing) on a non-contractual basis.

The maturation area is needed to ensure all composting activities can continue to operate in an environmentally acceptable manner. If this application is not allowed, there will be an immediate backlog of green waste and food waste at both a Local and Regional level, which will undoubtedly be disposed of at facilities lower down the Waste Hierarchy. If the maturation area permission is not extended for another year, the compost maturation area will be restored to its original low-quality agricultural grazing land-use and both the borough and the larger region of West London will lose a strategic facility, which is currently employed to assist no less than 5 London Boroughs, aimed at achieving sustainable waste management, in accordance with all levels of policy.

The applicant submits that this short term temporary extension for an existing approved operation will allow time to agree the steps required for a new permanent permission, which will bring all operations under the same cover. As the extension of time request is only for a further 12 months, a new application will need to be submitted imminently, to ensure the long-term security of all the operational elements that make up the site.

It is therefore considered that the reasons given above are the very special circumstances to justify continued temporary use of green waste recycling in this location, to the extent that the harm on the openness of the Green Belt has been outweighed. Therefore, even though the use is contrary to Policy OL1, approval is recommended for this application.

7.02 Density of the proposed development

Not applicable to this development.

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

Not applicable to this development.

7.04 Airport safeguarding

Not applicable to this development.

7.05 Impact on the green belt

The change of use from agricultural land to an open composting maturation site will involve granting of planning permission for a development within the Green Belt, Colne Valley Park and within proximity to nationally protected woodland. There is potential for long-term effects on biodiversity, landscape character, visual impacts on these areas and on the amenity of the Green Belt for its users.

There are no physical changes proposed as part of this application. Situated within the Green Belt, the original proposal included young woodland and hedgerow plantations to the north and west of the site, to provide shelter and visual screening. This planting was

required, in order to screen and mitigate the visual impact of the windrows when viewed from surrounding public footpaths. These existing hedgerows and field/hedgerow trees around the site are now established and will not be affected by the proposal. It is not considered that the continued temporary use would cause unacceptable landscape and visual impacts, in compliance with Saved Policies OL5 and BE38 of the UDP, subject to continued management of the planting around the site. This is secured by condition.

7.06 Environmental Impact

Environmental considerations relating to this application, namely air and ground water quality, have been addressed in the relevant sections of this report.

7.07 Impact on the character & appearance of the area

This issue has been dealt with at Section 7.07 above.

7.08 Impact on neighbours

The main impact on neighbours arising from the continued use of the composting facility relate to air quality and noise. These matters have been dealt with in relevant sections of this report.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Policies AM1, AM2, AM7, AM9, AM14 and AM15 of the UDP are concerned with traffic generation, road capacity, on-site parking, access to public transport and provisions for parking for people with disabilities. New Years Green Lane is unsuitable for HGV traffic for much of its length, due to the width of the road and further traffic increases ought to be discouraged. The applicants have already implemented measures to ensure that delivery and collection vehicles use only the short stretch of New Years Green Lane, between the site and Breakspear Road. These measures include site signage and profiling the junction to the access road to High View Farm, so that vehicles are physically prevented from turning towards Harvil Road. In addition, operators are informed of the preferred route for all vehicles entering and leaving the site. These measures have been secured by conditions on the previous consent and have been incorporated into the Waste Management Licence, issued by the Environment Agency.

Allowing the development to continue for another 12 months under the same parameters as the existing permission will have a negligible impact on the surrounding highway as there is no proposal to increase the volume of waste material being accepted at the site and no new trips have been identified. The existing safety record of the highway has been reviewed and it has been concluded that there is no pattern of accidents that is suggestive of a highway layout deficiency that leads to unacceptable safety risks.

Consequently, allowing the development for another 12 months is considered acceptable from a highway safety perspective. The Highway Engineer therefore raises no objections to this application, subject to limiting the total amount of through put to 50,000 tonnes of waste per year. It is recommended that the condition controlling the amount of waste that can be received in the site be rolled forward, in the event of an approval.

7.11 Urban design, access and security

There are no urban design issues associated with this application.

7.12 Disabled access

There are no disabled access issues associated with this application.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

LANDSCAPING: The young woodland and hedgerow plantations to the north and west of the site which were planted as part of the original scheme are now well established. It is considered that the maturation area benefits from good screening on all boundaries. No landscape or visual effects have been identified by allowing the continuation of the maturation area for a further 12 months.

The tree and Landscape Officer advises that the management, maintenance and replacement planting of any failed trees or shrubs should continue in accordance with the previous approvals. Subject to compliance with landscape conditions, the development is considered to comply with Saved Policy BE38 of the UDP.

ECOLOGY: The applicant originally provided a detailed Ecological Appraisal of the site, which established that there are no protected species on the site. No increase in development is proposed and no ecological issues have been identified by allowing the continuation of the maturation area for a further 12 months. It is therefore considered that the scheme will not have an adverse impact on ecology and nature conservation in the area, in accordance with Saved Policies EC1 and EC3 of the UDP.

7.15 Sustainable waste management

This is an application for the continued use of a composting facility, which will help deliver sustainable development through driving waste management up the waste hierarchy, addressing waste as a resource.

7.16 Renewable energy / Sustainability

This is an application for the continued use of a composting facility, which will help deliver sustainable development through driving waste management up the waste hierarchy, addressing waste as a resource.

7.17 Flooding or Drainage Issues

The applicants submit that potential environmental impacts associated with allowing the maturation area to continue for a further 12 months are considered to be negligible, as no operations are proposed to change at the site. There will be no increased rate of runoff from the maturation area as it is not increasing, so no flooding is expected. However, the Environment Agency notes that groundwater beneath the site is very sensitive and it is not clear what the risk of pollution to groundwater posed by the site and by this activity would be. The Agency points out that there is limited natural protection for the aquifer beneath the site from which groundwater is abstracted. Given that the site lies within Inner Source Protection Zone (SPZ1) for a public water supply abstraction, ground water beneath the site is a precious resource that must be protected from pollution.

There is therefore a potential for leachates to pollute groundwater quality. The potential effects are likely to become more significant with a longer exposure period to pollution. The Environment Agency has therefore requested conditions requiring a scheme to deal with the risks associated with contamination of the site. The Agency has specified that this should include a preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- potential contaminants associated with the current use
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

In addition, the Environment Agency has recommended a condition requiring a monitoring and maintenance plan for monitoring of potentially unacceptable pollutant linkages, as identified in the preliminary risk assessment. The plan shall include maintenance arrangements, contingency action and a scheme for reporting the monitoring results to the

Local Planning Authority. On completion of the activities identified in the agreed monitoring and maintenance plan, a final report including the findings of the all the monitoring should be submitted to and approved in writing by the local planning authority.

The Environment Agency further advise that a number of additional reports may be required with the overarching application, such as surface water flood risk assessments, drainage scheme details and further ground and contamination investigations. The applicants have been advised of this likely requirement by way of an informative.

Subject to the above mentioned conditions to protect ground water quality in the area being imposed and discharged, it is considered that the continued use of the facility for an additional 12 month period would not compromise the statutory functions of the Environment Agency, the risk of flooding will be minimised and the quality of the water environment will be protected, in compliance with Policies OE7 and OE8 of the Hillingdon Unitary development Plan Saved Policies (September 2007) and Policy 5.14 of the London Plan (July 2011).

7.18 Noise or Air Quality Issues

AIR QUALITY: In terms of air quality, during 2005 a significant volume of odour complaints from the residents of neighbouring residential developments in the Ruislip and Harefield area were received by the Environment Agency (EA) and the Council's Environmental Protection Unit (EPU). The odours were attributed to two composting facilities, one of which was West London Composting (the application site). Approximately 100 odour complaints were received by the EA during this period.

There were 25 odour complaints to the Council's EPU in 2005, 22 in 2006, 20 in 2007, 56 in 2008, 17 in 2009, 6 in 2010 and 1 this year. It is noted that effective from 6th April 2008 the new Environmental Permitting Regulations 2007 requires regulated waste sites such as this to hold an Environmental Permit, in place of the former Waste Management Licence. Critically, this legislation ended local authority powers under the Environmental Protection Act 1990 to take action for statutory nuisance against regulated waste sites. The intention was to remove the 'double jeopardy' for operators that had existed under Waste Management Licences. As a result, the Environment Agency is effectively the sole regulator and members of the public are advised to contact them directly. Therefore complaints to the Council's Environmental Protection Unit would reflect this in recent years from 2009, 2010 and the current calendar year to date. 2008 was when the expansion of vessels came online and there were some teething problems with the operation.

In 2006, the applicant produced an action plan, which included a number of measures to improve the operations at the composting facility, in order to mitigate the air quality (odour) issue, which can be summarised as follows:

1. Construction of odour suppression systems
2. Commercial food waste not to be accepted
3. Diversion of waste streams at peak periods to prevent stockpiles
4. Adequate maintenance of systems
5. Increase timescales for upstream composting process, before material reaches the windrows. (This required additional in vessel composting modules at Highview Farm).
6. Increasing the area for composting at Pylon Farm in order to move the activity to a less sensitive area.

All these measures have been put in place, allowing the composting process to be lengthened, thereby discouraging the formation of malodorous substances. The increasing of the number of vessel clamps has enabled a more stable compost before it is

transported to the open maturation area (Pylon Farm). A more stable compost at this stage has led to less odour being produced during the maturation process. Since these measures have been put in place the number of odour complaints have significantly reduced.

EPU recommended a number of conditions in connection with the open maturation site, in order to ensure that the odour mitigation measures are effective as possible. These included a requirement that an odour suppression system is installed around the proposed extended maturation site, to mitigate odour emanating from the windrows. Conditions were also recommended to ensure that the total quantity of waste accepted at the site per year shall not exceed the 50,000 tonnes currently allowed and prohibiting composting of commercial food waste. In addition conditions were recommended to ensure the screening operation is to be located away from sensitive receptors (adjacent farm buildings along New Years Green Lane), while the hours of operation were to be controlled. It is recommended that these conditions be re-imposed in the event that a further 12 month temporary permission is granted.

Given these safeguards, and provided the applicant adheres to the conditions recommended above, it is anticipated that these measures will reduce the risk of odour release, thereby safeguarding the residential amenity of the occupiers of adjoining and nearby properties, in accordance with Policy OE6 of the UDP.

Notwithstanding the above, it is acknowledged that this composting process is ground breaking technology and there remains some uncertainty surrounding the effectiveness of the improved management of the facility to reduce the potential for creating offsite odours. DEFRA has recently commissioned research into the risks to health from bio-aerosols generated during composting operations to reduce uncertainties in the level of risk posed by bio-aerosols and odours at composting sites. This will help to ensure that regulatory requirements applied to businesses, and the ways compliance is assessed and secured, are based on best available evidence

It is therefore recommended that a further 1 year temporary permission be granted for the continued use of the existing open maturation site. This will allow the Council to continue to monitor the site and assess the impact on the amenities of the locality.

NOISE: No increase in noise would be generated from allowing the maturation area to be in place for a further 12 months, as no additional physical operations are proposed.

7.19 Comments on Public Consultations

The issues raised have been covered in the main report.

7.20 Planning Obligations

There are no planning obligations relating specifically to this proposal.

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 application.

8. Observations of the Borough Solicitor

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

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

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

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

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

10. CONCLUSION

It is considered that national and local requirements to increase green waste recycling constitute the very special circumstances to justify the continued use of the maturation site. These circumstances are considered to outweigh the fact that the proposals are inappropriate development in the Green Belt. It is not considered that the visual amenities or the open character of the Green Belt would be adversely affected by the continued temporary use.

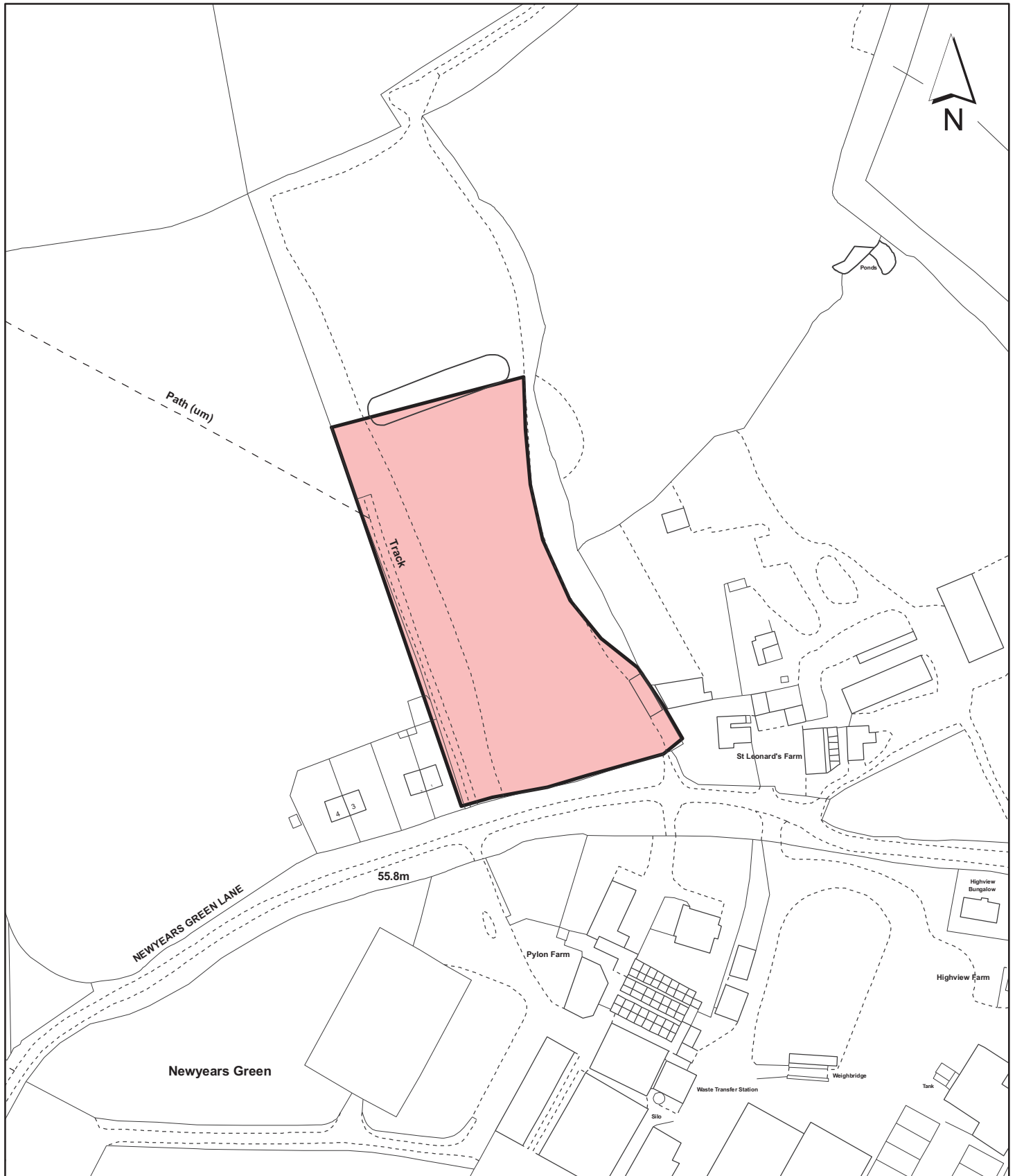
It is recommended that a further 1 year temporary permission be granted for the continued use of the existing open maturation site. This will allow the Council the opportunity to monitor the site and assess the effectiveness of these measures on the amenities of the locality. It is not considered that the scheme will have an adverse impact on ecology and nature conservation in the area, or on the highway network. On this basis approval is recommended.

11. Reference Documents

Planning Policy Guidance Note 2: Green Belts
Planning Policy Statement 1: Delivering Sustainable Development
Planning and Climate Change (2007) supplement to PPS 1
Planning Policy Statement 10: Planning for Sustainable Waste Management
Government Review of Waste Policy in England 2011
The London Plan (July 2011)
London Borough of Hillingdon Unitary Development Plan Saved Policies (September 2007)

Contact Officer: Karl Dafe

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address

**Pylon Farm
Newyears Green Lane
Harefield**

**LONDON BOROUGH
OF HILLINGDON
Planning,
Environment, Education
& Community Services**

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

Planning Application Ref:

12579/APP/2011/1991

Scale

1:2,000

Planning Committee

North Page 88

Date

**October
2011**



HILLINGDON
LONDON

Report of the Head of Planning & Enforcement Services

Address LAND ADJACENT TO COMPOST MATURATION SITE AT PYLON FARM
NEWYEARS GREEN LANE HAREFIELD

Development: Variation of condition 2 of planning permission ref: 12579/APP/2006/1524 dated 18/08/2006 to allow the continued use of the land as an organic composting site for a period of 12 months. (Section 73)

LBH Ref Nos: 12579/APP/2011/1992

Drawing Nos: Planning Supporting Statement
001
002

Date Plans Received: 15/08/2011 **Date(s) of Amendment(s):**

Date Application Valid: 24/08/2011

1. SUMMARY

Planning permission is sought for the continued use of the compost maturation extension area at Pylon Farm as an organic composting site for a further temporary period of 12 months. Composting is a form of industrial use which is not normally considered appropriate in a Green Belt location. However, as Council policy aims to increase green waste recycling in line with the Government's Waste Strategy, it is considered that there are special circumstances to justify the continued use at this location, to the extent that the harm on the openness of the Green Belt has been outweighed. Therefore, even though the application is contrary to Saved Policy OL1 of the UDP, approval is recommended.

The activities would not be visually intrusive, increase the built up nature of the site, or harm the openness of the area, while the proposal is considered acceptable on highway safety grounds. Therefore approval is recommended.

2. RECOMMENDATION

APPROVAL subject to the following:

1 NONSC Non Standard Condition

The use hereby permitted shall be discontinued and the land restored to its former condition on or before one year from the date of this permission, in accordance with a scheme of work submitted to and approved by the Local Planning Authority.

REASON

1. It is not considered appropriate to grant a permanent permission for the use until its effect on the amenities of the locality has been assessed.
2. In order to comply with the terms of the application.
3. The proposal constitutes inappropriate development within the Green Belt.

2 TL7 Maintenance of Landscaped Areas

Within one month of the date of this permission a schedule of landscape maintenance for a minimum period of 1 year shall be 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 Saved Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 NONSC Non Standard Condition

Unless previously agreed in writing with the Local Planning Authority, there shall be no more than 52 HGV movements (26 in, 26 out) at the facility approved under planning permissions 39755/APP/2006/1446, 12579/APP/2011/1991, 12579/APP/2011/1992 and 39755/APP/2002/3026 in any one working day, involving a cumulative total (including the existing facilities) not exceeding a maximum 50,000 tonnes of waste input each year. Any temporary modification of the current restriction in HGV movements must be preceded by a written application to the Council providing information on: the source and volume of the material the route between the source and the site the maximum number of trips per day sought for that particular material the planned duration of the extra number of trips

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties, to safeguard the amenity of the Green Belt and to ensure that pedestrian and vehicular safety is not prejudiced, in compliance with Policies OE1, OL1 and AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4 NONSC Non Standard Condition

The windrows shall not exceed 2.0 metres in height.

REASON

To protect the visual amenities of the Green Belt and Colne Valley Park, in compliance with Saved Policies OL5 and OL9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 NONSC Non Standard Condition

The stockpiles shall not exceed 3.0 metres in height.

REASON

To protect the visual amenities of the Green Belt and Colne Valley Park, in compliance with Policies OL5 and OL9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

6 NONSC Non Standard Condition

No machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site between 07:30 hours and 18:00 hours Mondays to Fridays, between 07:30 hours and hours 13:00 on Saturdays and at no time on Sundays and Bank Holidays.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

7 NONSC Non Standard Condition

All delivery and collection vehicles servicing the development hereby approved shall enter and depart the site using the eastern section of New Years Green Lane, via Breakspear Road.

REASON

To safeguard the amenity of the Green Belt and to ensure that pedestrian and vehicular safety is not prejudiced, in compliance with policies OE1, OL1 and AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

8 NONSC Non Standard Condition

An odour suppression system shall be installed and maintained around the maturation site to mitigate odour emanating from the windrows.

REASON

To mitigate odour emanating from the windrows in compliance with Policy 7.14 of the London Plan (July 2011).

9 NONSC Non Standard Condition

The composting facility hereby approved shall be used only for the processing of organic biodegradable waste (excluding commercial food waste) and shall not be used for the processing or disposal of hazardous or toxic materials.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

10 NONSC Non Standard Condition

Within 1 month of grant of this planning permission (or other date as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

1. A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- potential contaminants associated with the current use
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2. A "monitoring and maintenance plan" for monitoring of potentially unacceptable pollutant linkages, as identified in the preliminary risk assessment. The plan shall include maintenance arrangements, contingency action and a scheme for reporting the monitoring results to the

Local Planning Authority. Any changes to these components require the express consent of the local

planning authority. The plan shall be implemented as approved.

REASON

Groundwater is very sensitive beneath the site and it is not known what the risk of pollution to groundwater posed by the site and by this activity would pose. Geology maps indicate there is some clay beneath the site but that this is likely to be thin. Consequently, there is limited natural protection for the Chalk Principal Aquifer beneath the clay, from which groundwater is abstracted. The site lies within Inner Source Protection Zone

(SPZ1) for a public water supply abstraction, so the groundwater beneath the site is a precious resource that must be protected from pollution, in compliance with Policies 5.13 and 5.14 of the London Plan (July 2011).

11 NONSC Non Standard Condition

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority.

REASON

To protect the quality of the very sensitive groundwater beneath the site from pollution, in compliance with Policies 5.13 and 5.14 of the London Plan (July 2011).

INFORMATIVES

1 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).

2 I53 Compulsory Informative (2)

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

AM7	Consideration of traffic generated by proposed developments.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
MIN16	Waste recycling and disposal - encouragement of efficient and environmentally acceptable facilities
MIN17	Proposals for concrete crushing/soil screening plants
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
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL5	Development proposals adjacent to the Green Belt
OL9	Areas of Environmental Opportunity - condition and use of open land
LPP 5.13	(2011) Sustainable drainage
LPP 5.14	(2011) Water quality and wastewater infrastructure
LPP 5.16	(2011) Waste self-sufficiency
LPP 5.17	(2011) Waste capacity
LPP 7.14	(2011) Improving air quality (2011) Green Belt

LPP 7.16	
PPG13	Transport
PPG2	Green Belts
PPS1	Delivering Sustainable Development
PPS1-A	Planning and Climate Change - Supplement to Planning Policy Statement 1
PPS10	Planning for Sustainable Waste Management
PPS9	Biodiversity and Geological Conservation

3

You are reminded that this site is regulated through environmental permits, issued by the Environment Agency. You are advised to contact the Environment Agency for any future overarching planning application as early as possible, in order to identify any issues before an application is submitted. A number of additional reports may be required with the overarching application, such as surface water flood risk assessments, drainage scheme details and further ground and contamination investigations.

3. CONSIDERATIONS

3.1 Site and Locality

The West London Composting (WLC) facility is effectively divided into two operational areas off New Years Green Lane, with the existing compost maturation area (Pylon Farm) located on the northern side of the road, and the waste reception and in-vessel facility located at Highview Farm on the southern side of the road.

This application relates to the northern part of the compost maturation area approximately 70 x 90 metres (6,300 sq. metres) in extent, which forms an extension to the original maturation site, at Pylon Farm. The site is located 2.5km to the South East of Harefield. The overall farm area, together with the adjoining Highway Farm is approximately 60 hectares in extent and falls within the Green Belt and the Colne Valley Park. The site is accessed from New Years Green Lane, a single track lane with passing places and links two distributor roads, Breakspear Road South and Harvil Road.

The nearest major residential area on the edge of Ruislip is approximately 1km to the east of the development site, although the site is in close proximity to a number of farms (St. Leonard's, Pylon, High View, Elm Tree) and small settlements including New Years Green and Tile Kiln, which are also predominantly farming settlements. The site is located to the north of the air quality management area (AQMA) boundary, although it would be expected that vehicles associated with the proposal will use the A40, which is within the AQMA.

The WLC facility is licensed to accept up to 50,000 tonnes of waste per annum, of this material approximately 30,000 tonnes is processed into useable compost.

The maturation area is bounded to the north by an engineered drainage lagoon. A hedgerow and further vegetation have been planted on the northern and western edges of the site. Site levels are typically 57m AOD.

The compost maturation extension area, in common with the original maturation site has been constructed from crushed concrete and subsequently coated with a high specification heat resistant asphalt surface. The surface has been designed and

constructed with engineered gradients for surface water management. The concrete apron slopes towards the engineered drainage lagoon, which has a capacity of 900m³ and has been designed to accommodate a worst case storm event.

3.2 Proposed Scheme

No changes are proposed to the physical characteristics of the maturation pad extension. Planning permission is sought to vary condition 2 of Planning consent 12579/APP/2006/1524 dated 18th August 2006 to allow the continued use of this additional area for organic composting involving open windrows. Condition 2 of the planning consent states:

The use hereby permitted shall be discontinued and the land restored to its former condition on or before five years from the date of this permission, in accordance with a scheme of work submitted to and approved by the Local Planning Authority

The reason for including condition 2 of the Planning Consent was:

It is not considered appropriate to grant a permanent permission for the use until its effect on the amenities of the locality has been assessed.

The requested variation of Condition 2 is set out below:

The use hereby permitted shall be discontinued on or before 17th August 2012, in accordance with a scheme of work submitted to and approved by the Local Planning Authority.

It is not considered necessary to treat this application as a departure from the Development Plan, as the proposal merely seeks a temporary extension of time for operations that have already been considered by the Secretary of State. However, should an application be submitted for a permanent permission, to consolidate the various consents on the site, then such a scheme would be treated as a departure and referred to the Secretary of State and the Mayor of London (as appropriate) at that time.

Separate applications to allow the continued use of the original maturation site area and the associated drainage lagoon are also included on this agenda.

3.3 Relevant Planning History

12579/APP/2006/1524 Land Adjacent To Compost Maturation Site Pylon Farm New Years Green
CHANGE OF USE FROM LOW GRADE AGRICULTURAL LAND TO ALLOW THE
NORTHERN EXTENSION OF THE EXISTING COMPOST MATURATION FACILITY

Decision: 17-08-2006 Approved

Comment on Relevant Planning History

The existing recycling facility is located on two sites and was the subject of separate planning applications. The facility involves the deposition of household green waste collected predominantly from the Local Waste Authority contractors. The composting process is carried out initially at High View Farm, where the incoming waste is received, sorted and shredded. The waste is then transferred to enclosed pods, incorporating ventilation and sprays. Once the initial processing is complete, the waste is transferred to the adjoining Pylon Farm (the subject of this application), to the north of New Years Green

Lane, where it is deposited on tarmac aprons and formed into rows of material (windrows), where the material is turned during maturation. Relevant planning history of the application site is given below:

Pylon Farm

Planning permission was granted on 13 September 2002 for change of use from agriculture to an organic composting site for open windrows (Ref:12579/M/99/2048). Since Council policy aims to increase green waste recycling, this was considered sufficient special circumstances to justify the use in this location, to the extent that the harm on the openness of the Green Belt had been outweighed. Therefore, even though the application was contrary to Green Belt policy, approval was recommended subject to a S106 Agreement to divert public footpath U36. Engineering and development of the compost maturation area commenced in May 2004 and the facility was opened to accept waste on 16th July 2004.

There are no restrictions governing the level of use on this site other than that the windrows shall not exceed 1.5 metres in height (condition 9). However, this permission was temporary until 6 May 2006.

On March 6th 2006 an application (Ref 12579/APP/2006/673) was submitted to allow the continued use of the original maturation area for a further five years. This application was granted. The permission expired on 17th August 2011. An application to renew this permission is included elsewhere on this agenda.

With regard to the extended area subject to this application, in March 2004 it was established that engineering operations to level the land in preparation for laying of hard core and excavations for a drainage lagoon had extended some 80 metres to the north of the boundary of the approved site relating to the 2002 planning permission. The land owner agreed to reinstate all the land outside the application site to its original condition by filling in the excavated lagoon, furrowing the land and seeding to grass. He also agreed to limit the hard surface to the area shown on the approved drawings. A site visit was carried out in May 2004, when it was established that the remedial work to rectify the breach of planning control had been carried out.

Application (ref:12579/APP/2006/1524) was granted on 18/8/2006 for a temporary 5 year change of use from low grade agricultural land, to allow the northern extension of the existing composting maturation facility. This was in order to allow operations to become more efficient. The permission expired on 17 August 2011.

On 19th February 2007 an application Ref: 12579/APP/2007/534 submitted to relocate the drainage lagoon to the northern end of the site. The application was approved on 24/5/2007. The permission expired 16th August 2011.

4. Planning Policies and Standards

London Plan (July 2011)

- Policy 5.16 Waste Self Sufficiency; and
- Policy 5.17 Waste Capacity

UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
MIN16	Waste recycling and disposal - encouragement of efficient and environmentally acceptable facilities
MIN17	Proposals for concrete crushing/soil screening plants
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
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL5	Development proposals adjacent to the Green Belt
OL9	Areas of Environmental Opportunity - condition and use of open land
LPP 5.13	(2011) Sustainable drainage
LPP 5.14	(2011) Water quality and wastewater infrastructure
LPP 5.16	(2011) Waste self-sufficiency
LPP 5.17	(2011) Waste capacity
LPP 7.14	(2011) Improving air quality
LPP 7.16	(2011) Green Belt
PPG13	Transport
PPG2	Green Belts
PPS1	Delivering Sustainable Development
PPS1-A	Planning and Climate Change - Supplement to Planning Policy Statement 1
PPS10	Planning for Sustainable Waste Management
PPS9	Biodiversity and Geological Conservation

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **16th September 2011**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

The application has been advertised as a development of a type likely to be of wider concern. 18 adjoining owner/occupiers have been notified. In addition, Harefield and Ruislip Residents Associations were notified. No responses have been received.

ENVIRONMENT AGENCY

We consider that permission to vary these conditions should only be granted if the planning conditions can be amended to include the elements as set out below. Without these elements, the proposed variations pose an unacceptable/unknown risk to the environment and we would wish to object to the applications.

A - Within 1 month of grant of this planning permission (or other date as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

1. A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- potential contaminants associated with the current use
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2. A "monitoring and maintenance plan" for monitoring of potentially unacceptable pollutant linkages, as identified in the preliminary risk assessment. The plan shall include maintenance arrangements, contingency action and a scheme for reporting the monitoring results to the Local Planning Authority. Any changes to these components require the express consent of the local planning authority. The plan shall be implemented as approved.

B - On completion of the activities identified in the agreed monitoring and maintenance plan, a final report including the findings of the all the monitoring shall be submitted to and approved in writing by the local planning authority.

Reason for parts A and B: Groundwater is very sensitive beneath the site and we do not know the risk of pollution to groundwater posed by the site and by this activity. Our geology maps indicate there is some Clay beneath the site but that this is likely to be thin. Consequently, there is limited natural protection for the Chalk Principal Aquifer beneath the clay, from which groundwater is abstracted. The site lies within Inner Source Protection Zone (SPZ1) for a public water supply abstraction, so the groundwater beneath the site is a precious resource that must be protected from pollution.

C - No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority.

Reason: To protect the quality of the very sensitive groundwater beneath the site from pollution.

Environmental permits

Please be aware that we regulate this site through environmental permits. Please contact me if you need any further details on this. Future overarching planning application I recommend that the applicant contacts me for pre-application discussions for the full application as early as possible. This is currently a free service and will help to identify any issues before an application is submitted. A number of additional reports may be required with the overarching application, such as surface water flood risk assessments, drainage scheme details and further ground and contamination investigations.

NATURAL ENGLAND

Since there are no significant changes proposed to the scheme, no increased build, footprint, land take or operational procedures, Natural England would not wish to offer any substantive comments.

Natural England would not offer any objections to this 12 month extension, should the Council wish to approve it.

HAREFIELD RESIDENTS ASSOCIATION: No response.

RUISLIP RESIDENTS ASSOCIATION: No response.

Internal Consultees

POLICY AND ENVIRONMENTAL PLANNING

1. Site

The proposal site is located approximately 2.5km south-east of the village of Harefield and 2km west of Ruislip. The site is accessed by New Years Green Lane, which links to the A4180. The site is located on land designated as Green Belt.

2. London Plan (adopted July 2011)

The London Plan strongly supports the protection, promotion and enhancement of London's open spaces and natural environments. Policy 7.16: Green Belt states that in terms of planning decisions:

The strongest protection should be given to London's Green Belt, in accordance with national guidance. Inappropriate development should be refused, except in very special circumstances. Development will be supported if it is appropriate and helps secure the objectives of improving the Green Belt as set out in national guidance.

3. Previous Applications

The existing uses on the site were established by 39755/APP/2002/3026. Condition 14 of 02/3026 requires that the activities on site are restricted to a maximum of 50,000 cumulative tonnes of waste processed on the site per year. (Reason: To safeguard Green Belt amenity).

A renewal of permission was granted on 18 August 2006, (ref.12579/APP/2006/673), condition 1 limits the use of the site for organic composting for five years with the following reason: it is not considered appropriate to grant a permanent permission for the use until its effects on the amenities of the locality has been assessed.

While, the application stipulates that no intensification of the waste processed on the site will occur, Officers will need to be certain that this is the case and that in allowing the application this will not result in the cumulative justification for a future application to increase the waste processed.

4. Main Policy Issues

Land-use

The site is located within designated Green Belt land. Under the terms of Policy OL1 development in the Green Belt is normally unacceptable unless it is agriculture, cemetery or recreation related. The existing site use for composting organic waste does not conform to the type of development allowed by Policy OL1.

In accordance with PPG2 very special circumstance need to exist to justify the inappropriate development in the Green Belt and that the harm is clearly outweighed by other considerations.

It is noted that the uses on the site promote the recycling of green waste, which at a Borough wide level is beneficial to Hillingdon. While this in isolation may not be a justification for approving the

application, it can be a material consideration, to balance against the use being located within the Green Belt.

The existing use of the site for composting waste was granted planning permission for a period of 5 years. The Council policy aims to increase green waste were considered a sufficient special circumstance to justify the use in this location, to the extent that the harm on the openness of the Green Belt had been outweighed.

West London Waste Plan

The West London Waste Plan (WLWP) safeguards all waste facilities within its administrative area (The London Boroughs of Brent, Ealing, Harrow, Hillingdon, Hounslow and Richmond upon Thames) that have current planning permission for a waste activity. Those located in the Metropolitan Green Belt although safeguarded are not allocated for intensification as this does not align with national and regional policy, nor does it accord with the vision and objectives of the WLWP.

4. Conclusion

Whilst the use of the site is not appropriate within the Green Belt, the LDF Team have no specific objections to the renewal of planning permissions for a temporary period of one year.

ENVIRONMENTAL PROTECTION UNIT (EPU)

EPU does not have any objections to this proposal to extend the planning permission.

TRES AND LANDSCAPE OFFICER

LANDSCAPE CONTEXT: The site is occupied by an area of asphalt used to accommodate the windrows of an organic organic composting operation. Situated within the Green Belt, the original proposal included woodland shelter planting around the perimeter to provide shelter and visual screening. There are no Tree Preservation Orders on, or close to, the site, nor does it fall within a designated Conservation Area.

PROPOSAL: The original proposal was granted a five year temporary permission. The current application is to allow the continued use of the land for a further 12 months.

LANDSCAPE CONSIDERATIONS: Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

- No trees or other landscape features will be affected by the development and the proposed new building will have little impact on views into the site, or the landscape setting.
- The management, maintenance and replacement planting (of any failed trees or shrubs) should continue in accordance with the previous approvals.

RECOMMENDATIONS: No objection, subject to the above considerations and condition TL7.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Of particular relevance is policy OL1 which states that agriculture, horticulture, nature conservation, open air recreation and cemeteries are the only open land uses which are acceptable in the Green Belt. Commercial composting, if it is not small scale or ancillary to a residential or farm use, is normally considered to be an industrial use, being a form of recycling, where waste undergoes a process that will break down the matter and be converted into useable material. In principle this type of use is to be encouraged (saved

policy MIN 16) in an appropriate location. However, proposals for industrial and waste uses are not normally considered appropriate in a Green Belt location. The use of this site for composting is therefore contrary to Saved Policy OL1 of the UDP and constitutes inappropriate development within the Green Belt.

Planning Policy Guidance Note 2 Green Belts (PPG2) states that there is a general presumption against inappropriate development and the construction of new buildings within Green Belts. It goes on to state that: 'It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.'

With regard to Pylon Farm, the existing open composting, although contrary to Green Belt Policy, was considered to outweigh the harm to Green Belt objectives. National and local requirements to increase green waste recycling still apply and it is considered that this need continues to constitute the very special circumstances to justify inappropriate development. This policy justification is set out below.

Planning Policy Statement 10: Planning for Sustainable Waste Management (July 2005) states that the overall objective of the Government's Policy on waste is to protect human health and the environment by producing less waste and by using it as a resource wherever possible. PPS10 sets out the key planning objectives, decision making processes and advice on preparing Regional Spatial Strategies, Local development Documents and determining planning applications.

Annex E of PPS10 provides advice on the locational criteria for siting waste management facilities.

Key planning objectives are stated as including:

- help deliver sustainable development through driving waste management up the waste hierarchy, addressing waste as a resource and looking to disposal as the last option, but one which must be adequately catered for;
- provide a framework in which communities take more responsibility for their own waste and enable sufficient and timely provision of waste management facilities to meet the needs of their communities;
- help implement the national waste strategy; and supporting targets, are consistent with obligations required under European legislation and support and complement other guidance and legal controls such as those set out in the Environmental Permitting (England and Wales) Regulations 2007;
- help secure the recovery or disposal of waste without endangering human health and without harming the environment, and enable waste collection authorities, waste disposal authorities and business, and encourage competitiveness; and
- protect Green Belts but recognise the particular locational needs of some types of waste management facilities when defining detailed Green Belt boundaries, and, in determining planning applications, that these locational needs, together with the wider environmental and economic benefits of sustainable waste management, are material considerations that should be given sufficient weight in determining whether proposals should be given planning permission.

In this regard, it is noted that a composting facility on this scale requires large open areas not normally available in a more urban environment. Since the site is located within the Borough, it is considered that this is a sustainable location, as it satisfies the Government's proximity principle, whereby it is deemed environmentally beneficial to

manage waste as close as possible to its point of origin.

DEFRA has also published the Government Review of Waste Policy in England in 2011. The strategy continues to provide a strong emphasis on waste prevention.

The forthcoming West London Waste Plan (WLWP) will plan for all waste in the plan area up to 2026. It will identify sufficient sites to deal with this waste. The Plan will also contain policy to support site development and awareness of sustainable waste management. It will give priority to waste reduction, recycling and composting. However, it will still need to plan for disposal of waste in other ways. It is considered that the extension of time needed for the maturation area would be in compliance with the emerging Plan.

London Plan Policies 5.16 (Waste Self Sufficiency); and 5.17 (Waste Capacity) seek to reduce the amount of waste that arises in the first place. Where this is not possible, an approach based on the waste hierarchy that emphasises re-use, and then recycling and composting, before energy recovery and disposal, is encouraged. The continuation of the maturation area is considered to be in accordance with the aforementioned policies.

UDP Saved Policy MIN16 encourages the provision and improvement of premises for efficient and environmentally acceptable recycling of waste and it is considered that the allowing the continuation of the use accords with this policy.

Saved Policy MIN18 of the UDP states that the Planning Authority will normally oppose the use of existing civic amenity and waste transfer sites for purposes unconnected with waste handling, treatment, recycling, energy recovery or allied activities, unless an alternative facility is available offering the same or enhanced benefits and has a secure long-term future, or it can be demonstrated conclusively that the long-term changes in the nature and pattern of waste disposal have removed the long-term need for the civic amenity and/or waste transfer facility. Policy MIN18 as a safeguarding policy is considered to be applicable to the site, as it is used for the purpose of waste handling, treatment and recycling.

The applicant has also put forward a case for the need of the development. The applicant currently has contracts with 3 of the 6 constituent boroughs of the West London Waste Authority (West Waste) to accept green waste from kerbside and civic amenity collections. Contracts are held with London Borough of Hillingdon (LBH), London Borough of Harrow and the London Borough of Brent. Waste is accepted from another 2 constituent boroughs (London Borough of Richmond and London Borough of Ealing) on a non-contractual basis.

As stated elsewhere in this report, increasing the area for composting at Pylon Farm has been necessary, in order to move the activity to a less sensitive area and make the operations more efficient. The maturation area (as extended) is needed to ensure all composting activities can continue to operate in an environmentally acceptable manner. The applicant states, and officers agree that if this application is not allowed, there will be an immediate backlog of green waste at both a local and regional level, which will undoubtedly be disposed of at facilities lower down the waste hierarchy. If the maturation area permission is not extended for another year, the compost maturation area will be restored to its original low-quality agricultural grazing land-use and both the borough and the larger region of West London will lose a strategic facility, which is currently aimed at achieving sustainable waste management, in accordance with all levels of policy.

The applicant submits that this short term temporary extension for an existing approved

operation will allow time to agree the steps required for a permanent permission, which will bring all operations under the same cover. As the extension of time request is only for a further 12 months, a new application will need to be submitted imminently, to ensure the long-term security of all the operational elements that make up the site.

It is therefore considered that the reasons given above are the very special circumstances to justify continued temporary use of green waste recycling in this location, to the extent that the harm on the openness of the Green Belt has been outweighed. Therefore, even though the use is contrary to Saved Policy OL1, approval is recommended for this application.

7.02 Density of the proposed development

Not applicable to this development.

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

Not applicable to this development.

7.04 Airport safeguarding

Not applicable to this development.

7.05 Impact on the green belt

The change of use from agricultural land to an open composting maturation site will involve granting of planning permission for a development within the Green Belt, Colne Valley Park and within proximity to nationally protected woodland. There is potential for long-term effects on biodiversity, landscape character, visual impacts on these areas and on the amenity of the green belt for its users.

There are no physical changes proposed as part of this application. Situated within the Green Belt, the original proposal included young woodland and hedgerow plantations to the north and west of the site, to provide shelter and visual screening. This planting was required, in order to screen and mitigate the visual impact of the windrows when viewed from surrounding public footpaths. These existing hedgerows and field/hedgerow trees around the site are now established and will not be affected by the proposal. The continued temporary use would therefore not cause unacceptable landscape and visual impacts, subject to continued management of the planting around the site.

7.06 Environmental Impact

Environmental considerations relating to this application, namely air and ground water quality, have been addressed in the relevant sections of this report.

7.07 Impact on the character & appearance of the area

This issue has been dealt with at Section 7.07 above.

7.08 Impact on neighbours

The main impact on neighbours arising from the continued use of the composting facility relate to air quality and noise. These matters have been dealt with in relevant sections of this report.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Policies AM1, AM2, AM7, AM9, AM14 and AM15 of the UDP are concerned with traffic generation, road capacity, on-site parking, access to public transport and provisions for parking for people with disabilities. New Years Green Lane is unsuitable for HGV traffic for much of its length, due to the width of the road and further traffic increases ought to be discouraged. The applicants have already implemented measures to ensure that delivery and collection vehicles use only the short stretch of New Years Green Lane, between the

site and Breakspear Road. These measures include site signage and profiling the junction to the access road to Highview Farm, so that vehicles are physically prevented from turning towards Harvil Road. In addition, operators are informed of the preferred route for all vehicles entering and leaving the site. These measures were secured by conditions on the previous consent and were incorporated into the Waste Management Licence, issued by the Environment Agency.

It is considered that allowing the development to continue for another 12 months under the same parameters as the existing permission will have a negligible impact on the surrounding highway as there is no proposal to increase the volume of waste material being accepted at the site and no new trips have been identified. The existing safety record of the highway has been reviewed and it has been concluded that there is no pattern of accidents that is suggestive of a highway layout deficiency that leads to unacceptable safety risks.

Consequently, allowing the development for another 12 months is considered acceptable from a highway safety perspective. The Highway Engineer therefore raises no objections to this application, subject to limiting the total amount of through put of waste accepted to the site to 50,000 tonnes per year.

7.11 Urban design, access and security

There are no urban design issues associated with this application.

7.12 Disabled access

There are no disabled access issues associated with this application.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

LANDSCAPING: No landscape or visual effects have been identified by allowing the continuation of the maturation area for a further 12 months. The maturation area benefits from good screening on all boundaries. No increase in development is proposed and the existing screen planting on the northern and western boundaries is well established.

The Tree and Landscape Officer advises that the management, maintenance and replacement planting of any failed trees or shrubs should continue in accordance with the previous approvals. Subject to compliance with landscape conditions, the development is considered to comply with Saved Policy BE38 of the UDP.

ECOLOGY: The applicant originally provided a detailed Ecological Appraisal of the site, which established that there are no protected species on the site. No increase in development is proposed and no ecological issues have been identified by allowing the continuation of the maturation area for a further 12 months. Natural England has raised no objections. It is therefore not considered that the scheme will have an adverse impact on ecology and nature conservation in the area, in accordance with Saved Policies EC1 and EC3 of the UDP.

7.15 Sustainable waste management

This is an application for the continued use of a composting facility, which accords with national, regional and local policies which encourage the provision and improvement of premises for efficient and environmentally acceptable recycling of waste.

7.16 Renewable energy / Sustainability

This is an application for the continued use of a composting facility, which accords with national, regional and local policies which encourage the provision and improvement of premises for efficient and environmentally acceptable recycling of waste.

7.17 Flooding or Drainage Issues

The applicants submit that potential environmental impacts associated with allowing the maturation area to continue for a further 12 months are considered to be negligible, as no operations are proposed to change at the site. There will be no increased rate of runoff from the maturation area as it is not increasing, so no flooding is expected.

However, the Environment Agency notes that groundwater beneath the site is very sensitive and it is not clear what the risk of pollution to groundwater posed by the site and by this activity would be. The Agency points out that there is limited natural protection for the aquifer beneath the site from which groundwater is abstracted. Given that the site lies within Inner Source Protection Zone (SPZ1) for a public water supply abstraction, ground water beneath the site is a precious resource that must be protected from pollution.

Given that there is a potential for leachates to pollute groundwater quality, these effects are likely to become more significant with a longer exposure period to pollution. The Environment Agency has therefore requested conditions requiring a scheme to deal with the risks associated with contamination of the site. The Agency has specified that this should include a preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- potential contaminants associated with the current use
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

In addition, the Environment Agency has recommended a condition requiring a monitoring and maintenance plan for monitoring of potentially unacceptable pollutant linkages, as identified in the preliminary risk assessment. The plan shall include maintenance arrangements, contingency action and a scheme for reporting the monitoring results to the Local Planning Authority. On completion of the activities identified in the agreed monitoring and maintenance plan, a final report, including the findings of the all the monitoring should be submitted to and approved in writing by the Local Planning Authority.

The Environment Agency further advise that a number of additional reports may be required with the overarching application, such as surface water flood risk assessments, drainage scheme details and further ground and contamination investigations. The applicants have been advised of this likely requirement by way of an informative.

Subject to the above mentioned conditions to protect ground water quality in the area being imposed and discharged, it is considered that the continued use of the facility for an additional 12 month period would not compromise the statutory functions of the Environment Agency, the risk of flooding will be minimised and the quality of the water environment will be protected, in compliance with Policies OE7 and OE8 of the Hillingdon Unitary development Plan Saved Policies (September 2007) and Policy 5.14 of the London Plan (July 2011).

7.18 Noise or Air Quality Issues

AIR QUALITY

During 2005 a significant volume of odour complaints from the residents of neighbouring residential developments in the Ruislip and Harefield area were received by the Environment Agency (EA) and the Council's Environmental Protection Unit (EPU). The odours were attributed to two composting facilities, one of which was West London Composting (the application site). Approximately 100 odour complaints were received by

the EA during this period.

Specifically, there were 25 odour complaints to the Council's EPU in 2005, 22 in 2006, 20 in 2007, 56 in 2008, 17 in 2009, 6 in 2010 and 1 this year. It is noted that effective from 6th April 2008 the new Environmental Permitting Regulations 2007 requires regulated waste sites such as this to hold an Environmental Permit, in place of the former Waste Management Licence. Critically, this legislation ended local authority powers under the Environmental Protection Act 1990 to take action for statutory nuisance against regulated waste sites. The intention was to remove the 'double jeopardy' for operators that had existed under Waste Management Licences. As a result, the Environment Agency is effectively the sole regulator and members of the public are advised to contact them directly. Therefore complaints to the Council's Environmental Protection Unit would reflect this in recent years from 2009, 2010 and the current calendar year to date. It is noted that 2008 was when the expansion of vessels came online and there were some teething problems with the operation.

In 2006, the applicant produced an action plan, which included a number of measures to improve the operations at the composting facility, in order to mitigate the air quality (odour) issue, which can be summarised as follows:

1. Construction of odour suppression systems
2. Commercial food waste not to be accepted
3. Diversion of waste streams at peak periods to prevent stockpiles
4. Adequate maintenance of systems
5. Increase timescales for upstream composting process, before material reaches the windrows. (This required additional in vessel composting modules at Highview Farm).
6. Increasing the area for composting at Pylon Farm in order to move the activity to a less sensitive area.

All these measures have been put in place, allowing the composting process to be lengthened thereby discouraging the formation of malodorous substances. Increasing of the number of vessel clamps at Highview Farm has enabled a more stable compost before it is transported to the open maturation area (Pylon Farm). A more stable compost at this stage has led to less odour being produced during the maturation process. Since these measures have been put in place the number of complaints have noticeably reduced.

EPU recommended a number of conditions in connection with the open maturation site, in order to ensure that the odour mitigation measures are effective as possible. These included a requirement that an odour suppression system is installed around the proposed extended maturation site, to mitigate odour emanating from the windrows. Conditions were also recommended to ensure that the total quantity of waste accepted at the site per year shall not exceed the 50,000 tonnes and prohibiting composting of commercial food waste and to control the hours of operation. It is recommended that these conditions be re-imposed, in the event that a further 12 month temporary permission is granted.

Given these safeguards, and provided the applicant adheres to the conditions recommended above, it is likely that these measures will reduce the risk of odour release, thereby safeguarding the residential amenity of the occupiers of adjoining and surrounding properties, in accordance with Policy 7.14 of the London Plan (2011).

However, it is acknowledged that this composting process is ground breaking technology and there remains some uncertainty surrounding the effectiveness of the improved management of the facility to reduce the potential for creating offsite odours. DEFRA has

recently commissioned research into the risks to health from bio-aerosols generated during composting operations, to reduce uncertainties in the level of risk posed by bio-aerosols and odours at composting sites. This will help to ensure that regulatory requirements applied to businesses, and the ways compliance is assessed and secured, are based on best available evidence. It is therefore recommended that a further 1 year temporary permission be granted for the continued use of the existing open maturation site. This will allow the Council to continue to monitor the site and assess the impact on the amenities of the locality.

NOISE

No increase in noise would be generated from allowing the maturation area to be in place for a further 12 months, as no additional physical operations are proposed.

7.19 Comments on Public Consultations

None.

7.20 Planning Obligations

There are no planning obligations relating specifically to this proposal.

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 application.

8. Observations of the Borough Solicitor

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

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

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

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

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

10. CONCLUSION

It is considered that national and local requirements to increase green waste recycling constitute the very special circumstances to justify the continued use of the maturation site. These circumstances are considered to outweigh the fact that the proposals are inappropriate development in the Green Belt. It is not considered that the visual amenities or the open character of the Green Belt would be adversely affected by the continued temporary use.

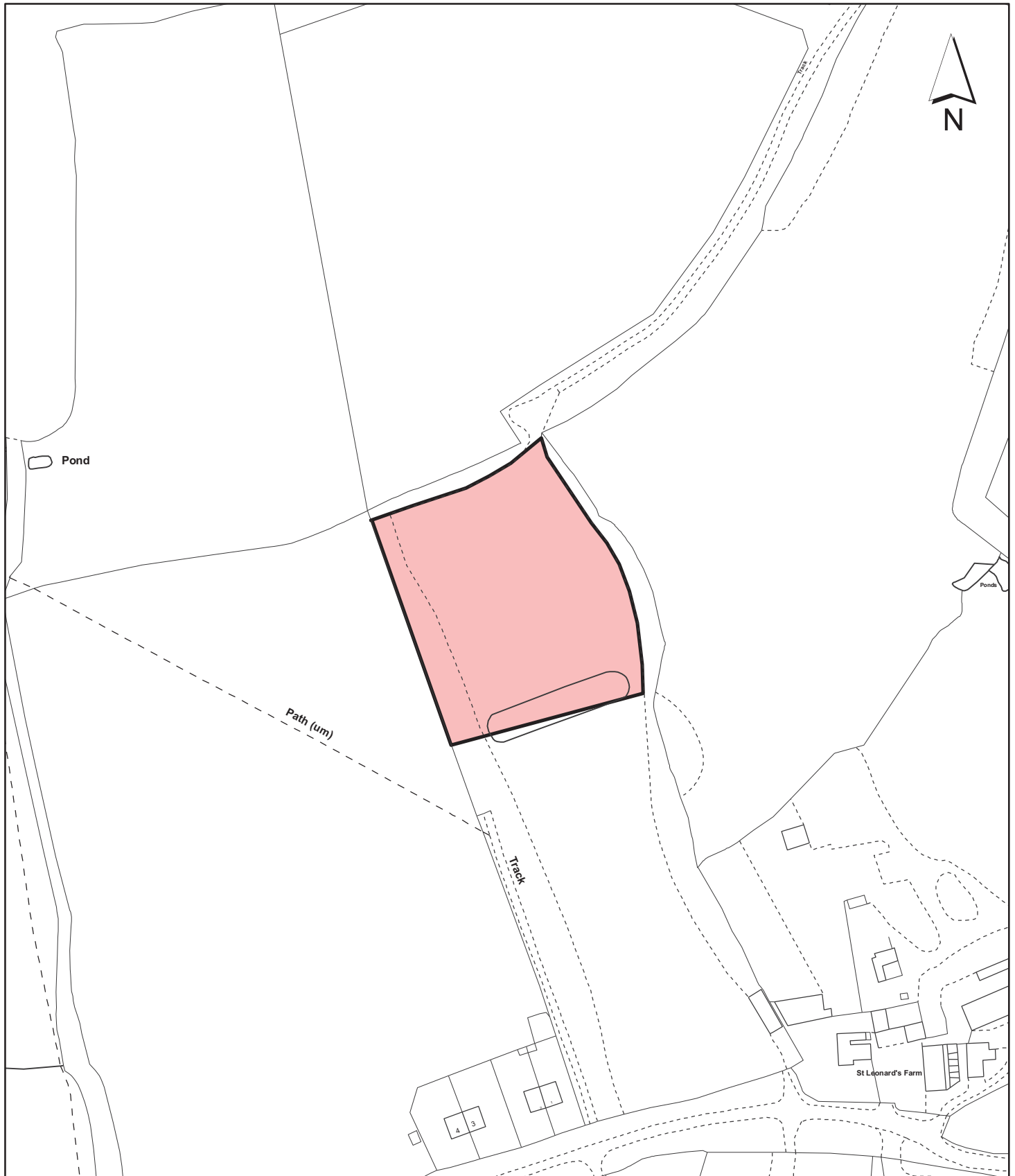
It is recommended that a further 1 year temporary permission be granted for the continued use of the extended area of the open maturation site. This will allow the Council the opportunity to monitor the site and assess the effectiveness of these measures on the amenities of the locality. It is not considered that the scheme will have an adverse impact on ecology and nature conservation in the area, or on the highway network. On this basis approval is recommended.

11. Reference Documents

Planning Policy Guidance Note 2: Green Belts
Planning Policy Statement 1: Delivering Sustainable Development
Planning and Climate Change (2007) supplement to PPS 1
Planning Policy Statement 10: Planning for Sustainable Waste Management
Government Review of Waste Policy in England 2011
The London Plan (July 2011)
London Borough of Hillingdon Unitary Development Plan Saved Policies (September 2007)

Contact Officer: Karl Dafe

Telephone No: 01895 250230



Notes

 Site boundary

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Site Address

Land adjacent to Compost Maturation Site at Pylon Farm Newyears Green Lane, Harefield

Planning Application Ref:

12579/APP/2011/1992

Planning Committee

North Page 108

Scale

1:2,000

Date

October 2011

LONDON BOROUGH OF HILLINGDON
 Planning,
 Environment, Education
 & Community Services

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



HILLINGDON
 LONDON

Report of the Head of Planning & Enforcement Services

Address THE SWAN PH BREAKSPEAR ROAD NORTH HAREFIELD

Development: Demolition of existing two-storey detached building (Application for Conservation Area Consent).

LBH Ref Nos: 18239/APP/2011/1586

Drawing Nos: Demolition Justification Report, dated 3rd August 2011
1:1250 Location Plan
11/3252/5
Conservation Area Statement, dated 22/06/2011
Photograph x 17

Date Plans Received: 28/06/2011 **Date(s) of Amendment(s):**

Date Application Valid: 08/07/2011

1. CONSIDERATIONS

1.1 Site and Locality

The application site is located on the eastern edge of the Harefield Village centre, directly opposite the village green and pond. It is sited on the south western side of Breakspear Road North, some 70m to the east of its junction with High Street and is roughly rectangular in shape, tapering towards the rear with a 24m frontage and an overall depth of 42m. The site comprises a detached two-storey building, which was formerly in use as a public house known as The Swan, but is now vacant and the site boarded up. The main elevation of the building is set back from the front boundary of the site by approximately 3.3m to 4.0m and this area was used for car parking which appears to have involved overhanging of the public footway.

The building was built by Charles Brown, a local builder and opened as a public house in 1908. The building is of rough cast render and a plain tiled roof with two asymmetric mock timber frame gables fronting the street with a decorative swan tile incorporated into the larger left hand side gable. There is a projecting hipped wing with a cat slide roof at the rear. Above the windows, there are attractive tile creased arches. The building originally had an attractive glazed brick string course detail, which has now been vandalised. There is a more modern porch to the front and side and rear single storey extensions.

Immediately adjoining the whole eastern side boundary of the site is a part single storey, part two storey building which is in use a retail pharmacy at the front with residential above, and as a repair garage further to the rear of the site. The garage use also wraps around to the rear of the application site. To the west are detached residential houses. The south eastern side, the boundary of the site is formed by an older buttressed wall

which appears to pre-date the public house, although it is not listed. Adjoining this wall, within the front garden area of the neighbouring house is a large protected Ash tree which has been crudely lopped on one side.

The application site is located within an Archaeological Priority Area and forms part of the Harefield Village Conservation Area. It is also located within the Harefield Local Centre and covered by a Tree Protection Order (TPO_3). It also forms part of the Colne Valley Regional Park.

1.2 Proposed Scheme

This is an application for conservation area consent to demolish the two storey detached building on site known as the Swan Public House.

The application is supported by 2 reports, namely:

Conservation Area Statement, dated 06/22/2011:

This provides the background to the application and describes the site. It goes on to advise that there has been a change in drinking habits over the last ten years with increased alcohol selling by supermarkets for home consumption leading to reduced demand for pubs. Whilst some have adapted, particularly involving food, there is a limit to how many establishments can go down this route, hence there is a large over supply of pubs. The report goes on to advise that it is understood that the pub closed in September 2010 and was then marketed, but little or no interest was shown. There is therefore no demonstrable local demand for the pub to remain. It then goes on to consider the Harefield Village Conservation area and states that unfortunately, there is no written appraisal but it is understood the designation focuses on the traditional village layout of Harefield and evolved over many years with a wide mixture of building styles, ages and sizes with no overriding architectural style. The former pub building appears to date from the turn of the 19th Century and has suffered from a series of unsympathetic extensions and alterations. The report concludes that the building is an architectural mess and has a negative impact on the Conservation Area. Given this negative impact and the quality of the proposed replacement building, demolition is justified as it will have a positive impact on the Conservation Area and will both preserve and enhance it.

Demolition Justification Report, dated 03/08/11:

This provides the background to the report and includes the qualifications and experience of the author. A historical context and site description is provided. The report states that the building was inspected on 27/07/11. The building dates to the first quarter of the last century and is described as having a general Arts and craft character although it is not a sophisticated design. It has been disfigured with awkward extensions, which are described and the interior of the building is noted as being in disarray, being damaged and vandalised. The conservation area context of the building is then described, and its contribution to that character. National and local policy is then considered.

1.3 Relevant Planning History Comment on Planning History

The only relevant planning history on this site is the associated planning application, 18239/APP/2011/1588, which is also included on this agenda.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- 17th August 2011

2.2 Site Notice Expiry Date:- Not applicable

3. Comments on Public Consultations

The extent of consultation carried out on this scheme and the responses received are detailed on the planning application ref. 3877/APP/2010/2200, which is being reported to this committee. The comments raised by the petitioners and the individual responses mainly involve planning issues and are not particularly relevant to this application for conservation area consent.

URBAN DESIGN/CONSERVATION OFFICER:

Background: This is an attractive building, opened as a Public House in 1908, built by a local builder, Charles Brown, in rough cast render and tiled roof. The building has two asymmetric mock timber frame gables fronting the street elevation with a swan tile on the larger gable, and attractive tile creased arches over the windows. The building originally had an attractive glazed brick string course detail, which has been vandalised recently. There is a modern front porch and several small modern extensions to the side and rear of the building, and there is scope to consolidate these into a large extension.

Interior: There are many original features retained such as the stained glass windows on the ground floor front elevation, the newel to the staircase and the windows, original panelled doors on first floor. The fire place in one of the bedrooms has since been removed or vandalised.

Setting and contribution to Conservation Area: The building sits within the historical commercial centre of Harefield Village Conservation Area, opposite the village green. Almost all buildings around the Green are domestic in scale, and are essential to its character. The picturesque setting of the green and the buildings around it make a very positive contribution to the character of the conservation area and its street scene. Due to its prominent location, there are long views to and from the site across the Green and from Rickmansworth Road. The staggered line of buildings allows views of the Swan along Breakspear Road and Northwood Road. Gap views of the building and the rear of the garden are also available from Breakspear Road and Pond Close. The site is, therefore, very sensitive and if demolition is agreed, new development should be high quality in design and contribute to the character of the area.

Comments:

Demolition: Policy HE 7.6 of PPS5 states that 'Where there is evidence of deliberate neglect of or damage to a heritage asset in the hope of obtaining consent, the resultant deteriorated state of the heritage asset should not be a factor taken into account in any decision'.

On site visit, the building appeared to be in a deliberate state of neglect. Whilst boarded up, the onsite security was poor, and the building appeared to have been vandalised recently. There did not appear to be any evidence of structural issues or dampness. In this regard, we would disagree with the report submitted justifying demolition and believe that the building could be adopted for other viable uses.

In accordance with the above policy and from a conservation point of view, demolition is

not justified.

Redevelopment: There are no objections to the conversion of the building for residential use. However, the proposed scheme would result in a large and bulky building, inappropriate to the scale of residential buildings surrounding the Green.

Position and setting: The proposed building would be very wide and whilst set back from its current building line, it would extend to the rear, much deeper than the neighbouring residential buildings. Given the increased depth of the footprint, the new building would have a considerable visual impact when viewed from the rear of adjacent properties and from Pond Close.

In terms of its setting, the scheme proposes at least 8 car parking spaces to the front, with very limited scope of landscaping. Whilst there is front parking on the site currently, this is not ideal and smaller in scale. The enlarged car parking area would be considered visually intrusive to the street scene and would be detrimental to the appearance of the area.

Townscape: To the front, the proposed building would cover almost the entire width of the plot, leaving a small gap for access to the rear. This would not allow gap views to the rear of the garden which is an important part of the street scene of the area. The width, together with the enlarged roof would also appear visually intrusive when viewed across from the Green and from Rickmansworth Road, detracting from its picturesque setting and character of the conservation area. It would be, therefore, unacceptable from a townscape point of view.

Scale: The footprint of the proposed building is much larger compared to the existing and adjacent buildings, thus appearing cramped with very limited amenity space. In this respect, the scheme would not relate to the established scale and layout of the street and would be unacceptable.

Design: In design terms, the building is standard and does not reflect the vernacular and rural townscape of the village centre, and as such fails to address its local context. To the rear, the design fails to relate to the mews buildings to east or the 70s residential building to the west. The steep and large roof form appears bulky and would result in two crown roofs and a small flat section to the front, alien to the simple and traditional roof form design of the existing properties.

Overall, the design of the new building does not reflect the local context of the area and fails to relate to the simple design of the adjacent buildings. It would not enhance the character and appearance of the area and would in fact, detract from it. It is, therefore, unacceptable from a design point of view.

Conclusion: The existing building makes a positive contribution to the conservation area and the setting of the Green, and has architectural merits of its own. There are no structural issues evident and, therefore, the demolition of the existing building is not justified. It is felt that there is scope to adopt the existing building and extend to the rear for conversion to residential use. Demolition is, therefore, unacceptable.

The proposed building does not relate to the local context and as such would not be considered an improvement to the character and appearance of the conservation area. It is poorly designed with a very large and bulky roof form, alien to the established design of buildings in the vicinity. The new building, therefore, does not justify the loss of the

existing historic asset on site and is unacceptable.

4. UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

PPS5	Planning for the Historic Environment
BE4	New development within or on the fringes of conservation areas
BE19	New development must improve or complement the character of the area.

5. MAIN PLANNING ISSUES

The main issue to be considered in the determination of this application is the acceptability of demolition of the building and its impact upon the character and appearance of the Harefield Village Conservation Area.

As considered within Section 7.01 of the associated planning application ref. 18239/APP/2011/1588, the building, although not statutorily listed or included within the local list, is considered to contribute positively to the character and appearance of the Harefield Village Conservation Area. It is considered to be a heritage asset for the purposes of PPS5. Policy HE8.1 of PPS5 states that the effect of an application on the significance of a non-designated heritage asset or its setting is a material consideration in determining the application. Furthermore, PPS5 goes on to advise that not all elements of a Conservation Area contribute towards its significance but where they do, policies HE9.1 to HE9.4 and HE10 will apply which establish the presumption in favour of conservation.

The building has been inspected by the Council's Conservation Officers and it appears to be structurally sound, although it has suffered from vandalism. PPS5 makes clear at policy HE7.6 that where this is the case it should not count in favour of the scheme.

In this instance, it is considered that very little in the way of justification for the demolition of the building has been provided, with no building survey having been undertaken to assess the condition and possible limitations to the buildings re-use and conservation. No discussions have been held with officers as to how the existing buildings could be re-used/adapted. As such, the principal of demolition has not been justified in accordance with PPS5 in terms of this building which is of significance to the Harefield Village Conservation Area.

Furthermore, as planning application ref. 18239/APP/2011/1588 is also recommended for refusal, demolition is unnecessary and could potentially leave an unsightly site within the Conservation Area.

The application for demolition is therefore recommended for refusal, contrary to policies BE4 of the adopted Hillingdon Unitary Development Plan, Saved Policies (September 2007) and PPS5.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The Swan Public House building makes a positive contribution to the character and appearance of the Harefield Village Conservation Area. In the absence of a full structural survey or similar and/or a financial viability appraisal, the proposal fails to demonstrate that all options for the renovation and repair of the building have been explored. Until such time that all options have been explored, it is considered that its demolition is premature. Furthermore, planning application ref: 18239/APP/2011/1588 to replace the building with a two storey block has been refused. As such, there are no acceptable and detailed plans for any redevelopment. In the absence of this information the proposed demolition is considered to be premature and detrimental to the character and appearance of the Harefield Village Conservation Area. The proposal is therefore contrary to policies BE4 and BE19 of the adopted Hillingdon Unitary Development Plan, Saved Policies (September 2007) and PPS5.

INFORMATIVES

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

PPS5 Planning for the Historic Environment

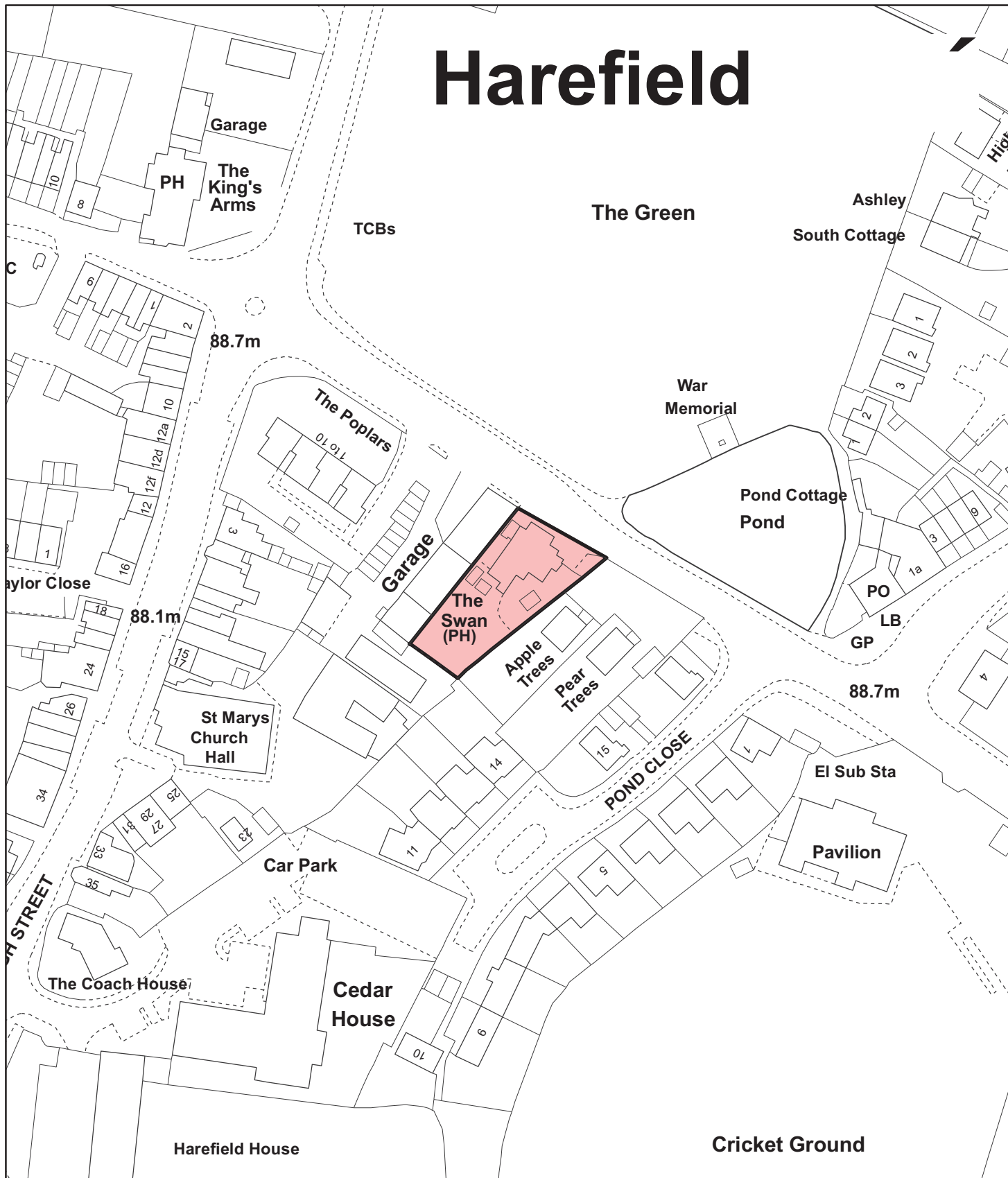
BE4 New development within or on the fringes of conservation areas

BE19 New development must improve or complement the character of the area.

Contact Officer: Richard Phillips

Telephone No: 01895 250230

Harefield



Notes

 Site boundary

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Site Address

**The Swan PH.
Breakspear Road North,
Harefield**

Planning Application Ref:

18239/APP/2011/1586

Planning Committee

North Page 115

Scale

1:1,250

Date

**September
2011**

**LONDON BOROUGH
OF HILLINGDON**

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

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



HILLINGDON
LONDON

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Report of the Head of Planning & Enforcement Services

Address THE SWAN PH BREAKSPEAR ROAD NORTH HAREFIELD

Development: Two storey detached building to contain 6, two-bedroom, self contained flats with associated parking and amenity space and alterations to existing vehicle crossover to front, (involving demolition of existing building).

LBH Ref Nos: 18239/APP/2011/1588

Drawing Nos: 11/3252/1 Rev. A
Location Plan to Scale 1:1250
11/3252/2
11/3252/3
11/3252/4
Arboricultural Survey
Design & Access Statement
Energy and Sustainability Statement
Supporting Photographs
Demolition Justification Report, dated 03-08-2011

Date Plans Received: 28/06/2011 **Date(s) of Amendment(s):**

Date Application Valid: 12/07/2011

1. SUMMARY

This application is for the demolition of The Swan Public House on Breakspear Road North and erection of a two storey block comprising 6 x two-bedroom flats with parking for 8 cars in the front opposite the village green within the Harefield Village Conservation Area.

No objections are raised to the loss of the public house use. Although the existing building is not statutorily listed or included on the local list of buildings of architectural or historical merit, it is considered to make a positive contribution to the character and appearance of the Conservation Area. In these circumstances, it is not considered that the application provides sufficient justification as to why the building could not be retained. The proposed building is also considered to be of an inappropriate siting, bulk and design and the scheme would introduce an extensive parking area and large bin store to the front of the building which would detract from the Conservation Area.

The scheme is also considered to result in a loss of privacy and appear unduly prominent to adjoining properties and fails to afford adequate amenities for its future occupiers. The scheme also does not make provision for an education contribution. It is recommended accordingly.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

In the absence of a full structural survey or similar and/or a financial viability appraisal, the proposal fails to demonstrate that all options for the renovation and repair of the Swan PH have been explored. Until such time that all options have been explored, it is considered that its demolition is premature. The proposal is therefore considered to be

contrary to PPS5.

2 NON2 Non Standard reason for refusal

The proposal, by reason of its layout, siting, bulk, excessive habitable room density and roof design, including the introduction of an extensive area of hardstanding to the front of the building, represents a cramped and incongruous form of development that fails to leave adequate space around the building, commensurate with the character of the surrounding area and fails to harmonise with the pattern, scale and design of surrounding residential development. The proposal would be detrimental to the visual amenities of the street scene and would fail to maintain or enhance the character and appearance of the Harefield Village Conservation Area. The proposal is therefore contrary to policies BE4, BE13, BE19 and BE22 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

3 NON2 Non Standard reason for refusal

The proposed development by reason of the siting of the proposed building and its windows would result in the overlooking of the first floor flat at the adjoining Harefield Garage, Breakspear Road North, causing an unacceptable loss of privacy to the occupiers. The proposal is therefore contrary to policy BE24 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

4 NON2 Non Standard reason for refusal

The proposed development by reason of its overall size, height, siting and length of projection would result in an overdominant/visually obtrusive form of development in relation to the neighbouring property, Apple Trees, Breakspear Road North and as such would constitute an un-neighbourly form of development, resulting in a material loss of residential amenity. The proposal is therefore contrary to policy BE21 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

5 NON2 Non Standard reason for refusal

The proposal, by reason of overlooking of the windows from the adjoining first floor flat at Harefield Garage in the rear elevation and the poor outlook from the lounge windows of the ground and first floor flats adjoining the Malthouse Pharmacy due to the length of projection of the building at the front of the building, would fail to provide an acceptable standard of residential accommodation, contrary to policy BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

6 NON2 Non Standard reason for refusal

The proposed bin store, due to its siting, size, scale and excessive height, would appear as a visually intrusive and incongruous feature, detrimental to the visual amenity of the street scene and harmful to the character and appearance of the Harefield Village Conservation Area. As such, the proposal is contrary to policies BE4, BE13 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

7 NON2 Non Standard reason for refusal

The development is estimated to give rise to a significant number of children of school age and additional provision would need to be made in the locality due to the shortfall of places in schools serving the area. Given that a legal agreement at this stage has not

been offered or secured, the proposal is considered to be contrary to Policy R17 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the adopted London Borough of Hillingdon Planning Obligations Supplementary Planning Document (July 2008).

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.

PPS1	Delivering Sustainable Development
PPS3	Housing
PPS5	Planning for the Historic Environment
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 3.16	(2011) Protection and enhancement of social infrastructure
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.13	(2011) Sustainable drainage
LPP 5.15	(2011) Water use and supplies
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
LPP 7.8	(2011) Heritage assets and archaeology
BE1	Development within archaeological priority areas
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.
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

R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
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
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
H8	Change of use from non-residential to residential
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM15	Provision of reserved parking spaces for disabled persons
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

3

The applicant is advised that had the application been considered acceptable, a detailed landscaping scheme would have been sought by condition which would have required any tree planting to have greater regard to possible overshadowing of neighbouring and proposed windows.

4

The applicant is advised that had the application been considered acceptable, amended plans would have been sought, seeking a reduction in the width of the vehicular crossover to 4.5m, reinstatement of the pedestrian footpath, clarifying that this would be at the applicants expense and a revised landscaping scheme which safeguards pedestrian visibility splays at the entrance.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the eastern edge of the Harefield Village centre, directly opposite the village green and pond. It is sited on the south western side of Breakspear Road North, some 70m to the east of its junction with High Street and is roughly rectangular in shape, tapering towards the rear with a 24m frontage and an overall depth of 42m. The site comprises a detached two-storey building, which was formerly in use as a public house known as The Swan, but is now vacant and the site boarded up. The main elevation of the building is set back from the front boundary of the site by approximately 3.3m to 4.0m and this area was used for car parking which appears to have involved overhanging of the public footway.

The building was built by Charles Brown, a local builder and opened as a public house in 1908. The building is of rough cast render and a plain tiled roof with two asymmetric mock timber frame gables fronting the street with a decorative swan tile incorporated into the larger left hand side gable. There is a projecting hipped wing with a cat slide roof at the rear. Above the windows, there are attractive tile creased arches. The building originally

had an attractive glazed brick string course detail, which has now been vandalised. There is a more modern porch to the front and side and rear single storey extensions.

Immediately adjoining the whole eastern side boundary of the site is a part single storey, part two storey building which is in use a retail pharmacy at the front with residential above, and as a repair garage further to the rear of the site. The garage use also wraps around to the rear of the application site. To the west are detached residential houses. The south eastern side, the boundary of the site is formed by an older buttressed wall which appears to pre-date the public house, although it is not listed. Adjoining this wall, within the front garden area of the neighbouring house is a large protected Ash tree which has been crudely lopped on one side.

The application site is located within an Archaeological Priority Area and forms part of the Harefield Village Conservation Area. It is also located within the Harefield Local Centre and covered by a Tree Protection Order (TPO_3). It also forms part of the Colne Valley Regional Park.

3.2 Proposed Scheme

The proposal involves the demolition of the existing public house building, and erection of a new two storey building with accommodation in the roof space to provide 6 two-bedroom flats. The building would be slightly angled to the road and set back from the back edge of the footway by approximately 11.3m to 12.6m. It would be 15.7m wide, set off the side boundary adjoining the Malthouse Pharmacy by 1m and by 3.5m on the side boundary adjoining Apple Trees. Due to the angled side boundary on this side adjoining Apple Trees, the gap narrows to 1m at its closest point towards the rear of the building. The building would have an eaves height of 5.1m and ridge height of 9.1m. It would be double fronted, with two, two-storey projecting hipped and gable roofed bays, in between which would be a single storey porch. The building would have an overall depth of 17.5m which would comprise a centrally sited projecting hipped roof wing at the rear. The building would also incorporate crown roof elements on each side of the rear wing.

At the front, there would be parking for 8 cars, withn one of the bays being for a disabled driver. A timber boarded bin store, 5.6m long by 1.6m deep and 2.4m high is also shown adjacent to the boundary wall with Apple Trees and a timber boarded cycle store, 2.8m long by 1.5m deep and 2.5m high is shown at the end of the rear garden.

A number of reports have been submitted in support of the application, namely:

Design and Access Statement:

This provides the background to the scheme and describes the site and surroundings. The design and access components of the scheme are assessed.

Building Assessment by Dr Mervyn Miller:

This provides the background to the report and includes the qualifications and experience of the author. A historical context and site description is provided. The report states that the building was inspected on 27/07/11. The building dates to the first quarter of the last century and is described as having a general Arts and craft character although it is not a sophisticated design. It has been disfigured with awkward extensions, which are described and the interior of the building is noted as being in disarray, being damaged and vandalised. The conservation area context of the building is then described, and its contribution to that character. National and local policy is then considered.

Arboricultural Survey:

This focuses upon a protected Ash tree on the front garden boundary within the adjoining property at Apple Trees. The report advises that the tree would have been a significant feature in the local landscape with a long safe life expectancy had it not been subject to some crude tree surgery on the east and south sides only of its upper crown which has destroyed its appearance and made the tree more susceptible to limb breakage in high wind. Although the tree will survive and re-grow branches, this will take several years and the report recommends that further surgery is needed to re-dress the balance of the crown and reduce the risk of wind snap. The report concludes by advising that with appropriate tree protection, the demolition and building works would not harm the tree.

Energy and Sustainability Statement:

This lists the measures that will be employed to reduce the impact of the building on the environment. As regards renewable energy, it states that in order to satisfy Level 3 of the Code for Sustainable Homes, either solar panels or photo-voltaic cells will supplement the conventional system.

3.3 Relevant Planning History

Comment on Relevant Planning History

There is no planning history relevant to this application other than the associated application for conservation area consent (18239/APP/2011/1586) which is also included on this agenda.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- | | |
|--------|---|
| PT1.8 | To preserve or enhance those features of Conservation Areas which contribute to their special architectural and visual qualities. |
| PT1.10 | To seek to ensure that development does not adversely affect the amenity and the character of the area. |
| PT1.16 | To seek to ensure enough of new residential units are designed to wheelchair and mobility standards. |
| PT1.30 | To promote and improve opportunities for everyone in Hillingdon, including in particular women, elderly people, people with disabilities and ethnic minorities. |
| PT1.7 | To promote the conservation, protection and enhancement of the archaeological heritage of the Borough. |
| PT1.39 | To seek where appropriate planning obligations to achieve benefits to the community related to the scale and type of development proposed. |

Part 2 Policies:

- | | |
|------|------------------------------------|
| PPS1 | Delivering Sustainable Development |
|------|------------------------------------|

PPS3	Housing
PPS5	Planning for the Historic Environment
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 3.16	(2011) Protection and enhancement of social infrastructure
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.13	(2011) Sustainable drainage
LPP 5.15	(2011) Water use and supplies
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
LPP 7.8	(2011) Heritage assets and archaeology
BE1	Development within archaeological priority areas
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.
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
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
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
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
H8	Change of use from non-residential to residential
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM15	Provision of reserved parking spaces for disabled persons

LDF-AH Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- 17th August 2011

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

45 neighbouring properties have been consulted, together with the Harefield Village Conservation Area Panel, the Harefield Tenants and Residents Association and the Harefield History Society. The application has also been advertised as affecting the character and appearance of the Harefield Village Conservation Area and a notice has been displayed on site. A petition with 24 signatories has been received, together with 5 individual responses objecting to the proposal.

The petition states:

'We would like to see a reduction in the bulk of the proposed development and a change in its position (front building line to be moved forward) in order to maintain the privacy/light of neighbouring properties.'

The individual respondents raise objection on the following grounds:

- (i) The site will be overdeveloped, with the footprint and height of the proposed building greater than that of the adjacent residential properties, which is inappropriate for this location and does not fit with surrounding buildings and the neighbourhood;
- (ii) The development does not respect the village frontage;
- (iii) The proposed building extends much further back on its plot than the existing building, presenting an enormous bulk to the two neighbouring occupiers at Apple Trees and Pear Trees, as well as the offices and a residential flat at the adjoining workshops, reducing their outlook and spoiling views. The rear elevation of any development should not project beyond that of Apple Trees;
- (iv) The design of the rear of the proposed property would be unsightly, lacking detail;
- (v) The proximity of the building to adjoining properties will lead to a loss of natural light, particularly sunlight to the house and rear garden of Apple Trees later in the day and adjoining offices and flat at the adjoining workshop;
- (vi) There will be a significant level of overlooking from the proposal, leading to loss of privacy of adjoining properties;
- (vii) The car parking is inadequate for the proposed occupation levels which will affect local parking off Breakspear Road North. This is already difficult, with properties adjacent to the green having no parking. The proposed parking also has poor sight lines and poses threat to highway and pedestrian safety;
- (viii) Proposal likely to generate significant noise with up to 18 residents on one plot, and up to 8 cars and motorbikes. Communal amenity area seems insufficient for the proposed occupancy which will lead to excessive noise in the surrounding area. The screening of this area from neighbours is negligible;
- (ix) Noise and traffic levels could spoil the tranquillity of the village pond and green;

- (x) The plans indicate that the excavations and development would endanger the root structure of adjacent protected trees and the historic wall from Harefield House estate that is listed;
- (xi) The distance between the building and adjoining properties will be a fire risk, particularly as there are commercial vehicle workshops at the rear;
- (xii) Inaccuracies in Design and Access Statement, including a street scene/site section that shows proposal further away from Apple Trees;
- (xiii) Existing building should be refurbished, avoiding unsympathetic materials;
- (xiv) Hours of construction needs to be controlled;
- (xv) Government is against garden grab and this should apply to pubs;
- (xvi) Proposal is very close to adjoining buildings and could affect the foundations;
- (xvii) The proposed new building will expose the wall of the Malthouse and thus the existing side window will be vulnerable to vandalism;
- (xviii) The cost of any alterations to the vehicular crossover should be born by the developer and not the taxpayer.

Harefield Village Conservation Panel:

While the disappearance of the pub was regretted, the style and size of the building proposed made an acceptable replacement. It is proposed that to commemorate the pub, that the plaque with the image of a swan on the front elevation of the pub be preserved and included in the front elevation of the new building, by condition.

Harefield Tenants and Residents Association:

We have no objections to the principal of a change of use from a Public House to residential use. Some members were of the view that the existing building should be developed into flats and be retained for historic reasons.

If approval for demolition was given we would not wish to see a new building any higher than that indicated in the outline planning application. It was also felt that the rear extension as shown should be single storey so as not to impact on the residents of the house next door to the site.

Ward Councillor: Requests that applications be presented to committee.

English Heritage (Archaeology):

The present proposals are not considered to have an affect on any significant heritage assets of archaeological interest.

I would therefore advise that any requirement for pre- or post-determination archaeological assessment/evaluation of this site in respect to the current application could be waived.

Thames Water: No objections are raised.

CAMRA (Campaign for Real Ale): Oppose the application unless it can be shown that all reasonable efforts have been made to sell the public house, at a reasonable price as a public house, and that no buyer could be found.

Internal Consultees

URBAN DESIGN/CONSERVATION OFFICER:

Background: This is an attractive building, opened as a Public House in 1908, built by a local builder, Charles Brown, in rough cast render and tiled roof. The building has two asymmetric mock timber frame gables fronting the street elevation with a swan tile on the larger gable, and attractive

tile creased arches over the windows. The building originally had an attractive glazed brick string course detail, which has been vandalised recently. There is a modern front porch and several small modern extensions to the side and rear of the building, and there is scope to consolidate these into a large extension.

Interior: There are many original features retained such as the stained glass windows on the ground floor front elevation, the newel to the staircase and the windows, original panelled doors on first floor. The fire place in one of the bedrooms has since been removed or vandalised.

Setting and contribution to Conservation Area: The building sits within the historical commercial centre of Harefield Village Conservation Area, opposite the village green. Almost all buildings around the Green are domestic in scale, and are essential to its character. The picturesque setting of the green and the buildings around it make a very positive contribution to the character of the conservation area and its street scene. Due to its prominent location, there are long views to and from the site across the Green and from Rickmansworth Road. The staggered line of buildings allows views of the Swan along Breakspear Road and Northwood Road. Gap views of the building and the rear of the garden are also available from Breakspear Road and Pond Close. The site is, therefore, very sensitive and if demolition is agreed, new development should be high quality in design and contribute to the character of the area.

Comments:

Demolition: Policy HE 7.6 of PPS5 states that 'Where there is evidence of deliberate neglect or damage to a heritage asset in the hope of obtaining consent, the resultant deteriorated state of the heritage asset should not be a factor taken into account in any decision'.

On site visit, the building appeared to be in a deliberate state of neglect. Whilst boarded up, the onsite security was poor, and the building appeared to have been vandalised recently. There did not appear to be any evidence of structural issues or dampness. In this regard, we would disagree with the report submitted justifying demolition and believe that the building could be adopted for other viable uses.

In accordance with the above policy and from a conservation point of view, demolition is not justified.

Redevelopment: There are no objections to the conversion of the building for residential use. However, the proposed scheme would result in a large and bulky building, inappropriate to the scale of residential buildings surrounding the Green.

Position and setting: The proposed building would be very wide and whilst set back from its current building line, it would extend to the rear, much deeper than the neighbouring residential buildings. Given the increased depth of the footprint, the new building would have a considerable visual impact when viewed from the rear of adjacent properties and from Pond Close.

In terms of its setting, the scheme proposes at least 8 car parking spaces to the front, with very limited scope of landscaping. Whilst there is front parking on the site currently, this is not ideal and smaller in scale. The enlarged car parking area would be considered visually intrusive to the street scene and would be detrimental to the appearance of the area.

Townscape: To the front, the proposed building would cover almost the entire width of the plot, leaving a small gap for access to the rear. This would not allow gap views to the rear of the garden which is an important part of the street scene of the area. The width, together with the enlarged roof would also appear visually intrusive when viewed across from the Green and from Rickmansworth Road, detracting from its picturesque setting and character of the conservation

area. It would be, therefore, unacceptable from a townscape point of view.

Scale: The footprint of the proposed building is much larger compared to the existing and adjacent buildings, thus appearing cramped with very limited amenity space. In this respect, the scheme would not relate to the established scale and layout of the street and would be unacceptable.

Design: In design terms, the building is standard and does not reflect the vernacular and rural townscape of the village centre, and as such fails to address its local context. To the rear, the design fails to relate to the mews buildings to east or the 70s residential building to the west. The steep and large roof form appears bulky and would result in two crown roofs and a small flat section to the front, alien to the simple and traditional roof form design of the existing properties.

Overall, the design of the new building does not reflect the local context of the area and fails to relate to the simple design of the adjacent buildings. It would not enhance the character and appearance of the area and would in fact, detract from it. It is, therefore, unacceptable from a design point of view.

Conclusion: The existing building makes a positive contribution to the conservation area and the setting of the Green, and has architectural merits of its own. There are no structural issues evident and, therefore, the demolition of the existing building is not justified. It is felt that there is scope to adopt the existing building and extend to the rear for conversion to residential use. Demolition is, therefore, unacceptable.

The proposed building does not relate to the local context and as such would not be considered an improvement to the character and appearance of the conservation area. It is poorly designed with a very large and bulky roof form, alien to the established design of buildings in the vicinity. The new building, therefore, does not justify the loss of the existing historic asset on site and is unacceptable.

TREE/LANDSCAPE OFFICER:

TPO/Conservation Area: This site is covered by TPO 3 and also located within the Harefield Village Conservation Area. Therefore, all trees not covered by the TPO are protected by virtue of their location within the Conservation Area.

Significant trees/other vegetation of merit in terms of Saved Policy BE38 (on-site): There are two small Larch trees at the end of the rear garden and a small Hawthorn along the side boundary. Whilst the trees do not constrain the development of the site, they should be retained for their screening value.

Significant trees/other vegetation of merit in terms of Saved Policy BE38 (off-site): There is a large, protected Ash to the side of the site (at Apple Trees, Breakspear Road North), close to the front, eastern boundary. The tree has been lopped on one side (eastern side - within Apple Trees) and now appears un-balanced. However, the tree is re-sprouting and, given time, should recover. The submitted tree report recommends that the remainder of the tree should be pruned to re-balance it. This proposal is sensible, however a tree work specification should be provided and/or an informative should be added to explain that an application will need to be made if the tree is to be pruned at a later date, and that the prior written permission of the land owner will be required if there is a need to access their land to carry out the necessary works.

Part of the proposed parking area is likely to fall within the root protection area (RPA) of the protected Ash tree. However, this part of the RPA is currently beneath the hard surface of the existing car park. This hard area will afford the tree protection. Furthermore, the small site hut is to be located beneath the tree, within its RPA, and will afford the tree extra protection from traffic

using the site. The hard surface will, at some point, need to be removed so it can be replaced with the proposed permeable block paving. An arboricultural method statement (AMS) should be provided to show how this will be done without causing damage to the protected Ash tree's roots. This matter can be dealt with by condition.

Scope for new planting: The plans appear to show two new trees at the frontage of the site, and others at the rear. However the trees are not detailed. The plans should be amended to show the species of tree and specification (i.e. standard size and short-staked). This matter can be dealt with by condition

The plans also appear to show soft landscaping around the proposed car park. No further detail has been provided, however this matter can also be dealt with by condition.

Does scheme conform to HDAS/SUDS: The proposed scheme shows that about 25% of the frontage has been set aside for soft landscaping, and the applicant is also proposing to use permeable block paving.

Conclusion (in terms of Saved Policy BE38): Acceptable, subject to conditions, TL1 (levels and services), TL2, TL3, TL5 (including details/specification of tree surgery to the Ash at Apple Trees), TL6, TL7 and TL21.

HIGHWAY OFFICER:

Breakspear Road North is a Classified Road and is designated as a Local Distributor Road within the Council's UDP.

The site is located in a level 1b 'low' PTAL area. The Council's car parking standards stipulate a maximum standard of 2 spaces per dwelling with curtilage and 1.5 space per flat and/or house without individual curtilage with communal parking in garages or open car parking areas. There is some flexibility in applying these parking standards.

It is important to note that a number of factor influence car ownership and car parking demand including dwelling size, type and tenure, dwelling location, availability of allocated and unallocated car parking spaces.

The Council's maximum car parking standards stipulate 9 car parking spaces for this development. The proposed number of car parking spaces is 8, which is considered acceptable. Considering the worst case scenario, the proposals would have a shortfall of one car parking space. One additional car parking demand on the surrounding roads is unlikely to cause demonstrable harm on road safety and/or free flow of traffic. There might be increased competition for the available on street parking on adjoining streets as a result of the development taking place, but this is not of itself a reason to believe that safety would be compromised.

Covered and secured cycle storage at 1 space per flat should be provided.

The width of the access point should be reduced to 4.5m and a proportional reduction should be made to the width of the crossover. Apart from the crossover for the proposed development, the remaining crossover in front of the application site should be reinstated to footway, cost of which would have to be borne by the developer. The submitted drawings show hedge planting within the pedestrian visibility splays, which is not acceptable as the hedges could grow over 1m in height in future, which would interfere with the requisite 2.4m x 2.4m visibility splays. Revised drawings should be submitted to reflect the amendments discussed above.

Sightlines at the access would continue to be poor; however, overall there will be an improvement

in road safety. The existing layout requires vehicles to reverse in/out of the parking area, whereas the proposed parking layout would provide adequate turning space for vehicles to enter and egress the site in a forward gear.

Subject to revised drawings being received, no objection is raised on the highways aspect of the proposals. The following conditions and informatives are recommended to be applied;

Conditions

1. The development hereby approved shall not be occupied until the parking area has been laid out, surfaced and drained in accordance with details first submitted to, and approved in writing by, the Local Planning Authority and shall be permanently maintained and available for the parking of vehicles at all times thereafter to the Authority's satisfaction.
2. The development hereby approved shall not be occupied until the means of vehicular access has been constructed in accordance with the details including swept paths have been submitted to and approved in writing by the Local Planning Authority.
3. The access for the proposed car parking shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.
4. Standard condition H14 Cycle storage - details to be submitted for 6 covered and secured cycle storage spaces.

Informatives

1. It is contrary to section 163 of the Highways Act 1980 for surface water from private land to drain onto the highway or discharge into the highway drainage system.
2. The applicant is advised to contact the Council's Highways Team in respect of the construction of the vehicle crossover.

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.

Having reviewed the elevation and internal floor plans, the proposal incorporates all Lifetime Homes Standards relevant to a flatted development of this scale.

Conclusion: Acceptable

SUSTAINABILITY OFFICER:

I have no objections to the proposed development subject to the following conditions:

1. No development approved by this permission shall be commenced until a scheme for the provision of sustainable drainage systems to drain surface water runoff has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that runoff can be attenuated as close to the source as possible in compliance with the London Plan's drainage hierarchy. The development shall proceed in accordance with the approved scheme.

REASON

To prevent the increased risk of flooding and aid adaptation to climate change in accordance with PPS25, and London Plan policies 5.3, 5.10 and 5.13.

2. Prior to the commencement of development, the applicant shall submit a design stage certificate

demonstrating the proposals will meet Code for Sustainable Homes Level 3. The certificate must be signed by a licensed Code for Sustainable Homes Assessor on behalf of the BRE.

Prior to the occupancy of the development, the applicant shall submit a completion certificate demonstrating the development has been built to Code for Sustainable Homes Level 3. The certificate must be signed by a licensed Code for Sustainable Homes Assessor on behalf of the BRE.

REASON

To ensure compliance with London Plan policies 5.3 and 5.15.

EDUCATION SERVICES:

An education contribution of £11,342 is required (Nursery - £1,685, Primary - £5,895, Secondary - £2,740 and Post-16 - £1,022).

Waste Services:

The projected weekly waste and recycling from 6 two-bedroom flats would be likely to be 6 x 170 litres = 1,020 litres. The above waste could therefore be accommodated in one bin. The three bulk bins shown would therefore be more than sufficient.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

As regards the loss of the public house use, policy 3.16 of the London Plan (July 2011) only seeks to protect social infrastructure where there is a defined need for that type of infrastructure. This could be applied to public houses, particularly where they provide a strong focus for the community, but that is not the case here, where there are a number of alternative licensed premises in the vicinity. No objections can therefore be raised to the loss of the use.

As regards the principle of demolition of the existing building, it is not statutorily listed nor has it been included on the local list. However, the building is attractive and sits within the historical commercial centre of Harefield Village Conservation Area, located opposite the village green, where the backdrop of domestic scale buildings gives the village green and pond its open and attractive setting. Due to the building's prominent position, it enjoys long views to and from the village green and across the green from Rickmansworth Road. Views of the building are also available along Breakspear Road and Northwood Road to the east, as well as gap views from adjoining roads at the rear. The building does make a very positive contribution to the character of the Conservation Area and the street scene and is considered to be a heritage asset for the purposes of PPS5. Policy HE8.1 of PPS5 states that the effect of an application on the significance of a non-designated heritage asset or its setting is a material consideration in determining the application. Furthermore, PPS5 goes on to advise that not all elements of a Conservation Area contribute towards its significance but where they do, policies HE9.1 to HE9.4 and HE10 will apply which establish the presumption in favour of conservation.

The applicants have submitted a building assessment in an attempt to justify the loss of the building. The report notes that the building has a 'general Arts and Crafts character, although it is not a sophisticated design. It has been disfigured by awkward extensions, which are flat-roofed, around three sides.' The report goes on to state that 'the interior of the building is in disarray. While there may have been subdivision into two or more bars, with, perhaps, a small space for outdoor sales, all is now turned into a single, poorly designed space, which has clearly disrupted what might remain of the original

arrangement. The ceiling features exposed beams, which are clearly of modern sawn timber supporting the floor above, with some large binders to carry the floor over the larger spans.' It continues, 'The first floor contains the landlord's flat. This also was extensively vandalised, and had nothing of any intrinsic merit, or which might have survived any earlier building on the site. The report considers the building to have been insensitively altered, compromising the visual quality it may once have had.

The report goes on to advise that the building is sited in a fairly prominent position facing the green, but its contribution to the character and appearance of the surroundings of the village green is limited due to the screening afforded by the belt of mature trees on the northern side of Breakspear Road. The report considers the building to be of an appropriate scale, rather than a distinctive building. The report goes on to state that the replacement building would have a traditional form, with two feature gables with ornamental barge boards with a ridge level to match that of the existing building. The report concludes by stating that the overall effect of the proposal on the conservation area will be benign and positive and will avoid harmful impact.

The report does not query the structural integrity of the building or advance any reasoning as to why the building could not be converted, other than pointing out it has an awkward steep dogleg stair which restricts access to the first floor.

The building appears to be structurally sound, although it has suffered from vandalism. PPS5 makes clear at policy HE7.6 that where this is the case it should not count in favour of the scheme.

In this instance, it is considered that very little in the way of justification for the demolition of the building has been provided, with no building survey having been undertaken to assess the condition and possible limitations to the buildings re-use and conservation. No discussions have been held with officers as to how the existing buildings could be re-used/adapted. As such, the principal of demolition has not been justified in accordance with PPS5 in terms of this building which is of significance to the Harefield Village Conservation Area.

7.02 Density of the proposed development

Policy 3.4 of the London Plan (July 2011) advises that Boroughs should ensure that development proposals maximise housing output having regard to local context, design principles, density guidance in Table 3.2 and public transport accessibility. Table 3.2 establishes a density matrix to establish a strategic framework for appropriate densities at different locations.

The site is located within a suburban area and has a Public Transport Accessibility Level (PTAL) of 1b, where 6 is the most accessible and 1 the least. Paragraph 4.2 of the Council's HDAS: Residential Layouts advises that for the purposes of calculating habitable room density, habitable rooms over 20sqm should be counted as two rooms. However, on a similar scheme by the same agent at 8 Sunningdale Avenue (19038/APP/2010/770), the Inspector accepted the appellant's arguments that the lounge/kitchen rooms that were of a similar shape and size to those being proposed in the current application could not easily be subdivided and still be as usable and therefore only counted the large open plan rooms as a single room.

Having regard to the Inspector's reasoning and taking site parameters into account, the matrix recommends a density of 50-75 u/ha and 150-200 hr/ha, with each of the two-bedroom units having 3 habitable rooms. This proposal equates to a density of 75 u/ha

and 225 hr/ha, which in terms of overall habitable rooms, exceeds the Mayor's guidance.

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

The application site is located within an Archaeological Priority Area but English Heritage (Archaeology) advise that in this instance, the proposals are not considered to have any significant affect on any heritage assets of archaeological interest and there is no requirement for a pre- or post-determination archaeological condition. As such, the scheme is considered to comply with policy BE1 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2011).

The proposed residential block would be set approximately 8m to 9m further back on the application site than the existing building, and the width of the proposed building at 15.7m would be some 4.7m wider than the main width of the existing building, with a corresponding reduction in the undeveloped gaps between the building and side boundaries of the site. Adjoining the Malthouse Pharmacy building which is sited immediately on the boundary, the undeveloped gap at first floor level would reduce from approximately 4.1m to 1.0m and adjoining Apple Trees, the gap would close from 9.0m to 3.5m at the front of the building, reducing to 1m at the rear of the building as the site tapers. The proposed building would also project some 11m further into the rear garden than the projecting rear cat slide roof of the existing building.

The Council's Urban Design Officer considers that as a result, with the building filling much more of the width of the site, the closing of the undeveloped gaps on each side of the building would not allow important views through to the rear of the building and adjacent gardens, which forms a characteristic feature of the street scene and general character of the buildings surrounding the village green. With the building filling almost the entire width of plot, the proposal would appear unduly cramped.

The Council's Design Officer also comments that the footprint of the building, with its extensive depth and projection at the rear would also project significantly beyond the main rear elevation of the adjoining residential property and dramatically increase the footprint and bulk of the building on site so that it would no longer be domestic in scale, comparable to the adjoining residential properties. The proposed building would appear more dominant from public view points at the rear and its enlarged roof would appear visually intrusive when viewed across the village green and from Rickmansworth Road. Furthermore, the incongruous scale and setting of the building is compounded by its design. The steep and large roof form would appear bulky and incorporates large crown roof elements that are not generally characteristic of the Harefield Village Conservation Area. On the front, the roof form appears unduly complicated and contrived, with half width gables added to the front of projecting hipped wings. The roof form is not characteristic of the simple and traditional roof form of surrounding properties.

At the front, the increased set back of the proposed building reduces the its more intimate relationship with the village green and allows a large car parking area for 8 vehicles to be created. Whilst this would replace the more informal parking arrangement that previously took place in front of the public house building, the area of parking would be more extensive, with limited scope for landscaping, resulting in it being visually intrusive in the street scene, detrimental to the character and appearance of the Conservation Area.

The Council's Design Officer concludes that the existing building makes a positive contribution to the conservation area. By contrast, the proposed building is not considered to reflect the vernacular and rural townscape of the village centre and fails to address its local context. It is poorly designed with a very large and bulky roof form, alien to the

established design of buildings in the vicinity. The proposed building would not maintain or enhance the character and appearance of the conservation area but would in fact, detract from it and would not compensate for the loss of the existing building. The application therefore fails to accord with policies BE4, BE13 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

The application does not form part of or is conspicuous from the Green Belt and therefore no Green Belt issues are raised by the application.

7.06 Environmental Impact

With the exception of the impact upon trees which is dealt with in Section 7.14 below, this application would not give rise to any other significant environmental impact.

7.07 Impact on the character & appearance of the area

This is dealt with in Section 7.03 above.

7.08 Impact on neighbours

The adjoining residential flats in Malthouse Mews do not contain any windows in their side elevation which overlook the application site, with their only windows being skylights on the main roof that would not be materially affected by the proposal.

There are ground floor offices and the owner's first floor flat connected to the garage use further to the rear of this building that do contain side windows that overlook the application site. Given the commercial nature of the ground floor office windows and the fact that the proposed building would not be sited immediately in front of them, it is considered that the impact upon these windows is acceptable. As regards the first floor flat, its nearest habitable room window would be sited some 5.5m beyond the rear elevation of the projecting rear wing of the proposed building. Given the east facing aspect of these windows, there would be no loss of sunlight to this residential flat. As regards dominance, the proposed building would encroach upon the 45° line of sight of the nearest window within an 8m distance. However, given the relatively acute angle involved and the first floor level of the flat, the impact of the proposal would not be that significant and comparable to that of a single storey structure, albeit with a hipped roof. With such a relationship, the 8m separation distance is considered acceptable to mitigate any overdominating impact.

Of more concern is the potential for overlooking. Design guidance advises that overlooking windows should normally maintain at least a 21m separation distance and overlooking potential outside of a 45° line of sight taken from the centre of habitable room windows is normally discounted. The only windows in the side elevations of the proposed building are secondary and therefore could be obscure glazed. The proposed building would contain habitable room windows in its rear elevation. Although these would be at an approximate 90° angle to the windows in the neighbouring flat, the nearest window would just be within the 45° line of sight. Given that the separation distance would be just in excess of 8m, it is considered that privacy to this window would be unduly compromised within such a distance.

As regards the impact upon the adjoining property, Apple Trees, the proposed residential block would be sited further back on its plot than the existing building. Although its front elevation would roughly align with the front elevation of Apple Trees, its rear elevation would project from its first floor rear elevation by some 9.1m, reducing to 5.9m on the ground floor due to a single storey rear extension at the neighbouring property. Although a

45° line of sight would not be breached from its rear windows, it is considered that with such a projection, the two storey building would appear unduly visually intrusive and dominant from the adjoining property and its rear garden, particularly as the building would be sited close to the side boundary.

At the rear of the site, No. 14 Pond Close is the closest residential property to the proposal and its rear patio area would be sited more than 24m from the nearest window in the rear elevation of the proposed building so that its privacy would be maintained.

The proposal is therefore considered to be contrary to policies BE21 and BE24 of the adopted Hillingdon Unitary Development Plan and relevant design guidance.

7.09 Living conditions for future occupiers

As the application was submitted towards the beginning of July 2011, the most appropriate standards against which it should be considered are those that were in place before the adoption of the latest London Plan (July 2011).

The requirement then was that in order for two-bedroom flats to provide adequate amenity for their occupiers, they should have a minimum internal floor area of 63m². The proposed two-bedroom flats would have floor areas of 65m² and 66m² and therefore would comply with this standard.

However, the proposed set back of the building would result in the adjoining Malthouse Pharmacy projecting some 11.3m beyond the front elevation of the new block. With the centre of main ground and first floor lounge windows within the front elevation of the new block being sited some 3m from the two storey flank wall of the adjoining building, the 45° line of sight would be encroached upon and the outlook and residential amenities from the adjoining new flats would not be acceptable. At the rear, windows are either sited further away to the side boundary and/or the adjoining building is single storey so that their outlook would be acceptable. However, for similar reasons discussed above in terms of the impact upon the adjoining flat above the garage, the nearest lounge windows would be overlooked.

Private amenity space:

Design guidance requires shared amenity space to be usable and a minimum 25m² provided for each two-bedroom flat. In this instance, 220m² of shared amenity space would be provided, which would satisfy this standard. Furthermore, the ground floor flats would also have 5.5m² patio areas at the rear that would provide defensible space to safeguard the privacy of the ground floor flats from the shared use of the amenity space. Design guidance does advise that first floor flats should also have balconies wherever possible and this scheme does not propose them, but it is not considered that this would warrant a separate reason for refusal.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The Council's Highway Engineer advises that the Council's maximum car parking standards would require 9 parking spaces (1.5 spaces per unit) and 8 are proposed. Taking the worse case scenario, the shortfall of one space with one additional car parking demand on the surrounding roads is unlikely to result in demonstrable harm on road safety and/or free flow of traffic. There might be increased competition for available on-street parking on adjoining roads as a result of the development being implemented but this in itself is not a reason to believe safety would be compromised.

A cycle store is shown in the rear garden and the Highway Engineer advises that 1 space

per flat should be provided.

The officer makes a couple of suggestions for amendment, namely the reduction in the width of the crossover, reinstatement of the pedestrian footway to be carried out at the applicant's expense and removal of hedging on the front boundary to improve sightlines. It is considered that these suggestions do not raise fundamental objections to the scheme and amended plans would have been pursued if the application had been recommended favourably. An appropriate informative has been added. The officer does recognise that the scheme represents an overall improvement on highway safety grounds. As such, the scheme is considered to comply with policies AM7, AM9 and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2011).

7.11 Urban design, access and security

Given the scale of the development, it is considered that 6 x two-bedrooms flats would be appropriate to comply with policy H4 of the Adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.12 Disabled access

Policy 3.8 of the London Plan (July 2011) advises that all new housing development should be built in accordance with Lifetime homes standards. Further guidance on these standards is provided within the Council's Supplementary Planning Document: Accessible Hillingdon, January 2010.

The Council's Access Officer advises that the scheme satisfies all Lifetime homes standards relevant to a flatted development of this scale and is therefore acceptable.

7.13 Provision of affordable & special needs housing

Not applicable to this application, given the nature of the proposed development.

7.14 Trees, Landscaping and Ecology

There are no trees on the site that would constrain the development. There is a protected Ash Tree on the side boundary in the front garden of the adjoining property, Apple Trees which should be a significant feature in the local landscape but has been subject to some crude tree surgery on the east and south sides only of its upper crown which has destroyed its appearance and made the tree more susceptible to limb breakage in high wind. A submitted tree report focuses on this tree and advises that although the tree will survive and re-grow branches, this will take several years and the report recommends that further surgery is needed to re-dress the balance of the crown and reduce the risk of wind snap. The Council's Tree Officer advises that the remedial work to the tree would be an improvement, and providing the owner of the site is agreeable, advises that the scheme is acceptable, subject to various conditions. As such, the scheme complies with policy BE38 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.15 Sustainable waste management

The proposal makes provision for refuse and recycling storage within a timber boarded store in the front garden area at the side of the existing boundary wall adjoining Apple Trees. This would be capable of storing 3 eurobins which the Council's Waste Services advise would adequately serve the scheme.

The store would be sited against an existing 2m high boundary wall. However, given its 5.6m length and 2.4m height, it would be a very conspicuous structure, particularly from the village green and Breakspear Road North to the north west. With such dimensions and in such a position, it is considered that it would be detrimental to the street scene and conservation area, contrary to policies BE4, BE13 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2011).

7.16 Renewable energy / Sustainability

An Energy and Sustainability Statement has been submitted with the application. The Council's Sustainability Officer advises that the scheme is acceptable on sustainability grounds and conditions would have been added to ensure appropriate measures were put in place to limit the impact of the building upon the environment had it not been recommended for refusal.

7.17 Flooding or Drainage Issues

The application does not lie within an area prone to flooding. A condition could have been added to any grant of permission to ensure a sustainable drainage scheme was provided.

7.18 Noise or Air Quality Issues

This application raises no specific noise or air quality issues. A noise insulation scheme to ensure the flats were adequately protected from noise generation by other occupants within the building would have been secured by condition had the application not been recommended for refusal.

7.19 Comments on Public Consultations

The comments raised by the petitioners have been dealt with in the committee report.

As regards the comments received from individuals, points (i) - (vii) and (xviii) have been dealt with in the main report. As regards points (viii) and (ix) regarding noise generation, it is wrong to suggest that the proposal represents a threat in terms of noise and general disturbance to surrounding residents given the existing public house use of the site. The adequacy of the communal area (point (viii)) is considered in the main report. As regards point (x), there is no evidence to suggest that the works would threaten the protected Ash Tree or the boundary wall which is not listed. Points (xi) and (xvi) would be dealt with under the Building Regulations. Points (xii) and (xiii) are noted. Hours of construction (point (xiv)) is an environmental health issue. As regards garden grabbing (point xv)), new guidance is specific in referring to private residential dwellings. Point (xvii) does not raise a specific planning issue.

7.20 Planning Obligations

Policy R17 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) is concerned with securing planning obligations to offset the additional demand on recreational open space, facilities supporting arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals. These UDP policies are supported by more specific supplementary planning guidance.

Given the nature and scale of the scheme, only a potential contribution towards additional educational provision would be generated. Education Services advise that a contribution towards additional education space of £11,342 is required (Nursery - £1,685, Primary - £5,895, Secondary - £2,740 and Post-16 - £1,022).

No Unilateral Undertaking has been submitted as part of the current application and on this basis, the proposal fails to comply with Policy R17 of the UDP Saved Policies (September 2007) and it is recommended the application should be refused on this basis.

7.21 Expediency of enforcement action

No enforcement issues are raised by this application.

7.22 Other Issues

8. Observations of the Borough Solicitor

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

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

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

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

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

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

9. Observations of the Director of Finance

10. CONCLUSION

Although the existing building is not statutorily listed or included on the local list, it is considered to make a positive contribution to the character and appearance of this part of the Conservation Area which faces over the village green. Given this significance, it is not considered that the application provides sufficient justification as to why the building could not be retained. The proposed building is also considered to be of an inappropriate siting, bulk and design and the scheme would introduce an extensive parking area and large bin store to the front of the building which would detract from the Conservation Area.

The scheme is also considered to result in a loss of privacy and appear unduly prominent to adjoining properties and fails to afford adequate amenities for its future occupiers. The scheme also does not make provision for an education contribution. It is recommended for refusal.

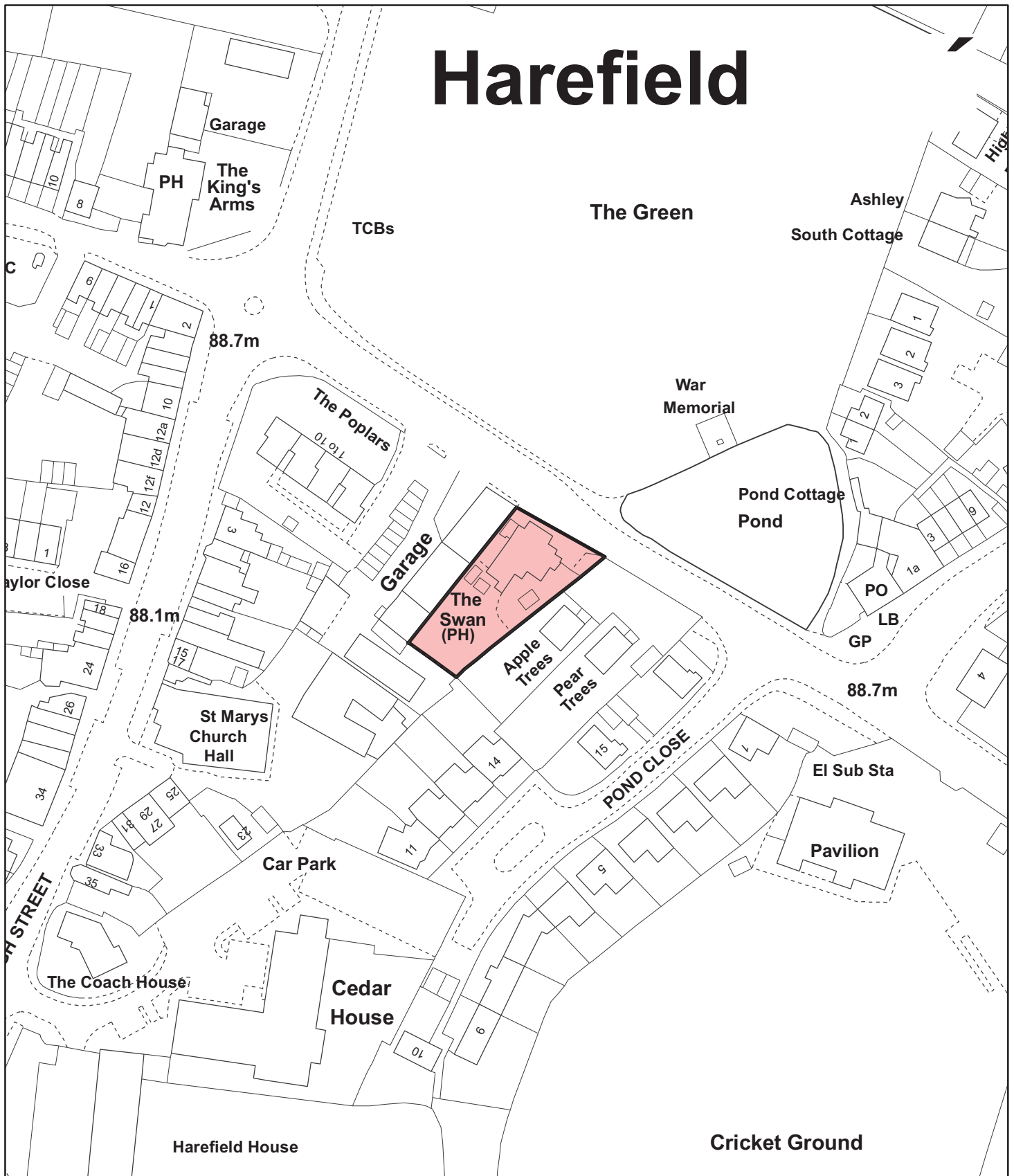
11. Reference Documents

PPS1: Delivering Sustainable Development
PPS3: Housing
PPS5: Planning for the Historic Environment
London Plan (February 2008 and July 2011)
Adopted Hillingdon Unitary Development Plan Saved Policies (September 2007)
HDAS: Residential Layouts & Accessible Hillingdon
Planning Obligations Supplementary Planning Document, July 2008
Consultation responses

Contact Officer: Richard Phillips

Telephone No: 01895 250230

Harefield



Notes

 Site boundary

For identification purposes only.

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Site Address

**The Swan PH.
Breakspear Road North,
Harefield**

Planning Application Ref:

18239/APP/2011/1588

Planning Committee

North Page 139

Scale

1:1,250

Date

**September
2011**

**LONDON BOROUGH
OF HILLINGDON**

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

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



HILLINGDON
LONDON

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Report of the Head of Planning & Enforcement Services

Address 130 PINNER ROAD NORTHWOOD

Development: Change of use from retail (Use Class A1) to Hot Food Take-away(Use Class A5) involving the installation of extractor duct to side and refuse store to rear

LBH Ref Nos: 6149/APP/2011/1742

Drawing Nos: Planning Statement
Note on Traffic/Transport Issues
Photograph
5119/01
5119/31A
5119/02 (Photographs)
5119/03 (Photographs)
5119/05
5119/20
5119/30
5119/32
5119/40
Design and Access Statement

Date Plans Received: 19/07/2011 **Date(s) of Amendment(s):**

Date Application Valid: 26/07/2011

1. **SUMMARY**

The application is for the change of use of the premises from a vacant A1 (retail) use to an A5 Take-away use. The proposal also includes the installation of extract ducting and the provision of a bin store to the rear of the premises.

Whilst the loss of an A1 retail use in itself could be acceptable at this location, it is considered that the siting of the bin store is inappropriate and detrimental to the amenities of the residential accommodation immediately adjacent to the proposed store. The application is therefore recommended for refusal.

2. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 **Non Standard reason for refusal**

The proposed bin store would be poorly located and would be un-neighbourly, by virtue of its size, siting and general impact on residential amenity. It would therefore be detrimental to the amenities of the occupiers of the adjoining residential properties. As such, the proposal is contrary to Policies OE1, BE19 and BE21 of the Hillingdon Unitary Development Plan (Saved Policies, September 2007).

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.

BE19	New development must improve or complement the character of the area.
BE21	Siting, bulk and proximity of new buildings/extensions.
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
S6	Change of use of shops - safeguarding the amenities of shopping areas
S7	Change of use of shops in Parades
S10	Change of use of shops in Local Centres - criteria for permitting changes of use outside core areas
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
LPP 4.8	(2011) Supporting a Successful and Diverse Retail Sector
LPP 4.9	(2011) Small Shops
LPP 5.3	(2011) Sustainable design and construction

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the northern side of Pinner Road, close to its junction with High Street and opposite its junction with Chestnut Avenue. Both the High Street and Pinner Road are classified "A" roads.

The property is a semi-detached, 3 storey building, comprising commercial premises on the ground floor with residential above.

The application premises is currently vacant on the ground floor, as is the ground floor of the adjoining property at No.132. Prior to its vacation in January 2009 the ground floor was used as a bathroom shop and the ground floor of No.132 as a betting shop.

To the rear of the premises are further residential flats, accessed via a gated pedestrian alley to the eastern side of the premises, as well as some office accommodation with commercial premises beyond.

The shop premises is within the recognised Pinner Road Parade, and the property is also sited within the Old Northwood Area of Special Local Character.

There is little scope for parking immediately to the front of the premises with parking control in the form of yellow lines. Given the relative fast flow of traffic and the nearness to several road junctions there is limited scope for vehicles to park on-street.

3.2 Proposed Scheme

The proposal is for a change of use of the ground floor of the premises from Class A1 (retail) to Class A5 (Hot Food Takeaway).

The application also proposes the installation of an extract duct to the eastern flank elevation of the building. This would be enclosed in brick to match the existing building and would protrude just below the ridge line of the rear roof slope and behind the existing rear chimney stack.

A bin store is also proposed. This would be sited to the rear/side of the premises close to the rear flats, and would comprise a 2.4m by 1.25m slatted timber construction to accommodate one eurobin and one wheeled bin.

The application is also supported by a Transport Statement that suggests that a Unilateral Undertaking may be submitted to provide a financial contribution towards the provision of double yellow lines in the vicinity of the site.

3.3 Relevant Planning History

6149/APP/2006/2258 130a Pinner Road Northwood
EXTENSION TO REAR OF GROUND FLOOR TO ENLARGE EXISTING FLAT NO.130A
(RETROSPECTIVE APPLICATION).

Decision: 15-10-2008 Not Determined **Appeal:** 15-10-2008 Allowed

6149/L/80/1759 130 Pinner Road Northwood
Change of use to Retail use 150sq.m.(P)

Decision: 18-12-1980 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:

PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.

- PT1.16 To seek to ensure enough of new residential units are designed to wheelchair and mobility standards.
- PT1.39 To seek where appropriate planning obligations to achieve benefits to the community related to the scale and type of development proposed.

Part 2 Policies:

- BE19 New development must improve or complement the character of the area.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- 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
- S6 Change of use of shops - safeguarding the amenities of shopping areas
- S7 Change of use of shops in Parades
- S10 Change of use of shops in Local Centres - criteria for permitting changes of use outside core areas
- AM7 Consideration of traffic generated by proposed developments.
- AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
- AM14 New development and car parking standards.
- LPP 4.8 (2011) Supporting a Successful and Diverse Retail Sector
- LPP 4.9 (2011) Small Shops
- LPP 5.3 (2011) Sustainable design and construction

5. Advertisement and Site Notice

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

6. Consultations

External Consultees

21 adjoining and nearby properties have been notified of the application, 9 responses have been received objecting to the proposal on the following grounds:

- a) An inappropriate use in an established and essentially residential area;
- b) Adverse impact on nearby residential properties from noise, disturbance, litter and cooking odours;
- c) There is no parking availability for servicing vehicles, staff or customers;
- d) Increase in accidents given the speed of traffic and nearby busy road junction;
- d) customers will park in nearby residential streets to the detriment of residents;
- d) Likely increase in night time activities will result in more crime and vandalism;
- e) Increase in litter and vermin;
- f) It would set a precedent for similar uses in nearby properties.

A petition signed by 146 signatories has also been received, objecting to the application on the grounds of parking, litter, rats and other vermin, foxes, noise disturbance and late night disorder.

The Northwood Hills Residents Association and Northwood Residents Association have also been consulted on the application. The Northwood Hills Residents Association object to the application as follows:

Parking.

There is no available off street car parking for this shop. The Traffic Officer [LBH] put forward many objections to this scheme, which do not appear to have been addressed in the accompanying document from TTP.

The suggestion is that customers should park in Chestnut Avenue, thus avoiding causing congestion on the Pinner Road. This cannot be enforced.

The residents of Chestnut Avenue, will not want the noise of vehicles arriving and leaving late at night, this is a residential road.

Refuse Collection and Deliveries.

It is stated that refuse will be taken to the front of the premises once a week for collection. Take Away and other cafe/restaurants usually require more than one refuse collection a week. It must be noted that the opening hours of this Take Away have not been put forward.

The refuse and recycling bins are to be left on the pavement outside the shop, this will cause congestion on the footpath.

No arrangements have been made for deliveries to the shop. These would occur on a daily basis, thus causing congestion to the traffic on Pinner Road.

General.

Should the LPA be minded to approve this application the following points should be taken into account:

The applicant should be asked to supply LBH standard litter bins to be installed near the shop, and a reasonable distances away, to avoid the discarding of wrappings and waste food on the nearby streets.

Opening hours must be strictly controlled.

Refuse collections and deliveries must also be regulated. Especially on Sundays and Bank holidays.

Parking must be monitored to avoid nuisance being caused to nearby residents, and causing congestion on Pinner Road. With appropriate actions being taken in the future to address any nuisance caused.

This site is not suitable for a Take Away we ask that the application be refused.

THAMES WATER

Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Further information on the above is available in a leaflet, "Best Management Practices for Catering Establishments" which can be requested by telephoning 01923 898 188.

Internal Consultees

ACCESS OFFICER:

As the proposed takeaway does not involve significant building work and alteration to the existing shop front and internal structure, no accessibility comments or stipulations are offered. However, the Equality Act 2010 seeks to protect people accessing goods, facilities and services from direct 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.

The Act states that service providers should think ahead to take steps to address barriers that impede disabled people. The applicant should be advised accordingly should the council be minded to approve the application.

HIGHWAYS OFFICER:

The site is located on the north side of Pinner Road within a parade of shops that is between High Street and Hilliard Road with 2.5m wide footway and 13m wide carriageway. Pinner Road is part of a Strategic Road Network whilst High Street is classified as a Borough Main Distributor road.

Pinner Road is a heavily trafficked road particularly during the rush hour, with the site being located approximately 30m from a pedestrian zebra crossing facility with its associated zig zag road marking and single yellow line parking restriction between 8.00 -18.30 Mon- Sat.

Application and submitted plans for a change of use from existing A1 to A5 hot food take away shows provision of two cycle parking stands at the rear of existing footway on a privately owned 2.0 m strip of land outside the shop, but fails to provide sufficient information regarding number of employees, proposed opening hours loading/unloading issues associated with the take away use, or vehicle parking area within the site for cars/ motorcycles which could be involved in deliveries.

Policy AM14 of the UDP refers to the Council's vehicle parking standard contained in the Annex 1. The London Borough of Hillingdon UDP (adopted 1998) saved policies, 27th September 2007, requires one vehicle parking and two cycle parking spaces for similar use.

Considering that the busiest trading time for a take away shop is evening, it is anticipated that prospective customers of the take away shop will be those wishing to order/collect food after parking restriction hours, by parking outside the shop on their way back home for a short period of time to collect food, whereas nearby customers are likely to walk or cycle to the proposed take away shop. In view of existing carriageway width within the vicinity of the applicant site, parking outside the restricted hours is not considered to prejudice the free flow of traffic and general highway safety. A condition should be attached restricting any delivery service from the shop.

ENVIRONMENTAL HEALTH

Should planning permission be approved I would recommend conditions relating to hours of use, the kitchen extract system, air extraction system, sound insulation, hours of deliveries and collections and litter. Also recommend the construction site informative.

URBAN DESIGN

This is a very attractive pair of semis within the Old Northwood Area of Special Local Character. Whilst there are no objections to the change of use from a conservation point of view, the metal gate proposed to the side should be reduced in height to 1.5m or less.

To the side, the proposed extractor would be hidden under the brick chimney and would not have a negative impact on the character and appearance of the area.

WASTE STRATEGY

a) The application is for a restaurant and cafe. I would recommend 1 x 1,100 litre type of bulk bin to safely and hygienically contain the waste arising from this type of business. This is included in the plan. An additional bin for recycling waste is shown. Again this is good practice. The roof of the bin store should be high enough to allow for the bin lids to open fully. I would recommend there is at least 150mm clearance between the bins and the walls of the enclosure to allow the bins to be moved freely.

b) The wheeled bins should be sited on an area of hard-standing, with a smooth surface, so that it can be washed down with water and disinfectant. The surface should be cambered so the run off follows towards a proper drain.

c) The collectors should not have to cart a bulk bin more than 10 metres from the point of storage to the collection vehicle (BS 5906 standard). The collection crew would therefore need to access the rear of the shop. Alternatively the owners would have to present the wheeled bins at an agreed collection point on the allocated day. Again the gates to Pinner Road should allow 150mm clearance for the bulk bin.

d) 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 path 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.

e) Please note the Council commercial waste service does not currently include the 240 or 360 litre wheeled bins. The service would have to be provided by a private waste collection company.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

There are 14 commercial premises within the High Street Pinner Parade and these comprise a mix of primarily retail uses that appear to be generally thriving. Whilst they do not necessarily provide everyday goods or services they do perform a valuable function in providing goods and services for the local and wider community.

There are 2 non A1 uses in the parade comprising an orthodontists and a vacant bookmakers adjacent to the application property. At the time of writing this report the bookmakers was undergoing refurbishment, although the proposed use is unknown.

Policies S6 and S7 of the UDP are of particular relevance in this case.

Policy S6 requires changes of use to not be detrimental to visual amenity, for the frontage to be appropriate to the surrounding area, for the use to be compatible with neighbouring uses and not cause loss of amenity to nearby residential properties, and for the use not to have a harmful effect on road safety or worsen traffic congestion.

Policy S7 requires changes of use to maintain sufficient essential shops appropriate to the size of the parade and its function, and to not result in the loss of essential shops where there might be a deficiency.

Given the location of the site, and the nature of the surrounding uses and the previous use as a bathroom shop it is considered that there would be no harm in the loss of a retail

unit on this site. Such a loss would not undermine the retail function of the parade to any significant degree, and as such it is considered that there would be no conflict with Policy S7.

However, whilst the principle of a change of use might be acceptable, Policy S6 requires the new use to be acceptable in respect of all other material planning considerations. These are examined below.

7.02 Density of the proposed development

Not applicable.

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

The change of use would not impact on the Old Northwood Area of Special Character, and it is considered that the extract ducting, which is mainly contained within a brick housing would be acceptable.

The bin store would be located to the rear of the premises and would not be particularly visible in the streetscene.

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

As detailed elsewhere in this report.

7.07 Impact on the character & appearance of the area

Policy BE13 of the UDP (Saved Policies September 2007) requires new development to harmonise with the appearance of the existing street scene and area and Policy BE15 requires alterations to existing buildings to harmonise with the scale, form, architectural composition and proportions of the original building.

The proposed change of use would not adversely impact on the character and the appearance of the area, although any change to the shopfront and advertising would be subject to further planning applications and consideration as appropriate.

The bin store and ducting would not adversely impact on the character and the appearance of the area.

7.08 Impact on neighbours

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 states buildings or uses which have the potential to cause noise annoyance will only be permitted if the impact can be mitigated.

Whilst the Environmental protection officer has commented on this application and has stated no objection would be raised subject to conditions being applied, it is considered that the siting of the bin store is of considerable concern. It is immediately adjacent to the entrance to residential properties and is located immediately adjacent to a habitable room window in the residential property. The bin store is not only likely to give rise to odours and disturbance to the occupiers of those flats, especially if the use were to be allowed in the evenings, but is visually intrusive, given its size, position and scale. It is poorly sited in relation to the access area to these flats, and there does not appear to be any alternative suitable location.

Whilst conditions could be imposed to protect the amenities of the adjoining occupier in terms of the proposed use (hours of use, sound insulation etc) a condition could not overcome the concern relating to the siting of the bin store. Due to the constraints of the site there is no alternative location for this bin store that would be acceptable for the proposed use.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The Council's Highways Team have made comment on the application as follows:

"Pinner Road is a heavily trafficked road particularly during the rush hour, with the site being located approximately 30m from a pedestrian zebra crossing facility with its associated zig zag road marking and single yellow line parking restriction between 8.00 - 18.30 Mon- Sat.

Application and submitted plans for a change of use from existing A1 to A5 hot food take away shows provision of two cycle parking stands at the rear of existing footway on a privately owned 2.0 m strip of land outside the shop, but fails to provide sufficient information regarding number of employees, proposed opening hours loading/unloading issues associated with the take away use, or vehicle parking area within the site for cars/motorcycles which could be involved in deliveries.

Policy AM14 of the UDP refers to the Council's vehicle parking standard contained in the Annex 1. The London Borough of Hillingdon UDP (adopted 1998) saved policies, 27th September 2007, requires one vehicle parking and two cycle parking spaces for similar use.

Considering that the busiest trading time for a take away shop is evening, it is anticipated that prospective customers of the take away shop will be those wishing to order/collect food after parking restriction hours, by parking outside the shop on their way back home for a short period of time to collect food, whereas nearby customers are likely to walk or cycle to the proposed take away shop. In view of existing carriageway width within the vicinity of the applicant site, parking outside the restricted hours is not considered to prejudice the free flow of traffic and general highway safety. A condition should be attached restricting any delivery service from the shop."

In the light of this, it is considered that a refusal cannot be sustained on highways grounds.

7.11 Urban design, access and security

As detailed elsewhere in this report.

7.12 Disabled access

Level access could be achieved to the entrance, although this would be subject to any application for changes to the shopfront.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

Not applicable to this application.

7.15 Sustainable waste management

See details of Waste Management Officer above.

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

As detailed by the Environmental Health Officer, appropriate conditions could be imposed to protect the amenities of adjoining occupiers in relation to the proposed use, and to address odours arising from the premises.

7.19 Comments on Public Consultations

The comments made have been addressed in this report where they are material planning considerations.

7.20 Planning Obligations

The applicant has suggested the provision of a financial contribution towards the installation of double yellow line restrictions should it be considered necessary. However, it is considered that this would not necessarily prevent ad hoc illegal stopping of vehicles, and that it would only encourage customers to park or stop briefly in nearby residential streets to the detriment of residents in those areas.

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

10. CONCLUSION

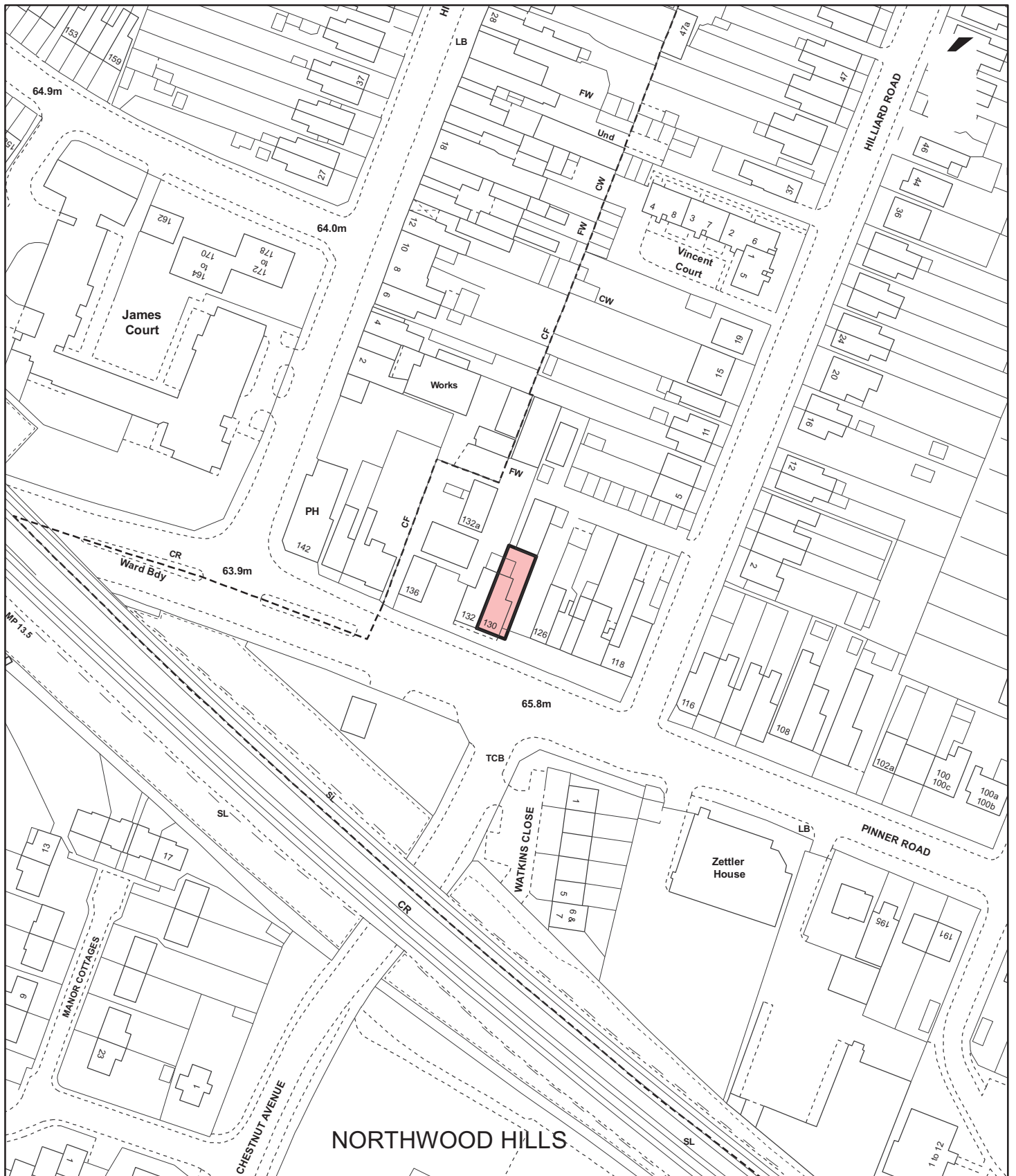
The loss of an A1 retail use in itself could be acceptable at this location, however the siting of the bin store is considered inappropriate and detrimental to the amenities of the residential accommodation immediately adjacent to the proposed store. The application is therefore recommended for refusal.

11. Reference Documents

Adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007).
London Plan (February 2011).
HDAS: 'Residential Layouts', 'Accessible Hillingdon' and 'Shopfronts'.
Council's Adopted Car Parking Standards (Annex 1, Hillingdon Unitary Development Plan, Saved Policies, September 2007).
Consultation responses.

Contact Officer: Warren Pierson

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address

**130 Pinner Road,
Northwood**

Planning Application Ref:

6149/APP/2011/1742

Planning Committee

North Page 152

Scale

1:1,250

Date

**September
2011**

**LONDON BOROUGH
OF HILLINGDON**
Planning,
Environment, Education
& Community Services

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



HILLINGDON
LONDON

Report of the Head of Planning & Enforcement Services

Address 24 EASTBURY ROAD NORTHWOOD

Development: Erection of part ground floor, part first floor, part two storey side/rear extensions and extension and alteration of the roof, including a new rear gable, enlarged rear dormer, installation of new window on existing rear gable and five front and one rear rooflights and internal and external alterations, including the re-location of the front entrance to allow change of use of property from day care centre (Class D1) to provide 2 three-bedroom and 3 two-bedroom flats (Class C3), including alteration of rear terraces, front ramp, bin and cycle stores and associated parking, access and landscaping (involving demolition of existing extensions, external side staircase and front ramp)

LBH Ref Nos: 19305/APP/2011/1584

Drawing Nos: 2010-D84-1-06
2010/D84/1/05
Arboricultural Impact Assessment Report (Ref: LBH/EST/AIA/01) dated 11/06/11
Tree Constraints Survey Schedule, dated 30/12/10
Design and Access Statement, June 2011
2010/D84/1/01 Rev. A
2010-D84-1-02 Rev. A
2010/D84/1/07
2010/D84/1/03 Rev. E
2010/D84/1/04 Rev. D
2010/D84/1/05 Rev. D
Applicant's email dated 10/10/11

Date Plans Received:	28/06/2011	Date(s) of Amendment(s):	13/07/2011
Date Application Valid:	13/07/2011		03/10/2011
			10/10/2011

1. SUMMARY

The proposal is to erect part ground floor, part first floor and part two storey side/rear extensions, extend and alter the roof to include a new rear gable, installation of new window on existing rear gable, enlarged rear dormer and installation of five front and one rear rooflights and internal and external alterations to allow the change of use of the property from day care (Class D1) to 2 three-bedroom and 3 two-bedroom flats (Class C3) within the Northwood/Frithwood Conservation Area. Internal and external works include the re-location of the front door in the front elevation, alterations to the existing terraced areas at the rear, new front access ramp and provision of bin and cycle stores at the side of the property. Parking for 6 vehicles, including a disabled space will be provided on the existing hardstanding area at the front of the property, accessed by means of a new central vehicular crossover, and associated landscaping. Works also involve demolition of existing extensions, removal of external side staircase and front ramp.

There are no objections in principle to the loss of the day care facility with provision being made elsewhere in the borough and given this former more intensive use of the site, no

objections are raised to the principle of providing flats on the site.

The extensions are considered to be appropriate to the size and scale of the building and their design would match existing features and harmonise with the character of the building. The scheme takes adequate account of its impact upon existing trees on site. As such, the proposal would maintain and enhance the character and appearance of the conservation area.

The scheme would not adversely affect the amenities of surrounding residential properties and would afford appropriate residential accommodation for future occupiers. Parking and access arrangements are considered acceptable. It is recommended for approval.

2. RECOMMENDATION

1 SP01 Council Application Standard Paragraph

This authority is given by the issuing of this notice under Regulation 3 of the Town and Country Planning General Regulations 1992 and shall enure only for the benefit of the land.

2 T8 Time Limit - full planning application 3 years

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

REASON

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

3 OM1 Development in accordance with Approved Plans

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

REASON

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

4 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).

5 NONSC Non Standard Condition

No development shall take place until full details and sections of the construction, design and materials to be used on the re-located front door and fanlight, including frames and the making good of brickwork have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the

approved plans and retained as such thereafter.

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).

6 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.

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).

7 H3 Vehicular access - construction

The building hereby permitted shall not be occupied until the vehicular means of access has been constructed in accordance with the approved plans. Thereafter, the vehicular means of access shall be retained and kept open for users of the building.

REASON

To ensure the provision of a safe and convenient access for vehicular traffic, prior to occupation in accordance with Policies AM7 and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 6 of the London Plan (July 2011).

8 NONSC Non Standard Condition

The new vehicular crossover shall not be brought into use until the on street highway works, including the relocation of the parking bays on Eastbury Road have been implemented in accordance with the details shown on the approved plans.

REASON

In the interests of highway safety and in compliance with Policy AM7 of the Hillingdon

Unitary Development Plan Saved Policies (September 2007).

9 H12 Closure of Existing Access

The existing vehicular crossovers at the site, shall be closed, the dropped kerbs 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 Policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 6 of the London Plan (July 2011).

10 H7 Parking Arrangements (Residential)

The parking areas (including where appropriate, the marking out of parking spaces) including any garages and car ports shown on the approved plans, shall be constructed, designated and allocated for the sole use of the occupants prior to the occupation of the development and thereafter be permanently retained and used for no other purpose.

REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 6 of the London Plan (July 2011).

11 H11A Visibility Splays

The access for the proposed car parking shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.

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).

12 H13 Installation of gates onto a highway

No gates shall be installed which open outwards over the highway/footway.

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) and Chapter 3C of the London Plan. (February 2008).

13 H16 Cycle Storage - details to be submitted

No part of the development hereby permitted shall be commenced until details of covered and secure cycle storage for at least 5 bicycles have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details prior to the occupation of the development and thereafter permanently retained.

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)

and Chapter 3C of the London Plan (February 2008).

14 OM5 Provision of Bin Stores

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

REASON

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

15 RPD1 No Additional Windows or Doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 22 and 26 Eastbury Road.

REASON

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

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

The first floor bathroom window facing No. 22 Eastbury Road and the second floor gable kitchen window facing 26 Eastbury Road shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

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

17 RPD4 Prevention of Balconies/Roof Gardens

The roof areas of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area.

REASON

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

18 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) Existing and proposed site levels.
- (ii) Routes of any existing or proposed underground works and overhead lines including their manner of construction.

REASON

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

19 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.

20 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).

21 TL5 Landscaping Scheme - (full apps where details are reserved)

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. 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).

22 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).

23 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).

24 TL21 Tree Protection, Building & Demolition Method Statement

Prior to development commencing on site, a method statement outlining the sequence of development on the site including demolition, building works and tree protection shall be submitted to and approved by the Local Planning Authority, and the scheme thereafter implemented in accordance with the approved method statement.

REASON

To ensure that trees can be satisfactorily retained on the site in accordance with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

25 DIS5 Design to Lifetime Homes Standards & Wheelchair Standards

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

REASON

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

26 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, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with policies 4B.1 and 4B.6 of the London Plan.

NONSC

~~27~~ Development shall not be permitted unless a sound condition scheme for protecting the proposed residential units from internal noise 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 ensure that the accommodation provides an adequate standard of residential amenity, in accordance with policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 7.15 of the London Plan (July 2011).

28 NONSC Non Standard Condition

Prior to the commencement of development a scheme demonstrating a 10% reduction in energy demand through energy efficiency improvements and the generation of electricity from renewable energy sources where feasible shall be submitted. The scheme shall clearly set out the annual baseline energy consumption (kWhr) and associated emissions (KgCO₂). The scheme shall then include full details of how the baseline regulated energy demand is reduced by 10% through improvements to the fabric of the building and also the inclusion of on site renewable energy technologies. The development must proceed in accordance with the approved scheme.

Reason

To ensure carbon emissions are reduced in accordance with Policy 5.3 of the London Plan (July 2011).

29 NONSC Non Standard Condition

Prior to the commencement of development a scheme for the reduction in potable water use including the harvesting and recycling of grey and rain water shall be submitted to and approved in writing by Local Planning Authority. The scheme shall clearly set out how collected water will be reused in areas where potable water is not required, i.e. toilet flushing and irrigation of landscaped areas. The development must proceed in accordance with the approved scheme.

Reason

To ensure the development reduces the pressure on potable water in accordance with Policy 5.15 of the London Plan (July 2011).

30 SUS5 Sustainable Urban Drainage

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

REASON

To ensure that surface water run off is handled as close to its source as possible in compliance with policy 4A.14 of the London Plan (February 2008) /if appropriate/ and to ensure the development does not increase the risk of flooding contrary to Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), policies 5.12 of the London Plan (2011) and PPS25.

31 MRD8 Education Contributions

Before the development hereby permitted is commenced, a scheme shall be submitted to, and approved in writing by the Local Planning Authority detailing how additional or

improved educational facilities will be provided within a 3 miles radius of the site to accommodate the nursery, primary and secondary school child yield arising from the proposed development. This shall include a timescale for the provision of the additional/improved facilities. The approved means and timescale of accommodating the child yield arising from the development shall then be implemented in accordance with the agreed scheme.

REASON:

To ensure the development provides an appropriate contribution to educational facilities within the surrounding area, arising from the proposed development, in accordance with Policy R17 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and the Council's Supplementary Planning Guidance on Educational Facilities.

INFORMATIVES

1 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).

2 I53 Compulsory Informative (2)

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

PPS1	Delivering Sustainable Development
PPS3	Housing
PPS5	Planning for the Historic Environment
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 3.14	(2011) Existing Housing - Efficient use of stock
LPP 3.17	(2011) Health and social care facilities
LPP 5.3	(2011) Sustainable design and construction
LPP 5.13	(2011) Sustainable drainage
LPP 7.2	(2011) An inclusive environment
LPP 7.8	(2011) Heritage assets and archaeology
LPP 7.13	(2011) Safety, security and resilience to emergency
BE4	New development within or on the fringes of conservation areas
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.

BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
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
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
H4	Mix of housing units
H8	Change of use from non-residential to residential
R11	Proposals that involve the loss of land or buildings used for education, social, community and health services
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.16	(2011) Protection and enhancement of social infrastructure
LPP 7.3	(2011) Designing out crime
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
LPP 7.15	(2011) Reducing noise and enhancing soundscapes
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.4	(2011) Retrofitting
LPP 5.15	(2011) Water use and supplies

3 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.

4 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.

5 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).

6 15 Party Walls

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

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

in some circumstances, carry out ground works within 6 metres of an adjoining building.

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

7 16 Property Rights/Rights of Light

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

8 115 Control of Environmental Nuisance from Construction Work

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

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

D) No bonfires that create dark smoke or nuisance to local residents.

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

9 I21 **Street Naming and Numbering**

All proposed new street names must be notified to and approved by the Council. Building names and numbers, and proposed changes of street names must also be notified to the Council. For further information and advice, contact - The Street Naming and Numbering Officer, Planning & Community Services, 3 North Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250557).

10 I43 **Keeping Highways and Pavements free from mud etc**

You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act 1980.

11 I45 **Discharge of Conditions**

Your attention is drawn to conditions 4, 5, 6, 13, 14, 18, 20, 21, 23, 24, 26, 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 these conditions. The Council may consider taking enforcement action to rectify the breach of any condition(s). For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250230).

12 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.

Please contact: Mr Peter Sale, Chief Executive Officer, Hillingdon Training Ltd: contact details - c/o Hillingdon Training Ltd, Unit A, Eagle Office Centre, The Runway, South Ruislip, HA4 6SE Tel: 01895 671 976 email: petersale@hillingdontraining.co.uk

13

As regards condition 8, the off site highway works will be implemented at the developer's expense and a legal agreement may need to be entered into with the Council under Section 278 of the Highways Act 1980 (as amended) or other appropriate legislation to deliver the off site highway works.

14

It is contrary to section 163 of the Highways Act 1980 for surface water from private land to drain onto the highway or discharge into the highway drainage system. The hard standing shall therefore be so designed and constructed that surface water from the private land shall not be permitted to drain onto the highway or into the highway drainage system.

15

The applicant is advised to contact the Council's Highways Team in respect of construction of the new vehicle crossover for the proposed flats.

16

In respect of Condition 31, you are advised that the Council considers that one way to ensure compliance with this condition is to enter into an agreement with the Council to ensure the provision of additional educational facilities locally proportionate to the needs arising from the development.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a large detached two-storey property with accommodation in the roof space, sited on the east side of Eastbury Road, some 78m to the south of its junction with Frithwood Avenue. The property is essentially currently vacant (although use is made of the building for short term lets as a means of providing security), but previously was in use as a day care centre. The house has been extended and there is a large area of front garden car parking and a raised patio area at the rear. The adjoining property to the south, No. 22 is in use as a house and is sited some 0.75m above the ground level of the application property. The adjoining property to the north has been converted to flats.

The character of the surrounding area is essentially that of a traditional residential area, built at the end of the 19th Century and comprises large detached properties on spacious, verdant plots which forms part of the Northwood, Frithwood Conservation Area.

3.2 Proposed Scheme

The proposal is to erect part ground floor, part first floor and part two storey side/rear extensions and extension and alteration of the roof including a new rear gable, installation of new window on existing rear gable, enlarged rear dormer and installation of five front and one rear rooflights and internal and external alterations to allow the change of use of the property from day care (Class D1) to 2 three-bedroom and 3 two-bedroom flats (Class C3). Internal and external works include the re-location of the front door in the front elevation, alterations to the existing terraced areas at the rear, new front access ramp and provision of bin and cycle stores at the side of the property. Parking for 6 vehicles, including a disabled space will be provided on the existing hardstanding area at the front of the property, accessed by means of a new central vehicular crossover and associated landscaping. Works also involve demolition of existing extensions, removal of external side staircase and front ramp.

On the side facing No. 26, an infill extension would be added on the ground floor and the corner of the building would be squared off at the rear. At first floor level, a 7.9m wide dormer type extension would be added to the side of the existing cat-slide roof, set back from the front elevation of the property by 2.3m, with a hipped roof and a small area of crown roof. This would replace an existing extension housing a lift shaft.

On the side facing No. 22, on the ground floor, the central section of the single storey side extension would be increased in width so that it would align with the width of the front and rear sections. A first floor extension would be added above, measuring 3.1m wide and 10.5m deep to align with the main front elevation of the house. This would be finished with a lean-to roof with an eaves height matching that of the main house which would return along the front elevation of the house. On the side, the lean-to roof would have a maximum height of 9.7m, approximately 1m below the height of the main ridge. At the rear, the extension would project to form part of a new gabled bay to match the depth of the existing projecting rear gabled bay. The bay would be 7.14m wide to adjoin the

existing bay, matching its proportions and height. A new gable window would be installed in the existing bay.

Five rooflight windows would be installed on the front elevation and one on the rear. Internal and external alterations are also proposed, including retaining the front door and fanlight, but re-siting it some 1.9m to the left on the front of the property. The existing terraces at the rear would be re-furnished, a new ramp and steps would be installed at the front and an existing outbuilding at the side of the property adjoining No. 26 would be utilised to provide bin and cycle stores. Parking for 6 vehicles would be provided in the front garden with a new central vehicular crossover, with the existing outer crossovers blocked.

The works also involve the demolition of existing extensions, a side external staircase and front ramp.

The three-bedroom flats would be provided on the ground floor with two two-bedroom flats on the first floor and the third two-bedroom flat in the roofspace.

A number of reports have been submitted in support of the application, namely:

Design and Access Statement:

This provides a background to the scheme and advises that the property is temporarily occupied by a management letting company, with short-term tenants providing a degree of security and presence at the site. It goes on to describe the building and surrounding area and provides a justification for the scheme. The statement then goes on to briefly focus upon the various aspects of the scheme, namely transport, design, secured by design, layout, scale, landscaping, appearance and access.

Arboricultural Impact Assessment Report:

This describes the site and the quality and condition of its 16 trees assessed. The report states that the surveyed trees are all low quality, although 3 are borderline (2 bordering on moderate quality and 1 on poor quality). The constraints that the trees pose to the development are identified and recommendations formulated, including the felling of 3 low quality trees. The report concludes that the retained trees would be capable of sustaining the development and the proposals will not have any significant impact on either retained trees or the wider landscape.

3.3 Relevant Planning History

Comment on Relevant Planning History

19305/G/80/1365 - Continued use of premises as a day centre for the elderly and physically disabled - Approved 05/09/80.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.8 To preserve or enhance those features of Conservation Areas which contribute to their special architectural and visual qualities.
- PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.
- PT1.16 To seek to ensure enough of new residential units are designed to wheelchair and mobility standards.
- PT1.30 To promote and improve opportunities for everyone in Hillingdon, including in particular women, elderly people, people with disabilities and ethnic minorities.
- PT1.39 To seek where appropriate planning obligations to achieve benefits to the community related to the scale and type of development proposed.

Part 2 Policies:

- PPS1 Delivering Sustainable Development
- PPS3 Housing
- PPS5 Planning for the Historic Environment
- LPP 3.4 (2011) Optimising housing potential
- LPP 3.5 (2011) Quality and design of housing developments
- LPP 3.8 (2011) Housing Choice
- LPP 3.14 (2011) Existing Housing - Efficient use of stock
- LPP 3.17 (2011) Health and social care facilities
- LPP 5.3 (2011) Sustainable design and construction
- LPP 5.13 (2011) Sustainable drainage
- LPP 7.2 (2011) An inclusive environment
- LPP 7.8 (2011) Heritage assets and archaeology
- LPP 7.13 (2011) Safety, security and resilience to emergency
- BE4 New development within or on the fringes of conservation areas
- BE13 New development must harmonise with the existing street scene.
- BE15 Alterations and extensions to existing buildings
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE22 Residential extensions/buildings of two or more storeys.

- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

- 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
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
H4	Mix of housing units
H8	Change of use from non-residential to residential
R11	Proposals that involve the loss of land or buildings used for education, social, community and health services
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
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LPP 5.15	(2011) Water use and supplies

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **5th October 2011**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

45 neighbouring properties have been consulted and the application has been advertised as affecting the character and appearance of the Northwood/Frithwood Conservation Area and a notice has been displayed on site. A petition with 40 signatories has been received, together with 5 individual responses.

The petition states 'Reconsider a more sensitive conversion: Refurbish into/prefer single private dwelling of same size.'

The individual respondents raise the following issues:

- i) Proposed additions will increase size and mass of property, making it one of the largest on Eastbury Road, and out of character with the remainder of properties. This will add to the urban density on Eastbury Road, detrimental to the character of the road which contains many period properties. Character of the Conservation Area needs to be preserved;
- ii) The proposed extensions greatly increase the mass and the impact of the building, particularly the proposed rear elevation;
- iii) The current small rectangular paned, leaded lights to the rear elevation should be maintained;
- iv) A number of neighbouring properties will be overlooked by the proposal. No. 4 Kiln Way and neighbours will be overlooked by the new first and second floor windows in the side and rear extensions. In our case this will enable a direct view into our rear garden and overlook our rear bedroom, lounge and dining room. The rear garden and several windows in the side and rear walls of No. 3 Kiln Way would be overlooked. New terrace at first floor of house will impose on privacy of No. 8 Kiln Way, particularly when windows are open. The addition of extra windows and terraces will also have a major impact on the privacy to the front, side and rear of No. 22 Eastbury Road. A proposed kitchen window will directly look into our kitchen, a serious breach of privacy and human rights. The windows of tenants of the adjacent Council property, No 26 Eastbury Road, will also be directly overlooked. Would object to any development at 24 Eastbury Road that adds rear windows, terraces or extends rear elevations in any way;
- v) The ground level rear terraces are at a high level compared to No. 4 Kiln Way's adjacent garden. The photos show at least 5 steps up from garden level. As these appear to be extended into the garden for some distance further from the building than before, it will be possible for people on the terraces to see into neighbouring gardens and for them to be seen from those gardens. A severe reduction in privacy and a loss of amenity;
- vi) Proposal will result in loss of light to gardens;
- vii) The 5 parking spaces are insufficient and will lead to additional on-street parking and congestion on Eastbury Road and the immediately surrounding area, particularly at school times. Parking at the rear would block driveways. A particular concern is the proximity of the already dangerous Frithwood Avenue/Rofant Road/Eastbury Road junction, where a number of near misses have occurred. The current marked out parking bays near this junction increase the danger and do not help traffic or pedestrian safety, as they force traffic into the centre of the road. With more cars parked on the road, visibility will be further reduced and many children and adults walk along this stretch of road to reach schools. Eastbury Road already has had one fatality nearer to Green Lane end and proposal will increase likelihood of further accidents;
- viii) Five families, (possibly 17 people based on proposed bedroom provision), using the garden facilities will result in additional noise and loss of amenity;
- ix) Proposal will set precedent for further development in surrounding area;
- x) Proposal is part of a larger development scheme of neighbouring properties, including Nos. 26 and 28 Eastbury Road and scheme should be considered in unison for their collective impact on the area;
- xi) Preferred option for this site would be to refurbish the building for sale as a single residence as per the previous use prior to Council ownership for which there is significant demand in Northwood;
- xii) Will working hours/days be specified and enforced to prevent noise and loss of amenity during construction?
- xiii) There is no rear access to 24 Eastbury Road at present. As a number of neighbouring families have young children and Kiln Way represents a relatively safe and quiet environment for them, can it be assured that there will be no rear access in future, no deliveries to the rear for construction materials, and no use of Kiln Way by construction traffic, or parking associated with the development.

Neighbouring properties were re-consulted on amended plans but no additional responses have been received.

Northwood Residents' Association:

The Northwood Residents' Association wishes to object to the proposal to convert the property to provide two and three bedroomed flats on the grounds that a) in a Conservation area where extensions or alterations should not be out of scale with the original house and should respect the property's original design. We contend that this proposal fails in this respect. We also contend that the proposal fails to meet the UDP (saved policies) BE4 as well as BE15, BE19, and BE24 where we are concerned on the impact on the amenity space of properties in Kiln Way.

Thames Water: With regard to sewerage infrastructure, we would not have any objection.

Water Comments: This comes within the area covered by the Veolia Water Company.

Internal Consultees

CONSERVATION/URBAN DESIGN OFFICER:

Background: This property stands in the Northwood-Frithwood Conservation Area. It was built as part of the Carew estate at the end of the 19th century, and as such is one of the original houses in Eastbury Road. Its steep tile hung gable, with flowing catslide roof, and distinctive central stack with tumbled shoulders, is a Lutyens-esqe design, reminiscent of some of the buildings in Hampstead Garden Suburb. Although it has been subject to various additions whilst in use for a residential home, it is nevertheless a good quality house and one of an unbroken line of similar buildings on this side of the road.

The proposal to extend and alter the house to form flats has been the subject of much discussion, including at least two site meetings, and amended drawings over the last few months. It is considered that the scheme retains the most important features in public view, and that the new additions would complement the existing in their design.

The front door case, door and fanlight, which is particularly fine, are intended to be removed and re-instated in a slightly different location to rationalise the design of the interior. Whilst this proposal is acceptable, it should be made the subject of a condition. Samples of all new materials should be considered on site to ensure as good a match as possible. Any replacement windows will need to match existing, as no permitted development rights pertain to this building.

Recommendation: Acceptable.

TREE OFFICER:

There are 16 trees on the site. Collectively, these trees contribute to the amenity and arboreal character of this part of the Conservation Area. The Maple and Cypresses and the row of conifers at the front of the site, and the Birch at the rear of the site are subject to Tree Preservation Order No. 152 (TPO 152). The other trees are protected by virtue of their location in the Conservation Area.

In terms of Saved Policy BE38 of the UDP, the Maple (T4 on TPO 152) and the individual Cypress (T5 on TPO 152), which are in decline, merit retention together with most of the row of conifers (G2 on TPO 152) and the Birch (T6 on TPO 152) and most of the other trees in the rear garden. However, the conifer nearest to the front corner of the existing building and the cypress and hawthorn close to the rear corner of it have low values and do not constrain the development of the site.

The application includes and is designed following a tree survey and arboricultural implications assessment report dated 11 June 2011, and after pre-application advice. The report recognises

several matters, such as underground services, that will need to be addressed to enable the successful integration of the proposal with the retained trees.

The scheme, which utilises the existing parking area, retains all of the valuable trees, including T4, T5 and T6 and most of G2 on TPO 152, and reserves space for landscaping and tree planting at the front of the site to maintain the tree cover and enhance the amenity of the area. There is also space for landscaping in the rear garden. In this context, there is no objection to the loss of three low value trees (close to the existing building) to facilitate the proposed development.

Subject to conditions TL1 (services and levels ONLY), TL2, TL3, TL5, TL6, TL7 and TL21, the application is acceptable in terms of Saved Policy BE38 of the UDP.

HIGHWAY ENGINEER:

Eastbury Road is located on the north western part of the borough in a densely populated residential area benefiting from parking management with a carriageway width of 7.0m and 2.5m wide footways on both sides.

The existing detached dwelling was used as a day care centre and located between Frithwood Avenue and Carew Road that benefited from separate entry and exit vehicular cross-overs on both sides of its frontage, accommodating substantial parking spaces in the front garden.

The proposal is to convert the existing two storey detached property into 2 x 3 bed and 3 x 2 bed self-contained flats by retaining existing principal features of the building facade and providing six off-street vehicle parking spaces in the front garden including one disabled bay which complies with the maximum standards set out in the annex to saved UDP Policy AM14.

The proposal also includes closure of the existing dual vehicular access openings and construction of a single centrally located vehicle access 4.1m wide at the rear of the footway and 9.0m wide at the roadside.

Amended plans have now been received which show a BT pole on the adjoining pavement no longer within the new vehicular crossover and a note has been added to the amended plan stating that this may need re-siting. The two removed on street residents parking bays have been replaced adjacent to the existing crossovers that would be closed. These amendments are acceptable.

Consequently, no objection is raised subject to the following conditions and informatives:

Conditions

1. The hardstanding area shall not be used until the means of vehicular access has been constructed in accordance with the details first submitted to and approved in writing by the Local Planning Authority
2. The use of the land for vehicle parking shall be permanently maintained and available for parking of vehicles at all times to the Authority's satisfaction
3. The access for the proposed car parking shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.

Informatives

1. It is contrary to section 163 of the Highways Act 1980 for surface water from private land to drain

onto the highway or discharge into the highway drainage system.

The applicant is advised to contact the Council's Highways Team in respect of construction of new vehicle crossover for proposed dwelling.

ACCESS OFFICER:

Despite extensive discussion having taken place prior to the submission of the above planning application, the proposal remains lacking in terms of compliance with the Lifetime Home standards.

The following access observations are provided:

1. Level access should be confirmed.

2. The ground floor flats should feature at least one bathroom that provides at least 700mm one side of the WC, with 1100 mm provided between the front edge of the toilet pan and a door or wall opposite, as detailed in the Council's Supplementary Planning Document 'Accessible Hillingdon', adopted January 2010.

N.B: it is considered unacceptable to position a hand basin within the 700mm transfer area, even if recessed to encroach only 250mm beyond the cistern.

3. To allow bathrooms to be used as wet rooms in future, plans should specify the type of floor gulley to be installed.

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

Conclusion: Revised plans should be requested and agreed as a prerequisite to any planning approval.

SUSTAINABILITY OFFICER:

Policy 5.3 of the London Plan (July 2011) states:

'Planning decisions

B - Development proposals should demonstrate that sustainable design standards are integral to the proposal, including its construction and operation, and ensure that they are considered at the beginning of the design process.'

The Code for Sustainable Homes condition for new build implements this policy, but for where the code does not apply we have to take a different approach.

I therefore have no objections to the proposed development subject to the following conditions:

Energy

Prior to the commencement of development a scheme demonstrating a 10% reduction in energy demand through energy efficiency improvements and the generation of electricity from renewable energy sources where feasible. The scheme shall clearly set out the annual baseline energy consumption (kWhr) and associated emissions (KgCO₂). The scheme shall then include full details of how the baseline regulated energy demand is reduced by 10% through improvements to the fabric of the building and also the inclusion of onsite renewable energy technologies. The development must proceed in accordance with the approved scheme.

Reason

To ensure carbon emissions are reduced in accordance with Policy 5.3 of the London Plan.

Water Efficiency

Prior to the commencement of development a scheme for the reduction in potable water use including the harvesting and recycling of grey and rain water shall be submitted to and approved in writing by Local Planning Authority. The scheme shall clearly set out how collected water will be reused in areas where potable water is not required, i.e. toilet flushing and irrigation of landscaped areas. The development must proceed in accordance with the approved scheme.

Reason

To ensure the development reduces the pressure on potable water in accordance with Policy 5.15 of the London Plan.

EDUCATION SERVICES:

A S106 education contribution of £20,158 is required (Nursery - £0, Primary - £9,044, Secondary - £7,085 and Post 16 - £4,029).

7. MAIN PLANNING ISSUES

7.01 The principle of the development

As regards the loss of the day care facility, the submitted Design and Access Statement advises that the centre was closed in late 2010/early 2011 due to fire evacuation concerns for its disabled residents. The centre was operated by Social Services, mainly providing day care for clients who were generally disabled, elderly or both, with many in wheelchairs or who had some degree of mobility impairment. An initial fire risk assessment carried out by external consultants in 2009 was updated by further inspections in 2010. These showed that the building was not suited to its use and that means of escape were less than satisfactory. Even with substantial expenditure and improvement, only a very limited number of wheelchair users would have been able to occupy the upper floors due to the limitations of the building design. Furthermore, the alterations required would have been uneconomic for the degree of occupancy.

The statement goes on to advise that the site is now considered surplus to requirements. Existing residents and some of the staff were relocated to Grassy Meadows near the Beck Theatre in Hayes. Adult Social Care strategy is now more about utilising existing community based buildings for day opportunities rather than centre-based care. There are apparently no plans pending to provide new purpose-built adult day care facilities in Hillingdon.

As regards the proposed residential use, the site is located within a traditional residential area which forms part of the Northwood, Frithwood Conservation Area where there would be no objection in principle to a more intensive use of the site for residential purposes, subject to relevant planning considerations and policies in the Unitary Development Plan (Saved Policies, September 2007).

In terms of the conversion of this property, paragraph 3.3 of the Council's Supplementary Planning Document (SPD) HDAS: Residential Layouts does advise that the traditional residential character of an area can be compromised where there is an over-concentration of flatted development. The guidance goes on to advise that to avoid this, the cumulative impact of residential conversions are unlikely to be acceptable where more than 10% of the houses in a street have been converted or redeveloped to provide flats or other forms

of housing. In this instance, the site is already in a more intensive use as a day care centre. The proposal would therefore not compromise the existing character and no objection in principle to the development of flats on this site are raised.

The paragraph also advises that in order to provide a suitable standard of residential accommodation, houses will only be considered suitable for conversion if they have a floor area of 120m² or more. The existing property greatly exceeds this figure.

7.02 Density of the proposed development

Policy 3.4 of the London Plan (July 2011) advises that Boroughs should ensure that development proposals maximise housing output having regard to local context, design principles, density guidance in Table 3.2 and public transport accessibility. Table 3.2 establishes a density matrix to establish a strategic framework for appropriate densities at different locations.

The site is located within a suburban area and has a Public Transport Accessibility Level (PTAL) of 2. Taking these parameters into account, the matrix recommends a density of 50-95 u/ha and 150-250 hr/ha, assuming units have an indicative size of 2.7 to 3.0 hr/unit. Although this guidance is primarily concerned with new build schemes, this proposal equates to a density of 69 u/ha and 207 hr/ha, which accords with these density guidelines. However, it is compliance with other UDP Saved Policies and council standards which is considered more relevant to this case.

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

The Council's Urban Design/Conservation Officer advises that the property is one of the original houses built at the end of the 19th century on Eastbury Road and employs a Lutyens-esque design, reminiscent of some of the buildings found in Hampstead Garden Suburb. Although it has had various additions, it remains a good quality house and one that forms an unbroken line of similar buildings on this side of the road within the Northwood, Frithwood Conservation area.

The proposed extensions would not materially extend the footprint of the existing property. The first floor side extensions would maintain gaps of 1.6m and 4.0m respectively to the side boundaries with Nos. 22 and 26 Eastbury Road so as to retain adequate open gaps between properties. The proposed extensions are fairly modest in scale, commensurate with the size of the building and they have been designed to harmonise with the original building. The first floor side extension adjoining No. 22 has a mono-pitched roof that returns to continue the roof slope along the front of the property. Adjoining No. 26, the side extension has been designed as a dormer type extension within the property's cat slide roof. At the rear, the house has been extended at first floor level in the form of a new rear gable that would mimic the scale, proportions and design of the existing rear gable. An existing dormer in the main roof would be extended between the gables.

The existing attractive front door and fanlight would be re-instated slightly further over to the left on the front elevation. All new windows would match the design of existing windows. Conservation type rooflights are specified on the plans.

Revised plans have also been received which minimise the alteration works to the existing rear terraces.

The Council's Design/Conservation Officer advises that these proposals have formed the subject of much discussion and undergone various revisions and the scheme now retains the most important features of the house in public view and the new additions complement the original design of the house. The scheme is acceptable and would maintain and

enhance the Northwood, Frithwood Conservation Area, subject to conditions regarding the front door and materials. The proposal is therefore considered to comply with policies BE4, BE15, BE19 and BE22 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.04 Airport safeguarding

Not applicable to this development.

7.05 Impact on the green belt

Not applicable to the application site.

7.06 Environmental Impact

With the exception of the impact upon trees which is dealt with in Section 7.14 below, this proposal does not raise any other significant environmental impacts.

7.07 Impact on the character & appearance of the area

This is dealt with in Section 7.03 above.

7.08 Impact on neighbours

The proposed extensions would not project beyond the front and rear building lines of the existing property. As regards the adjoining house at No. 22, the first floor extension would be sited against the bulk of the existing three storey side gable but the first floor flank would be brought some 2.9m closer to within 3.0m of No. 22's main side elevation. However, as this only contains secondary kitchen windows on the ground floor which already face onto the side boundary wall, a utility room and w.c. windows on the first floor and a study window on the second floor, the impact would not be that significant. As regards No. 26 which has been converted to flats, this does contain a first floor side secondary bedroom window and a primary living room window and a side dormer window in the roof. However, No.26 would be separated from the first floor extension by 6.8m and the proposed extension would replace the lift extension that although smaller, is sited in a similar position. Furthermore, the extension on this side has been designed as a dormer extension, so that it will sit within the existing cat slide roof and be viewed against the bulk of the existing side gable. With such a relationship, the first floor side extension would not appear unduly dominant from the neighbouring property.

Given the juxtaposition of surrounding properties, any additional overshadowing would be to the side of the rear garden of No. 24 Eastbury Road from the middle of the afternoon and from the end of the rear garden and back of the side garage at No. 4 Kiln Way late in the afternoon. Given existing boundary fencing and planting, the extent and duration of any additional overshadowing would be minimal.

The scheme has also been re-designed, omitting many of the previously proposed side windows and now only either secondary or non-habitable room windows remain above the ground floor on the side elevations that can be obscure glazed and made to be non-opening. This has been controlled by condition. An external staircase would also be removed from the side elevation facing No. 22.

As regards the properties to the rear in Kiln Way, the proposal would introduce a new rear windowed gable, a new second floor window to the existing gable and rear rooflight and arguably result in greater intensity of use of the upper floors of the building with the potential for greater overlooking. Design guidance advises that habitable room windows and rear patio areas, taken to be the 3m depth of rear garden immediately adjoining the rear elevation of a residential property should not be overlooked within a 21m distance in order to retain their privacy. The nearest window to No. 4 Kiln Way at the rear would be the new second floor window in the existing rear gable. No. 4 Kiln Way would have the nearest corner of its patio area adjoining its main rear elevation overlooked at a distance

of some 19.7m from this window, with the other windows being more than 21m away. As such, the shortfall from this one window is marginal and the majority of this patio area would be more than 21m away. Furthermore, the adjoining property, No. 26 more directly overlooks the nearest part of the rear elevation of this property through much larger bay windows at a distance of 17.8m so that the additional impact of the new window would not be significant. Also, the rear garden does contain a number of mature trees that would provide screening, certainly during the summer months when it could be reasonable expected that the patio area would be more intensely used. As such, a reason for refusal on this ground could not be sustained. As regards the impact of the new gable upon No. 5 Kiln Way, due to its different orientation, only a small part of its front garden and projecting garage would be overlooked within a 21m distance.

The proposal has also been amended so that the existing siting and levels of the rear terraces would be retained. As such, there would be no potential for greater overlooking from these structures than exists at present, particularly as the rear garden has mature boundary trees and hedging that will be retained.

As such, the scheme is considered to comply with policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.09 Living conditions for future occupiers

In order to achieve a satisfactory living environment, the London Plan (July 2011) and the Council's HDAS: Accessible Hillingdon (January 2010) advise that two-bedroom, three person flats should have a minimum internal floor area of 61sqm; two-bedroom, four person flats should have a minimum area of 70sqm and three-bedroom, five person flats should have a minimum area of 86sqm.

The two ground floor three bedroom units have floor areas of 86sqm and 106sqm, the first floor two-bedroom units have areas of 73sqm and 87sqm and the second floor roof space two-bedroom flat, has a floor area where headroom height is 1.9m or more of 70sqm. The internal floor areas of the flats therefore satisfies the Mayor's and the Council's guidance.

All the main habitable room windows in the ground and first floor flats would have front or rear facing windows. These windows would provide the rooms with an adequate outlook and natural lighting. The second floor flat would have a bedroom served by two front rooflights and an open plan living/dining and kitchen area served by a small rear window, one rear and two front rooflights and an obscure glazed side window. Although the layout is not ideal in terms of outlook, as one of the front and rear rooflights serving the living/dining and kitchen area and bedroom rooflights would be 1.2m above finished floor height, they will provide outlook and as such, it is considered that the residential amenity provided would be acceptable.

In terms of amenity area, design guidance requires a minimum 25m² area of amenity space to be provided for each two-bedroom flat and 30sqm for each three-bedroom flat, equating to a minimum amenity space requirement of 135sqm. The ground floor units would have private terraces adjoining their rear elevations of 22sqm and 41sqm. The shared area of amenity space totals some 260sqm and although some of the space is shaded by existing trees, the level of provision and layout is considered adequate to serve the development and maintain privacy for the occupiers of the ground floor flats. Furthermore, the 1.6m deep planting bed would maintain defensible space from the habitable room windows at the front of the building. At the side adjoining No. 26, would be the bin/recycling bin and cycle store provision. A 1m deep planting bed below a side bedroom window would provide some privacy to this window. The side passage adjoining

No. 22 would be for the sole use of the occupiers of the adjoining flat.

As such, the scheme would achieve a suitable residential environment, in accordance with policies BE23 and BE24 of the UDP.

7.10 Traffic impact, car/cycle parking, pedestrian safety

This is a parking management area. Car parking for six vehicles, including a disabled space would be provided in the front garden. The two existing vehicular crossovers on each side of the site would be replaced by a single centrally sited crossover. Amended plans have now been received which show the two centrally sited on-road residents' car parking spaces being replaced in front of the existing driveways that would be closed. The Council's Highway Engineer advises that the amount and layout of off-street and on-street parking is acceptable, subject to recommended conditions.

Cycle storage would be made in the existing outbuilding at the side of the property adjoining No. 26 Eastbury Road. A condition has been added to ensure that covered and secure provision is made for at least 5 cycles.

7.11 Urban design, access and security

Policy H4 requires a mix of housing of different sizes. Given the character of the area and the constraints of the existing building, the proposed mix of two and three-bedroom units is considered appropriate on this site.

7.12 Disabled access

The Council's Access Officer raises a number of detailed points concerning the scheme's compliance with Lifetime homes standards. It is considered condition has been added that would ensure that the scheme is fully compliant with these standards.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

The submitted tree survey identifies 16 trees on site, a number of which are protected by Tree Preservation Order No. 152, with the others protected by virtue of their location within the Northwood/Frithwood Conservation Area.

The Tree Officer advises that all the valuable trees will be retained, including the TPO protected Maple (T4), Cypress (T5) and most of the conifers (G2) in the front garden and the Birch (T6) and most of the other trees in the rear garden. No objections are raised to the felling of the trees closest to the property, namely a cypress in the front garden, and a Hawthorn and Cypress in the rear garden which are of low amenity value. Furthermore,, the Tree Officer considers that the scheme reserves space for landscaping and tree planting at the front of the site to maintain tree cover and enhance the amenity of the area and subject to various conditions requiring details of services and levels, tree protection, landscaping and implementation schemes and a construction method statement, the proposal is acceptable in terms of Policy BE38 of the adopted Hillingdon unitary Development plan Saved Policies (September 2007).

7.15 Sustainable waste management

Provision will be made for refuse and recycling storage at the side of the property, adjoining No. 24 Eastbury Road within an existing outbuilding. The Design and Access Statement advises that 2 1,100 litre bins will be stored here and refuse vehicles would collect refuse from the road. These arrangements are considered to be satisfactory.

7.16 Renewable energy / Sustainability

The Greater London Authority (GLA), through the London Plan, clearly outlines the importance of reducing carbon emissions and the role that planning should play in helping to achieve that goal. The London Plan contains a suite of policies relating to climate change.

In the supporting text to Policy 5.1, it states that the Mayor expects all development to make the fullest contribution to the mitigation of climate change. Policy 5.2 sets out the energy hierarchy. Policy 5.3 expects the highest standards of design and construction in new development to minimise environmental impacts and Policy 5.4 advises that these high standards will apply in conversion schemes. Policy 5.15 advises on the need for efficient use of water.

The Council's Sustainability Officer advises that energy efficiency and the efficient use of water can both be dealt with by means of condition. These are attached. Although no target is set in the London Plan for energy use reduction with this type of scheme, it is considered that the 10% reduction of energy demand represents an appropriate level, given that the building is existing.

7.17 Flooding or Drainage Issues

Policy OE8 seeks to ensure that new development incorporates appropriate measures to mitigate against any potential increase in the risk of flooding. The site is not within a flood zone. A sustainable urban drainage condition is attached.

7.18 Noise or Air Quality Issues

Policy H7 of the UDP Saved Policies (September 2007) states that conversion of houses into multiple units will generally be considered favourably subject to amongst other things, an adequate sound insulation scheme. This has been controlled by condition.

7.19 Comments on Public Consultations

As regards the petition comment, the desire to see a more sensitive conversion/single family dwelling on this site is noted, but need to consider applications on their individual merits.

In terms of the individual responses, points (i) to (vi) have been dealt with in the main report. As regards point (vii), the proposed car parking provision satisfies Council standards and is considered to be acceptable by the Council's Highway Engineer. As regards additional congestion on the roads and impact upon road safety, any additional traffic generation would not be significant, particularly given former use of the site as a care home and on-street parking is controlled in this area. As regards point (viii), it is unlikely that the use of the garden space would give rise to additional noise and disturbance, given the former care centre use of the site. Points (ix), (x) and (xi) are noted, but all applications are required to be treated on their individual merits. Point (xii) is not a planning matter, but an advisory informative has been added. As regards point (xiii), a condition has been recommended to control construction management.

7.20 Planning Obligations

Policy R17 of the Council's Unitary Development Plan advises that where appropriate, new development should supplement the provision of recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations.

Given the nature and scale of this proposal, the development only gives rise to the requirement for a S106 education contribution of £20,158 (Nursery - £0, Primary - £9,044, Secondary - £7,085 and Post 16 - £4,029). This can be secured by means of a condition

to which the applicant has agreed.

7.21 Expediency of enforcement action

No enforcement issues are raised by this application.

7.22 Other Issues

No other relevant planning issues are 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'.

9. Observations of the Director of Finance

10. CONCLUSION

There are no objections in principle to the loss of the day care facility with provision being made elsewhere in the borough and given this former more intensive use of the site, no objections are raised to the principle of providing flats on the site.

The scheme has been the subject of various pre-application discussions between officers. The extensions reflect these discussions and are considered to be appropriate to the size and scale of the building and their design would match existing features and harmonise with the character of the building. The scheme takes adequate account of its impact upon existing trees on site. As such, the proposal would maintain and enhance the character and appearance of the conservation area.

The scheme would not adversely affect the amenities of surrounding residential properties

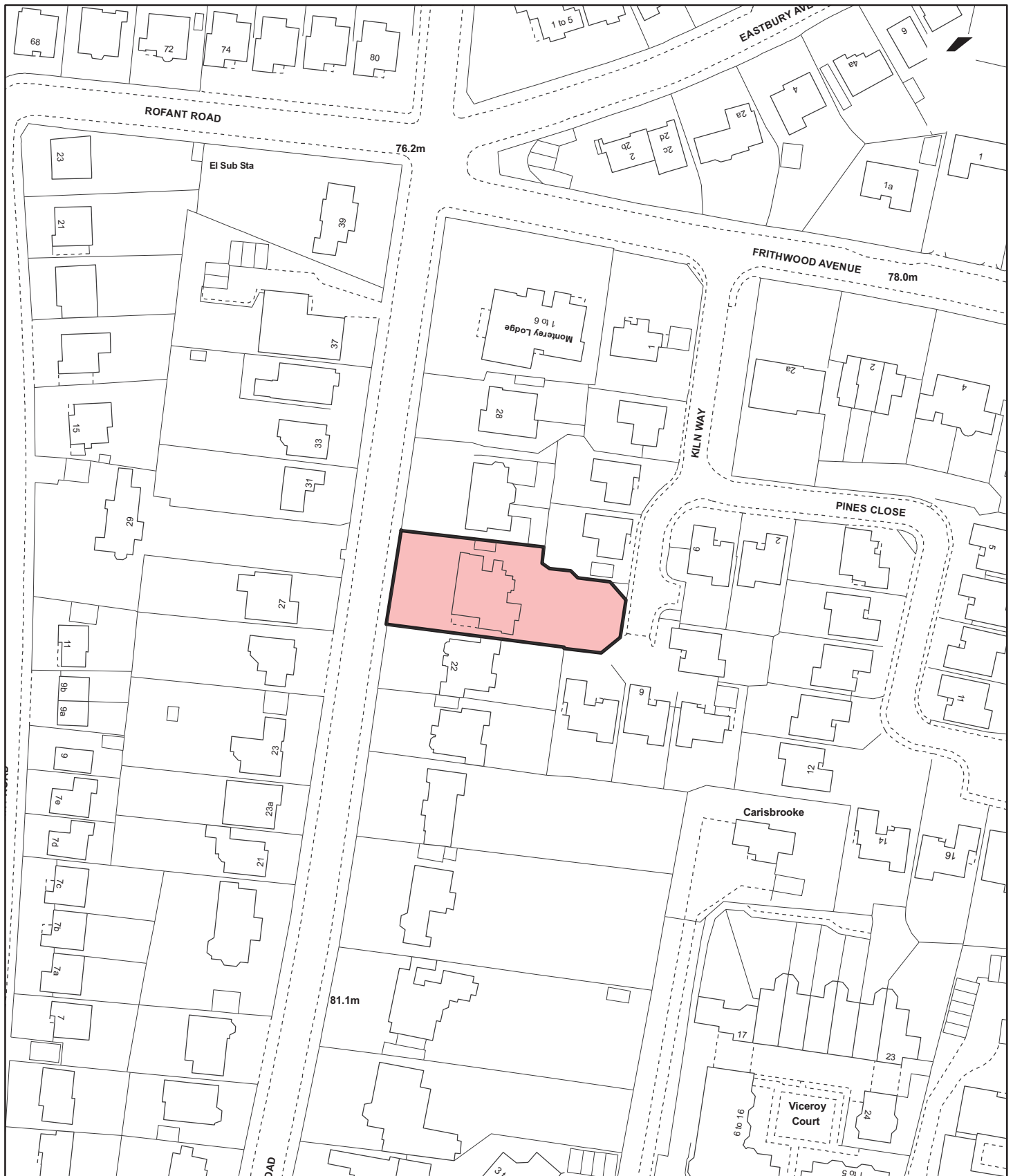
and would afford appropriate residential accommodation for future occupiers. Parking and access arrangements are considered acceptable. It is recommended for approval.

11. Reference Documents

PPS1: Delivering Sustainable Development
PPS3: Housing
PPS5: Planning for the Historic Environment
London Plan (July 2011)
Adopted Hillingdon Unitary Development Plan Saved Policies (September 2007)
HDAS: Residential Layouts & Accessible Hillingdon
Planning Obligations Supplementary Planning Document, July 2008
Consultation responses

Contact Officer: Richard Phillips

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address

**24 Eastbury Road,
Northwood**

Planning Application Ref:

19305/APP/2011/1584

Planning Committee

North Page 182

Scale

1:1,250

Date

**September
2011**

**LONDON BOROUGH
OF HILLINGDON**
Planning,
Environment, Education
& Community Services

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



HILLINGDON
LONDON

Report of the Head of Planning & Enforcement Services

Address PEMBROKE HOUSE, 5 - 9 PEMBROKE ROAD RUISLIP

Development: Part conversion from retail/offices (Use Class A1/B1) to 6 x two-bedroom flats and 3 x three-bedroom flats with associated parking, amenity space, cycle store and bin store, installation of balconies to front and rear, alterations to elevations, new fenestration to upper floors, demolition of existing external fire escape, alterations to existing vehicular crossover and removal of existing plant on roof.

LBH Ref Nos: 38324/APP/2011/786

Drawing Nos: 4628-4 Rev. A
4628-IIA
4628-IIIA
4268-7
Design & Access Statement
4628-V
4628-IVB
4628-5 Rev. C
4628-6 Rev. A

Date Plans Received: 30/03/2011 **Date(s) of Amendment(s):** 31/03/2011
Date Application Valid: 04/04/2011 04/04/2011
19/09/2011

1. SUMMARY

Planning permission is sought for the conversion of vacant offices on the first, second and third floors of a four-storey building to residential use, comprising 6 x two bedroom and 3 x three bedroom flats. There is no objection in principle to their conversion to residential use.

The scheme would not adversely affect the residential amenity of adjoining occupiers. The development would provide 13 car parking spaces, which is considered acceptable in this town centre location with good public transport accessibility. Secure cycle storage would also be provided.

Amenity space is provided in the form of a 115sq.m communal amenity area to the rear and 125sq.m of private balconies for all flats, totalling 240sq.m of amenity space.

It is considered that the proposal complies with relevant Council policy and approval is recommended subject to conditions.

2. RECOMMENDATION

APPROVAL subject to the following:

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

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

REASON

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

2 M2 External surfaces to match existing building

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

REASON

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

3 M1 Details/Samples to be Submitted

No development shall take place until scaled drawings (1:20) of balcony details, including details of obscure screening have been submitted to and approved by the Local Planning Authority. The approved screening, where necessary, shall be installed before the development is occupied and shall be permanently retained for so long as the development remains in existence.

REASON

To ensure that the development presents a satisfactory appearance and to safeguard the privacy of residents in accordance with Policies BE13 and BE24 of the Hillingdon Unitary Development Plan Saved policies (September 2007).

4 M3 Boundary treatment - details

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 building(s) is occupied. 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).

5 OM1 Development in accordance with Approved Plans

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

REASON

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

6 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 excising 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, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with policies 4B.1 and 4B.6 of the London Plan.

7 H16 Cycle Storage - details to be submitted

No part of the development hereby permitted shall be commenced until details of covered and secure cycle storage for 9 have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details prior to the occupation of the development and thereafter permanently retained.

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).

8 H7 Parking Arrangements (Residential)

The parking areas including the marking out of parking spaces (which should include one disabled parking bay for the residential units and four parking bays, one of which should be a disabled bay, for the retail and office units) shall be constructed, designated and allocated for the sole use of the occupants prior to the occupation of the development and thereafter be permanently retained and used for no other purpose.

REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the London Plan (2011).

9 TL5 Landscaping Scheme - (full apps where details are reserved)

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. 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,
- 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).

10 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).

11 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).

12 TL20 Amenity Areas (Residential Developments)

None of the dwellings hereby permitted shall be occupied, until the outdoor amenity area serving the dwellings as shown on the approved plans (including balconies where these are shown to be provided) has been made available for the use of residents of the development. Thereafter, the amenity areas shall so be retained.

REASON

To ensure the continued availability of external amenity space for residents of the

development, in the interests of their amenity and the character of the area in accordance with policy BE23 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the London Plan (2011).

13 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.

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).

14 NONSC Non Standard Condition

The dwelling hereby permitted shall be constructed in accordance with 'Lifetime Homes' Standards, as set out in the Council's Supplementary Planning Document 'Hillingdon Design and Accessibility Statement: Accessible Hillingdon'. No development shall take place until plans and/or details to demonstrate compliance with the standards have been submitted to an approved in writing by the local planning authority. The development shall thereafter be constructed 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 (July 2011) Policy 3.8.

15 NONSC Non Standard Condition

No external lighting shall be installed to the proposed development or its associated curtilage and parking area without further written consent of the Local Planning Authority.

REASON

To ensure that the works are not detrimental to the amenities of adjoining residents in accordance with policy OE1 of the Hillingdon Unitary Development Plan (Saved Policies September 2007).

16 NONSC Non Standard Condition

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 storage of demolition/construction materials on site.

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).

17 NONSC Non Standard Condition

Before the development hereby permitted is commenced, a scheme shall be submitted to, and approved in writing by, the Local Planning Authority detailing how improvements to Education facilities in the vicinity of the site arising from the needs of the proposed development will be provided. The approved means and timescale of providing the proposed improvements shall then be implemented in accordance with the agreed scheme.

REASON

To ensure the development provides an appropriate contribution to the improvement of Education facilities within the surrounding area, arising from the proposed development, in accordance with Policy R17 of the adopted Hillingdon Unitary Development Plan and the Council's Planning Obligations Supplementary Planning Guidance.

18 OM5 Provision of Bin Stores

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

REASON

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

19 SUS8 Electric Charging Points

Before development commences, plans and details of 1 electric vehicle charging point, serving the development and capable of charging multiple vehicles simultaneously, shall be submitted to and approved in writing by the Local Planning Authority.

REASON

To encourage sustainable travel and to comply with London Plan (July 2011) Policy 5.3

20 NONSC Deliveries

Deliveries shall not take place outside the hours of 8am and 6pm Monday to Friday, 10am to 1pm on Saturdays and not at all on Sundays, Bank Holidays and Public Holidays.

REASON

To encourage out of hours/off peak servicing to help mitigate the site's contribution to local congestion levels in compliance with Policy AM2 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

21 HLC5 Industrial and Commercial Development

The retail and office premises shall not be used except between 0700 hours and 2000 hours Mondays to Fridays, between 0800 hours and 1700 hours on Saturdays and between 1000 hours and 1600 on Sundays and Public & Bank Holidays.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

22 NONSC Non Standard Condition

Prior to commencement of development details of a Servicing Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall incorporate measures to minimise noise disturbance and prevent blocking of the access road. The approved strategy shall be implemented as soon as the building is brought into use and the strategy shall remain in place thereafter. Any changes to the strategy shall be agreed in writing by the Local Planning Authority.

REASON

In the interest of highway safety and in compliance with Policy AM2 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

INFORMATIVES

1 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).

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (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.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to

	neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
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
OE5	Siting of noise-sensitive developments
H4	Mix of housing units
H8	Change of use from non-residential to residential
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport
PPG24	Planning and Noise

3 11 Building to Approved Drawing

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

4 12 Encroachment

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

5 13 Building Regulations - Demolition and Building Works

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

6 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.

7 115 Control of Environmental Nuisance from Construction Work

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

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

D) No bonfires that create dark smoke or nuisance to local residents.

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

8

The applicant is advised that the proposed landscaping scheme to be acceptable must include soft landscaping to the Pembroke Road frontage.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the northern side of Pembroke Road, within the Ruislip Town Centre, but not within the primary or secondary shopping areas. The property comprises a four storey detached building known as Pembroke House. The ground floor has planning permission for retail use and the upper floors are within class B1 (office) use. The first and second floors are currently vacant.

The site is bounded by housing to the north-west and north-east with Ruislip Station and Kings Lodge flats located to the south. The main high street shops are to the west on High Street (A4180).

The application site has parking to the rear accessed via a shared drive along the north eastern boundary with Nos. 11-17 Pembroke House which is also owned by the applicant and comprises a three storey flat development with car parking to the rear.

There are no significant landscape features on the site which constitute a constraint on development.

The site is located adjacent to the Ruislip Village Conservation Area.

3.2 Proposed Scheme

Planning permission is sought for a change of use of existing offices on the first, second

and third floors of the building to residential use, comprising 6 two-bedroom units and 3 three-bedroom flats. Entrance to the flats would be through an existing door and internal staircase on the south eastern side of the building, accessed from the front of the property, which would be exclusive to the flats.

The ground floor retail use would occupy 185sq.m with additional storage, staff space, toilets and a kitchen totalling 36sq.m.

Management office space measuring 37sq.m would be retained at the rooftop level.

External alterations would consist of the following:

- a) New facade treatment by re-glazing, re-cladding and the provision of projecting balconies to the front and rear;
- b) New glazed entrance to the ground floor retail unit;
- c) Removal of external concrete fire escape staircase;
- d) New shutter door to north eastern elevation to provide access for deliveries to the retail unit;
- e) Disused ventilation plant and equipment will be removed from the roof area.

The only internal alterations to the layout would be the removal and replacement of internal partitions.

A total of 13 car parking spaces are proposed including two disabled spaces. Cycle storage for 9 cycles and a refuse storage area are proposed to the rear of the building.

3.3 Relevant Planning History

15615/APP/2006/1221 Pembroke House 5 - 9 Pembroke Road Ruislip

ERECTION OF SINGLE-STOREY REAR EXTENSION TO RETAIL/STORAGE AREA, AND CREATION OF 15 PARKING SPACES INCLUDING RAMPS FOR VEHICULAR ACCESS (PARKING SPACES ON GROUND AND FIRST-FLOOR LEVELS)

Decision: 20-06-2006 Refused **Appeal:** 04-01-2007 Dismissed

15615/APP/2006/25 5-9 Pembroke House Pembroke Road Ruislip

ERECTION OF SINGLE STOREY REAR EXTENSION TO RETAIL AREA AND CREATION OF 28 PARKING SPACES INCLUDING RAMPS FOR VEHICULAR ACCESS (PARKING SPACES ON TWO FLOORS (GROUND AND FIRST FLOOR LEVELS)).

Decision: 28-02-2006 Refused

38324/APP/2002/2285 Pembroke House Pembroke Road Ruislip

ERECTION OF ADDITIONAL OFFICE SPACE AT ROOF LEVEL, NEW ROOF AND CHANGE OF USE OF GROUND FLOOR OFFICE TO RETAIL USE

Decision: 25-04-2003 Approved

Comment on Relevant Planning History

38324/APP/2002/2285: Erection of additional office space at roof level, new roof and change of use of ground floor office to retail use. This was approved 25 April 2003 but has

not been implemented.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.
- PT1.8 To preserve or enhance those features of Conservation Areas which contribute to their special architectural and visual qualities.
- PT1.16 To seek to ensure enough of new residential units are designed to wheelchair and mobility standards.
- PT1.39 To seek where appropriate planning obligations to achieve benefits to the community related to the scale and type of development proposed.

Part 2 Policies:

- BE4 New development within or on the fringes of conservation areas
- BE13 New development must harmonise with the existing street scene.
- BE15 Alterations and extensions to existing buildings
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE22 Residential extensions/buildings of two or more storeys.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- 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
- OE5 Siting of noise-sensitive developments
- H4 Mix of housing units
- H8 Change of use from non-residential to residential
- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- AM7 Consideration of traffic generated by proposed developments.
- AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport
PPG24	Planning and Noise

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

33 adjoining/nearby occupiers were consulted and three representations have been received raising the following objections:

- a) Development is detrimental to the character of the area;
- b) Inadequate parking;
- c) Loss of privacy;
- d) Flood lighting.

A petition with signatures of residents from 25 adjoining/surrounding properties has been received objecting to the proposal.

RUISLIP RESIDENTS ASSOCIATION

We are supporting local residents concerns over the above proposal for what we believe are a number of good and relevant reasons set out herein:

- a) Any alterations to Pembroke House should reflect the fact that it is adjacent to the Ruislip Village Conservation area and enhance it and we don't consider that the present plans would achieve that.
- b) In particular the elevational treatment given the long glass balconies on each floor and the bright coloured rendering. Not only are these not in keeping with the general street scene in Pembroke Road but would be intrusive and overdominant on the outlook from the rear of properties in Brickwall Lane.
- c) The loss of landscaping to the front would be detrimental to the street scene. Certainly it could be retained (and improved) on the south east corner, in front of the residential entrance.
- d) The amenity space at the rear is immediately behind the retail space and will be permanently in the shade. Should this be placed instead adjacent to the north boundary and carefully landscaped it might be possible to improve the appearance when viewed from Brickwall Lane.
- e) Particular concerns has been raised over the proposed installation of floodlighting which at the very least should be restricted ground floor level and be of low intensity to avoid intrusion on adjacent properties.

Internal Consultees

TREES & LANDSCAPE

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

- a) There will be no loss of landscape features as a result of the conversion. The application should be accompanied by a hard and soft landscape scheme which seeks to maximise the potential offered by the very limited space available.
- b) The proposed block plan indicates minor amendments to the layout of the car parking and bike storage to the front of the building. This appears to be a security risk and will be unsightly. Ideally the bike storage should be within the building or out of public view to the rear of the building.
- c) Due to the presence of shared/communal external spaces a management/maintenance plan is required to ensure that the landscape is maintained in accordance with the landscape proposals.

No objection, subject to the above observations and conditions TL5, TL6 and TL7.

WASTE MANAGEMENT

- a) I estimate the waste arising from the development to be 1,740 litres. The waste would therefore be accommodated in a total of 2 x 1,100 bulk bins. Four are shown on the plan so this is more than sufficient. Initially all bulk bins on site would be for residual waste; then one of these could be exchanged for recycling at a later date.
- 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 storage area 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 of the bin storage area should be 100mm thick to withstand the weight of the bulk bins.
- 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) 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).
- g) 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

- h) If the value of the construction project is in excess of £300,000, 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.

i) 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.

URBAN DESIGN/CONSERVATION

Policy HE 7.5 of the new PPS 5 states that 'Local authorities should take into account the desirability of new development making positive contribution to the character and local distinctiveness of the historic environment.'

The scheme proposes material alterations to the elevations of the building for residential use. Whilst not ideal, the changes appear 'light' in appearance and would be reversible in the future. As such, the extension would not be considered detrimental to the street scene and appearance of the conservation area. It would, therefore, be acceptable.

No objections from a conservation point of view.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

PPS1 emphasises the role of the planning system in enabling the provision of homes and buildings which are consistent with the principles of sustainable development. The principle of encouraging new housing in town centre locations is also promoted in PPG13 (Transport).

Policy H4 of the UDP also seeks to encourage additional housing in town centres. The supporting text states:

"The Council recognises the importance of residential accommodation in town centres as a part of the overall mix of uses which is necessary to ensure their vitality and attractiveness. Such housing offers particular advantages in terms of accessibility to town centre facilities, employment opportunities and public transport. In order to maximise the residential potential of town centre sites, residential development within them should comprise predominantly one or two-bedroom units".

Saved Policy H8 states that change of use from non residential to residential will be permitted if

- (i) a satisfactory residential environment can be achieved;
- (ii) the existing use is unlikely to meet the demand for such accommodation; and
- (iii) the proposal is consistent with other objectives of the UDP.

The site is located within the Ruislip Town Centre as defined in the Unitary Development Plan Saved Policies 2007 but is not positioned in a Primary or Secondary Shopping Area. Whilst general policies are supportive of residential development in principle, this is subject to compliance with a number of detailed criteria, including the consideration of the loss of any existing use of the site.

In terms of the loss of the office use, at the strategic level, the London Plan seeks to increase the level of office stock to meet the future needs of business. According to the GLA's London Annual Office Review 2006 Hillingdon has been identified as requiring a further 250,838sq.m of office space between 2006 and 2026. However, there are no specific policies protecting office floor space in Ruislip, and it is not considered that the reuse of the office floor space would harm the overall office strategic objective due to new sites currently coming forward.

It is considered that the proposed residential use within the town centre with its reasonably

good public transport accessibility would help enhance the vitality of Ruislip Town centre.

Furthermore, the proposal would also result in the more efficient use of land, consistent with Government policy and the London Plan. The scheme would also make a valuable contribution to the Borough's housing stock. The proposal is therefore considered to be in accordance with Saved Policy H8 of the UDP.

There is therefore no objection in principle to residential development on the site, subject to the proposal satisfying other policies within the UDP.

7.02 Density of the proposed development

The density of development would need to be in compliance with the density matrix Table 3.2 of the London Plan (July 2011). Taking into account local context and character, the design principles in Chapter 7 and public transport capacity, development should optimise housing output for different types of location within the relevant density range shown in Table 3.2. Development proposals which compromise this policy should be resisted.

Policy 3.4 of the London Plan advises that Boroughs should take into account local context and character, design and public transport capacity and that development should optimise housing output for different types of location within the relevant density range shown in Table 3.2.

The site has a PTAL of 4 and is located within a suburban setting. The London Plan provides for a residential density between 55 - 115 u/ha at an average of 3.1 - 3.7 hr/unit and 200-350 hr/ha. As such, based on a total site area of 0.10ha the scheme provides for a residential density of 90 u/ha or 300 hr/ha. This complies with Policy 3.4 of the London Plan (2011).

Policies H4 and H5 seek to ensure a practicable mix of housing units are provided within residential schemes. One and two bedroom developments are encouraged within town centres, while larger family units are promoted elsewhere. Two and three bedroom units are proposed and this mix of units is considered appropriate given its location, meeting the requirements of Policy H4 of Council's adopted Unitary Development Plan, which encourages 2 bedroom units in town centres.

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

The site does not fall within an Archaeological Priority Area and there are no Listed Buildings or Areas of Special Local Character within the vicinity. However the site is located adjacent to the Ruislip Village Conservation Area. The Council's Urban Design/Conservation Officer has been consulted on the application and stated that the alterations would not be considered detrimental to the street scene and appearance of the conservation area. As such the scheme is considered to comply with Saved Policy BE4 of the UDP.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

Policy BE13, seeks to ensure that new development will harmonise with the existing street scene and will not result in a significant loss of residential amenity. Policy BE4 states that development on the fringes of Conservation Areas will be expected to preserve or enhance those features which contribute to their special architectural and visual qualities. Policy HE 7.5 of the new PPS 5 states that 'Local authorities should take into account the

desirability of new development making positive contribution to the character and local distinctiveness of the historic environment.'

The application site fronts Pembroke Road adjacent to other two and three storey buildings. The scheme proposes material alterations to the elevations of the building for residential use. The changes appear 'light' in appearance and would be reversible in future. As such, the extension would not be considered detrimental to the street scene and appearance of the nearby conservation area.

The Council's Urban Design/Conservation Officer raises no objection to the scheme. As such, the application is considered to accord with Policies BE4 and BE13 of the Adopted Hillingdon UDP (Saved Policies, September 2007) and also with PPS5.

7.08 Impact on neighbours

Saved Policies BE20, BE21 and BE24 seek to ensure that new development protects the amenities of existing dwellings in terms of sunlight, outlook and privacy.

The site is bounded by housing to the north-west and north-east with Ruislip Station and Kings Lodge flats located to the south.

Balconies would be added to the front and rear elevations of the building at first to third floor level. The metal balconies would project 1.5m beyond the front and rear elevations with a balustrade of obscured glazed screens. The nearest residential properties on the High Street are set some 25m from these balconies and the properties to the rear on Brickwall Lane are set a minimum of 35m to 45m. These distances are in excess of the 21 metres required and set out in the Council's HDAS guidance. Given the minor alterations to the existing building and the distances from adjoining residential properties, it is considered that the proposal would not result in additional loss of daylight and/or sunlight to adjoining residential properties. Similarly, there would be no loss of residential amenity by reason of dominance.

The proposal is therefore, considered to comply with Policies BE20, BE21 and BE24 of the Hillingdon UDP (Saved Policies, September 2007).

7.09 Living conditions for future occupiers

Section 4.7 of the SPD (Residential Layouts), states careful consideration should be given in the design of the internal layout, and that satisfactory indoor living space and amenities should be provided.

Amended plans have been received showing changes to the internal layout of flats, which were deficient in terms of their size, to satisfy the minimum standards as required by the London Plan (July 2011). With floor areas ranging from 66sq.m to 98sq.m, the proposed two-bed and three-bed units would provide sufficient space to satisfy the Council's minimum standard of 63sq.m to 77sq.m and the relevant sizes required by the London Plan ranging from 61sq.m to 86sq.m.

The Council's standards for amenity space provision for flats are 25sq.m for two-bed units and 30sq.m for three-bed units requiring a total of 240sq.m for the proposed development as minimum. The supplementary guidance states that, in town centre locations, care should be taken to provide some usable and reasonable private outdoor amenity space, perhaps in the form of balconies. A shared amenity space is proposed to the rear of the building measuring 115sq.m and balconies to flats provide a total of 125sq.m of private amenity space totalling 240sq.m of amenity space.

The development is therefore considered to comply with Policy BE23 of the Hillingdon UDP (Saved Policies, September 2007) and relevant design guidance.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policies AM2 and AM7 are concerned with traffic generation, and access to public transport. It is considered that traffic associated with the development, such as deliveries, can be adequately accommodated on the adjoining highway network and would be unlikely to be prejudicial to the free flow of traffic and conditions of general highway safety in accordance with the aims of Policies AM2 and AM7 of the Hillingdon UDP (Saved Policies, September 2007).

Policies AM9, AM14 and AM15 are concerned with on-site parking. The site falls within an area with a Public Transport Accessibility Level (PTAL) of 4. A site with a PTAL of 4 is deemed to have good transport links. The scheme provides 13 off-street car parking spaces, 9 allocated for the new units of accommodation and 4 allocated for the retail use in line with the Council's Parking Standards. The existing vehicular access to the rear would be utilised by the proposal. As such, the development would not be prejudicial to highway and pedestrian safety and would comply with Policies AM7(ii) and AM14 of the Hillingdon UDP (Saved Policies, September 2007).

Amended plans have been received which show cycle parking located to the rear of the building. A condition is recommended requiring details of the cycle store to ensure it is secure in accordance with Policy AM9 of the Hillingdon UDP (Saved Policies, September 2007).

7.11 Urban design, access and security

Urban design and access issues are addressed elsewhere within this report. The materials and fenestration would be in keeping with the character and appearance of the area. As such, the scheme is considered to be acceptable on design grounds.

It is also considered that the proposal would benefit from appropriate levels of security. A condition is recommended requiring details to be submitted showing that the scheme will meet secure by design principles.

7.12 Disabled access

The applicant has stated that the scheme will provide disabled access and level thresholds. A condition is recommended requiring details to be submitted showing that the scheme will meet Lifetime Home standards.

Subject to conditions, the proposal is considered to comply with the intentions of Policy 3.8 of the London Plan (July 2011) and the Council's Accessible Hillingdon SPD (January 2010).

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

Policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

The council's Trees and Landscape Officer has been consulted on the application and stated that there will be no loss of landscape features as a result of the conversion and raised no objection to the proposal subject to conditions requesting a hard and soft landscape scheme and a management/maintenance plan be submitted for approval.

An informative has been added stating that the landscaping scheme should include soft

landscaping to the Pembroke Road frontage. Subject to conditions, the proposal is considered to comply with Policy BE38 of the Hillingdon UDP (Saved Policies, September 2007).

7.15 Sustainable waste management

Section 4.40 - 4.41 of the SPD (Residential layouts) deals with waste management and specifies bin stores should be provided for. The Council's Waste Management Team has been consulted on the application and stated that the waste storage proposed would be sufficient for the development. A condition is recommended requiring details to be submitted of the design of the storage area.

7.16 Renewable energy / Sustainability

The re-use of existing buildings is in itself sustainable as it makes the best use of resources and structures which already exist. Given that the proposal is a conversion it would not be possible to achieve a standard set out in the Code for Sustainable Homes, which relates to new build properties only. However, it is clear that efforts have been made through the design of the proposal to minimise carbon dioxide emissions, for example fenestration has been carefully placed to ensure that all of the habitable rooms within the property would benefit from ample natural light. A condition is imposed to secure an electrical charging point.

It is therefore considered that the proposal overall would comply with the intentions of Policy 5.3 and 5.7 the London Plan (July 2011).

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Policy OE5 of the UDP prevents the siting of noise sensitive development, such as housing, in locations where the occupants may suffer from excessive noise or vibration.

Although the development is not located on a high street the flats would be sited above a retail unit on an active frontage with a number of windows to habitable rooms facing the street, whilst the rear faces the parking area and amenity space. Potential noise issues could be addressed by noise insulation measures when converting the premises. If approved, a suitably worded condition is recommended to ensure compliance.

Subject to this condition, it is not considered that future residents would suffer undue noise and disturbance in accordance with Saved Policy OE5 of the Hillingdon UDP (Saved Policies, September 2007).

7.19 Comments on Public Consultations

None.

7.20 Planning obligations

Policy R17 of the saved UDP is concerned with securing planning obligations to supplement the provision of recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals. These UDP policies are supported by more specific supplementary planning guidance.

The Council's S106 Officer has advised that the proposed development of 9 residential units would necessitate an Education contribution in the sum of £8,630 in line with the Council's Supplementary Planning document for Planning Obligations.

The applicant has agreed to the principle of this planning obligation. Subject to a condition

attached to any approval the scheme would accord with Policy R17 of the UDP.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

The concerns of local residents and the Ruislip Residents Association are addressed in the report. With respect to the concern regarding the applicants reference to floodlighting it can be clarified that no external lighting is shown on the submitted plans. A condition is imposed requiring details of any external lighting.

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 conclusion it is not considered that the proposed development would be out of keeping with the character or appearance of the surrounding area and the impact on the amenity of adjoining properties is considered to be acceptable. A satisfactory form of accommodation would be provided for future residents and car parking and bicycle parking provision comply with the Council's standards.

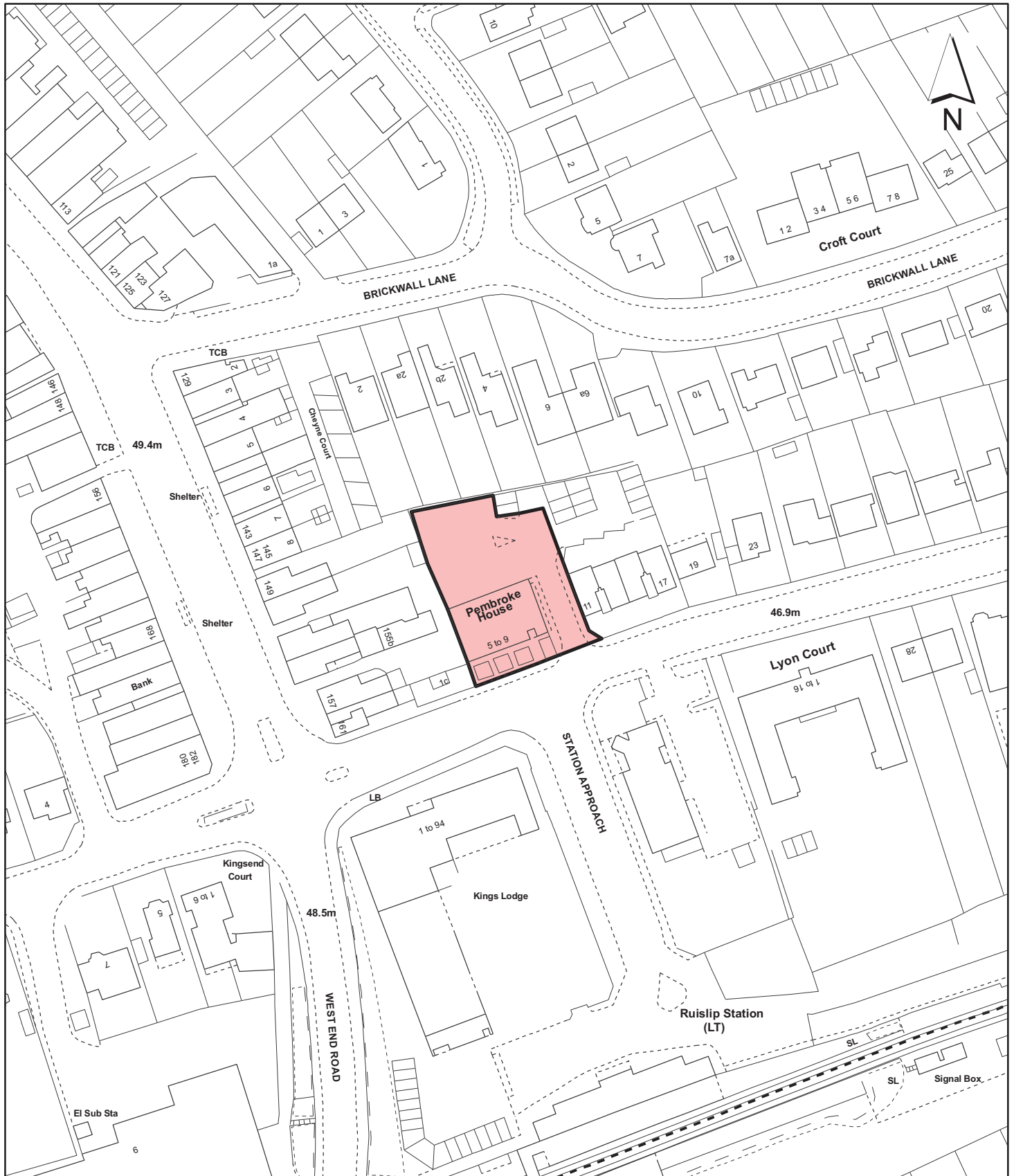
As such, it is considered that the proposed development complies with the Hillingdon UDP (Saved Policies, September 2007) and the London Plan (July 2011) policies and approval is recommended subject to conditions.

11. Reference Documents

Planning Policy Statement 1 (Delivering Sustainable Development)
Planning Policy Statement 3 (Housing)
Planning Policy Guidance Note 13 (Transport)
Planning Policy Guidance Note 24 (Planning and Noise)
London Plan (July 2011)
Hillingdon Unitary Development Plan Saved Policies (September 2007)
Hillingdon Design and Accessibility Statement (HDAS)
Council's Supplementary Planning Guidance Community Safety by Design
Council's Supplementary Planning Guidance Planning Obligations Strategy

Contact Officer: Jacques du Plessis

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address

**Pembroke House
5 - 9 Pembroke Road
Ruislip**

**LONDON BOROUGH
OF HILLINGDON
Planning,
Environment, Education
& Community Services**

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

Planning Application Ref:

38324/APP/2011/786

Scale

1:1,250

Planning Committee

North Page 203

Date

**October
2011**



HILLINGDON
LONDON

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Report of the Head of Planning & Enforcement Services

Address	67 EASTCOTE ROAD RUISLIP		
Development:	Part two storey, part single storey rear extension with 3 rooflights involving demolition of conservatory to rear		
LBH Ref Nos:	32752/APP/2011/1685		
Drawing Nos:	Location Plan to Scale 1:1250 11101/01 11101/02 11101/07 Rev. A 11101/06 Rev. C 11101/05 Rev. B		
Date Plans Received:	08/07/2011	Date(s) of Amendment(s):	08/07/2011
Date Application Valid:	19/07/2011		20/07/2011 27/09/2011

1. CONSIDERATIONS

1.1 Site and Locality

The application site is located on the northern side of Eastcote Road and comprises a detached dwelling with a gable end front element and hipped roof protruding back to the rear. An original attached garage is located on the western elevation. The garage is set back 3m from the front wall of the building and shares a party wall with the garage of the adjoining property No. 65 Eastcote Road.

The house is set back 11m from the road with a 10m wide area of hard standing with soft landscape planting along both flanks separating the site from Nos. 65 and 69 Eastcote Road. A 48m deep garden runs to the rear and is bounded by northern boundary by flank wall of No.12 Blaydon Close.

Along the western boundary, stands the adjoining property No.65 Eastcote Road which has no existing extension to the original property. Along the eastern boundary lies No.69 Eastcote Road which has both a roof extension on both flanks and a two storey rear extension. These elements received planning permission in 2009 ref. 4133/APP/2009/1210.

The street scene is residential in character and appearance and the application site lies within the Developed Area, as identified in the Adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

1.2 Proposed Scheme

Planning permission is sought to demolish the existing conservatory and construct a part two storey, part single storey rear extension. To the rear, the proposed single storey extension would measure 4m deep and would extend the full width of the dwelling and further 1.5m out to the common boundary with No. 65 infilling the area directly behind the existing garage. It would be finished with a hipped roof with a maximum height of 3.8m to the top of the roof. The roof would include 3 rooflights providing additional light to the proposed new utility room and lounge.

The proposed two storey element would be set in from both adjoining boundaries (2.35m from No.65 and 1.1m from No. 69 Eastcote Road) and would project 3m into the rear garden measuring the width of the dwelling at 6.3m. It would be finished with a hipped roof that would be set down 1.2m from the ridge of the existing dwelling with a maximum height of 7.3m.

1.3 Relevant Planning History

32752/APP/2011/1686 67 Eastcote Road Ruislip

Conversion of roof space to habitable use to include 2 side dormers, 1 front rooflight and conversion of rear of roof from hip to gable end with a new gable end window (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: 14-09-2011 **Approved** **Appeal:**

Comment on Planning History

A recent application 32752/APP/2011/1686CLD for a proposed lawful development was granted permission on the 14/09/2011. The application was for the conversion of roof space to include 2 side dormers, 1 front rooflight and conversion of rear of roof from hip to gable end which was granted as this met the permitted development criteria.

Officer's Comments: Both the scheme proposed under the granted lawful development certificate and the current application subject of this assessment are different, meaning it would not be possible to implement both schemes if this application is deemed acceptable. It was therefore considered that both schemes should be assessed separately rather than under a single planning application.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- Not applicable

3. Comments on Public Consultations

10 neighbouring properties as well as Ruislip Residential Association were consulted on the 20/07/2011.

3 letters of objection were received. The issues raised concerns over the re-sited bathroom window in relation to privacy and also the effects over additional drainage required which could overload the existing system.

Officer Comments: The bathroom window located on the flank is shown to be obscure glazed. If the application is deemed acceptable, a condition could be attached requiring this window to retain the obscure glazing and therefore addressing any potential

overlooking concerns. If the application is approved, the owner would also need to meet the building regulation standards and any drainage issues would be addressed under building control application.

Landscape: No objections and no conditions necessary.

Ward Councillor: Requests that the application is reported to committee.

4. 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.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
LPP 5.3	(2011) Sustainable design and construction
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

5. MAIN PLANNING ISSUES

The main issues for consideration relate to the effect of the proposal on the character and appearance of the original house, on the street scene and surrounding area, on residential amenity, provision of private amenity space and car parking.

The proposal would not be visible from Eastcote Road as the two storey and single storey elements would be positioned directly behind the existing dwelling. The two storey rear element would meet the criteria set out in Section 6 of the Hillingdon Supplementary Planning Document (SPD) HDAS: Residential Extensions in so far as, it would project less than 4m out from the rear wall. It would also be finished with a hipped roof that would sit comfortably behind the existing hipped element and set down 1.2m from the existing ridge line. The proposed two storey rear extension would retain a minimum gap of 1.0m to the side boundaries with Nos. 65 and 69 Eastcote Road, as required by policy BE22 of the saved UDP, September 2007. As such, the extension would not result in an unacceptable closing of the visually open gap with the neighbouring property and would therefore

maintain the open character and would protect the architectural form of both the original house and the surrounding area. It would not appear disproportionate to the scale and form of the original house.

Similarly the single storey element would appear subordinate to the main dwelling. The proposed width, depth and height would not cause a detrimental impact on the appearance of the dwelling and generally conforms to Section 3 of the Hillingdon Supplementary Planning Document (SPD) HDAS: Residential Extensions. This element would be finished with a hipped roof that complements the overall appearance of the existing dwelling and the proposed two storey element to the rear.

As such, it is considered that the proposal would appear sub-ordinate to the main house, and that it would not dominate the house or the street scene and therefore would be in compliance with policies BE13, BE15, BE19 and BE22 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and sections 3.0 and 6.0 of the Hillingdon Design & Accessibility Statement(HDAS): Residential Extensions.

With regard to the occupiers of the adjoining properties, it is considered that the proposal would not cause any adverse effect on their amenity. The two storey element would project 3m to the rear and would not infringe within a 45 degree line from the nearest 1st floor windows of both the adjoining houses. Thus this aspect of the scheme would accord with the HDAS. Similarly, the single storey rear extension would be 4m deep, again complying with the HDAS guidance for detached properties.

With regard to privacy, there would be no additional windows in the flank wall of proposed two storey element. It is however, proposed to include one window on either flank of the existing dwelling. Both these windows are secondary windows providing light to hallway and bathroom. These would project onto the existing flank walls of both No.65 and 69 Eastcote Road and therefore would not lead to any additional loss of privacy. A condition is attached requiring these windows to retain obscure glazing.

There would be no loss of outlook, no loss of privacy or light, nor any overshadowing or visual intrusion. As such, the application proposal would not represent an unneighbourly form of development and in this respect would be in compliance with policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and section 3.0 and 6.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

Over 100sq.m of private amenity space would be retained, and off road parking is considered to be acceptable in the form of a garage space and a large area of hard standing to the front. Therefore the proposal is in accordance with policies BE23 and AM14 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

6. RECOMMENDATION

APPROVAL subject to the following:

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

The development hereby permitted shall be begun before the expiration of three years

from the date of this permission.

REASON

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

2 HH-OM1 Development in accordance with Approved Plans

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

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 HH-M2 External surfaces to match existing building

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

REASON

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

4 HH-RPD1 No Additional Windows or Doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 65 and 69 Eastcote Road.

REASON

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

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

The window(s) facing flank walls of No.s 65 & 69 Eastcote Road shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

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

INFORMATIVES

- 1** The proposed lawful development approved on 14/9/2011 (32752/APP/2011/1686CLD) for the conversion of roof space to include 2 side dormers, 1 front rooflight and conversion of rear of roof from hip to gable may not be constructed in conjunction with this planning permission. Both developments are different and a combination of both schemes would require the benefit of further planning permission.

Standard Informatives

- 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 The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, and to all relevant material considerations, including Supplementary Planning Guidance:
Policy No.

AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
LPP 5.3	(2011) Sustainable design and construction
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

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

- 4 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.

- 5 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, Environment and Community Services, Building Control,
3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).
- 6 You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).
- 7 The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
- carry out work to an existing party wall;
 - build on the boundary with a neighbouring property;
 - in some circumstances, carry out groundworks within 6 metres of an adjoining building.
- Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Planning, Environment and Community Services Reception, Civic Centre, Uxbridge, UB8 1UW.
- 8 Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.
- 9 Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays Bank and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

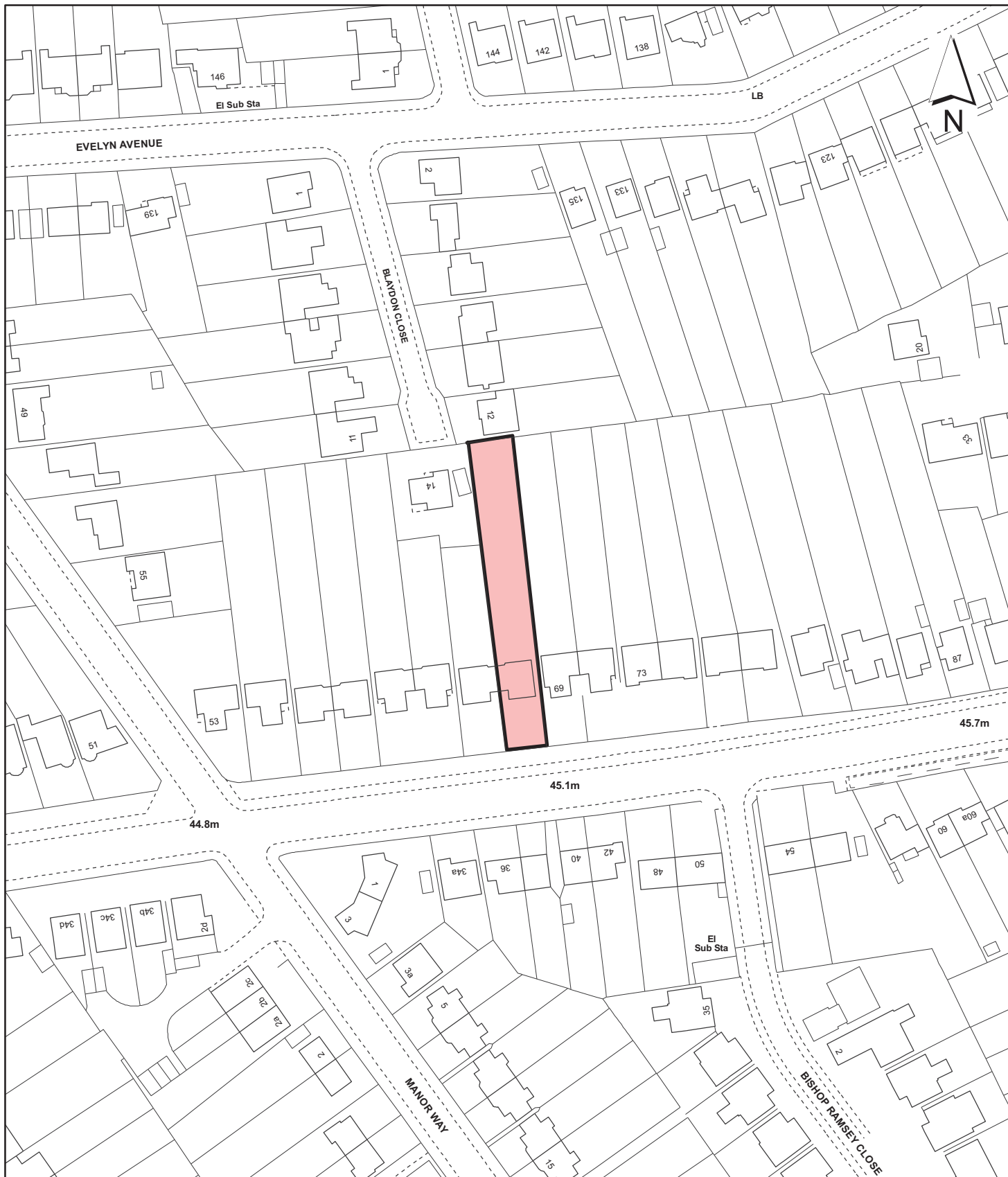
D) No bonfires that create dark smoke or nuisance to local residents.

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


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

Contact Officer: Eoin Concannon

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address	
67 Eastcote Road Ruislip	
Planning Application Ref:	Scale
32752/APP/2011/1685	1:1,250
Planning Committee	Date
North Page 213	October 2011

LONDON BOROUGH OF HILLINGDON
 Planning,
 Environment, Education
 & Community Services
 Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111



HILLINGDON
LONDON

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Report of the Head of Planning & Enforcement Services

Address 106 FIELD END ROAD EASTCOTE PINNER

Development: Change of use from retail (Use Class A1) to restaurant/Cafe (Use Class A3) and installation of flue to side.

LBH Ref Nos: 11104/APP/2011/334

Drawing Nos: 001 (Existing Ground Floor Plan)
006
Design & Access Statement
Location Plan to Scale 1:1250
001DG
002
003
004
005

Date Plans Received: 15/02/2011 **Date(s) of Amendment(s):**
Date Application Valid: 07/03/2011

1. **SUMMARY**

Planning permission is sought for the retention of a restaurant use and the installation of an extract flue on the roof of the rear extension. The change of use does not result in the proportion of frontage in non-retail use within the secondary area exceeding 50%. However, it would result in a break in the retail frontage which would exceed 12m and could be construed as an over-concentration of non-shop uses, but given that these premises would also operate as a delicatessen, the proposal is considered acceptable in this instance.

2. **RECOMMENDATION**

APPROVAL subject to the following:

1 T8 Time Limit - full planning application 3 years

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

REASON

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

2 OM1 Development in accordance with Approved Plans

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

REASON

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

3 NONSC Non Standard Condition

The premises shall only be used for the preparation, sale of food and drink and clearing up between the hours of 08:00 and 23:30. There shall be no staff allowed on the premises outside these hours.

REASON

To safeguard the residential amenity of the occupiers and nearby properties, in accordance with Policies OE1 and OE3 of the Hillingdon Unitary Development Plan (Saved Polices September 2007).

4 NONSC Non Standard Condition

The premises shall not be used for deliveries and collections, including waste collections other than between the hours of 08:00 and 18:00, Mondays to Fridays, 08:00 to 13:00 Saturdays and not at all on Sundays and Bank and Public Holidays.

REASON

To safeguard the amenity of surrounding areas, in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 7.15 of the London Plan 2011.

5 NONSC Non Standard Condition

The access to building entrances and w.c. facilities to meet the needs of people with disabilities which have been provided shall be permanently retained.

REASON

To ensure that people with disabilities have adequate access to the development in accordance with Policy R16 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policies 3.1 and 7.2 of the London Plan 2011.

6 NONSC Non Standard Condition

The development shall not begin until a sound insulation scheme for the control of noise transmission to the adjoining dwellings/premises has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is occupied/use commences 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 occupants of surrounding properties in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 7.15 of the London Plan 2011.

7 NONSC Non Standard Condition

Prior to the commencement of works on site, full details of the provision to be made for the secure and covered storage of refuse and recycling shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided on site prior to the premises being brought into use and thereafter maintained.

REASON

To ensure satisfactory provision is made for the storage of waste and recycling, in the interests of maintaining a satisfactory standard of amenity in the locality, in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

8 NONSC Non Standard Condition

No development shall take place until details of the height, position, design and materials of a chimney or extraction vent and any air conditioning equipment to be provided in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out until the vent/chimney has been installed in accordance with the approved details. Thereafter the vent/chimney shall be permanently retained and maintained in good working order for so long as the use continues.

REASON

In order to safeguard the amenities of adjoining properties in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

9 NONSC Non Standard Condition

No chimney or extraction vent and any air conditioning equipment shall be used on the premises until a scheme for the control of noise and vibration 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/use commences and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

REASON

In order to safeguard the amenities of adjoining properties in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

INFORMATIVES

1 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).

2 I53 Compulsory Informative (2)

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

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
OE1	Protection of the character and amenities of surrounding properties and the local area
S12	Service uses in Secondary Shopping Areas
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
LPP 3.1	(2011) Ensuring equal life chances for all
LPP 7.15	(2011) Reducing noise and enhancing soundscapes

LPP 7.2 (2011) An inclusive environment

3 11 Building to Approved Drawing

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

4 115 Control of Environmental Nuisance from Construction Work

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

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

D) No bonfires that create dark smoke or nuisance to local residents.

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

5 12 Encroachment

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

6 13 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).

7 15 Party Walls

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement

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

8 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.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the west side of Field End Road between the junctions of Deane Croft Road and Abbotsbury Gardens, and comprises a ground floor retail unit with single storey rear extension in use as a delicatessen. It forms part of a terrace of commercial units on the ground floor with two upper floors in residential use, accessed from the rear. To the north lies 104 Field End Road, a betting shop, and to the south lies 108 Field End Road, an accountant's office. The street scene is commercial in character and appearance and the application site lies within the secondary centre of the Eastcote Town centre, as identified in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

3.2 Proposed Scheme

Planning permission is sought for the retention of a restaurant use and the installation of an extract flue on the roof of the rear extension. The flue is located adjacent to the parapet of the rear extension at 108 Field End Road and measures 0.4m by 3.3m.

3.3 Relevant Planning History

Comment on Relevant Planning History

There are no relevant planning decisions.

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.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
OE1	Protection of the character and amenities of surrounding properties and the local area
S12	Service uses in Secondary Shopping Areas
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
LPP 3.1	(2011) Ensuring equal life chances for all
LPP 7.15	(2011) Reducing noise and enhancing soundscapes
LPP 7.2	(2011) An inclusive environment

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

23 adjoining owner/occupiers and the Eastcote Residents Association have been consulted. No comments have been received.

Thames Water:

Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Further information on the above is available in a leaflet, Best Management Practices for Catering Establishments which can be requested by telephoning 020 8507 4321

Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application. With regard to water supply, this comes within the area covered by the Veolia Water Company.

Internal Consultees

Environmental Protection Unit:

No objections subject to conditions including plant and machinery, noise, restriction on the hours for delivering and waste collection, restriction on the hours of operation.

Waste Management:

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

a) The application is for a restaurant and cafe. One x 1,100 litre type of bulk bin is needed to safely and hygienically contain the waste arising from this type of business.

Additional bins for recycling waste may also be required.

b) The bulk bin should be sited on an area of hard-standing, with a smooth surface, so that it can be washed down with water and disinfectant. The surface should be cambered so the run off follows towards a proper drain.

c) The collectors should not have to cart a bulk bin more than 10 metres from the point of storage to the collection vehicle (BS 5906 standard). The collection crew would therefore need to access the rear of the shop. Alternatively the owners would have to present the bulk bin at an agreed collection point on the allocated day.

d) 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 path 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.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Paragraph 8.24 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) defines secondary shopping areas as peripheral to the primary areas in which shopping and service uses are more mixed although class A1 shops should still be the majority use. Paragraph 8.26 states that as a guideline, the Council will normally seek to prevent a separation or an increase in the separation of class A1 units of more than approximately 12m. Class A1 shops should remain the predominant use in secondary areas and the Local Planning Authority will expect at least 50% of the frontage to be in class A1 use.

Policy S12 establishes that a change of use from class A1 to non class A1 uses in secondary frontages, where there remains adequate retail facilities to accord with the character and function of the shopping centre in order to maintain the vitality and viability of the town centre, to be acceptable.

The 2010 shopping survey shows that within the secondary frontage of the Eastcote Town centre class A1 is at 51.9% of the frontage. The loss of the application property would reduce this to 50.6%. Therefore the proposal would not result in a reduction in the retail frontage below 50%.

Adjoining the application site to the north and south are non-retail uses. The change of use would therefore result in a 15m long break in the retail frontage. However, in this particular instance, the unit would still trade as a delicatessen, which would be a retail use, and thus a mixed use, including a restaurant/cafe element is acceptable and is not considered to impact unduly on the vitality and viability of the town centre.

Overall, it is considered that the change of use does not harm the vitality and attractiveness of Eastcote Town Centre and complies with policy S12 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.02 Density of the proposed development

Not applicable to this application.

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

Not applicable to this application.

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

No alterations are proposed on the front elevation and therefore the proposal does not harm the appearance of the street scene.

The ventilation duct is sensitively sited and is not detrimental to the appearance of the surrounding area. The proposal therefore complies with policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.08 Impact on neighbours

In terms of assessing the effects of the proposal on residential amenity, the relevant factors are those of noise, smell and disturbance.

The nearest residential properties lie above, adjacent and opposite to the application unit. It is considered that planning conditions requiring details of the ventilation equipment, the installation of appropriate sound attenuation and insulation between floors and the imposition of limitations on hours of operation and deliveries are sufficient to maintain the residential amenity of the occupiers of adjoining and nearby residential properties, should planning permission be granted.

With regards to the siting of the proposed ventilation duct, this is located at rear on the roof of the extension. It is located a sufficient distance and faces away from the habitable room windows of the first floor flat so as to ensure that smells and fumes are expelled away from residential units.

The EPU has received no complaints since the use commenced in 2010.

The proposal is thus considered to comply with policies OE1 and S6 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and 7.15 of the London Plan 2011.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The restaurant use does not lead to an increase in traffic generation given its use and location within a parade of shops.

The Council's Parking Standards (Annex 1, adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) requires 1 space per 25sqm for non-shop uses. This requirement is the same for shop uses. As no additional floorspace is proposed, no additional parking spaces are required. As such, the proposal does not result in a significant increase in on-street parking and complies with policies AM2, AM7(ii) and AM14 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and the Council's Parking Standards (Annex 1, adopted Hillingdon Unitary Development Plan, Saved Policies, September 2007).

7.11 Urban design, access and security

Not applicable to this application.

7.12 Disabled access

The premises already has disabled access to the premises and also contains facilities

such as an accessible W.C. A condition requiring these facilities to be retained is recommended.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

Not applicable to this application.

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

See Section 7.08.

7.19 Comments on Public Consultations

None received.

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

The change of use does not result in the proportion of frontage in non-retail use within the secondary area exceeding 50%. However, it would result in a break in the retail frontage which would exceed 12m and could be construed as an over-concentration of non-shop uses, but given that these premises would also operate as a delicatessen, the proposal is considered acceptable in this instance. Overall, the change of use would not harm the vitality and attractiveness of Eastcote Town Centre and complies with policy S12 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

11. Reference Documents


Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).
London Plan 2011

Contact Officer: Sonia Bowen

Telephone No: 01895 250230



Notes

 Site boundary

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Site Address	
106 Field End Road Eastcote	
Planning Application Ref:	Scale
11104/APP/2011/334	1:1,250
Planning Committee	Date
North Page 225	October 2011

**LONDON BOROUGH
OF HILLINGDON**
**Planning,
Environment, Education
& Community Services**
 Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111



HILLINGDON
LONDON

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Report of the Head of Planning & Enforcement Services

Address 109 FIELD END ROAD EASTCOTE PINNER

Development: Change of use to from Use Class A1 (Shops) to Use Class A5 (Hot Food Take-away)

LBH Ref Nos: 12666/APP/2011/1044

Drawing Nos: Planning Statement
Block Plan to Scale 1:500
Location Plan to Scale 1:1250

Date Plans Received: 03/05/2011 **Date(s) of Amendment(s):**
Date Application Valid: 24/06/2011

1. SUMMARY

Planning permission is sought for a take away use. The change of use does not result in the proportion of frontage in non-retail use within the secondary area exceeding 50% and it is not considered that the proposal would impact on the amenities of adjoining occupiers to such an extent as to justify refusal. The proposal is therefore considered acceptable in this instance.

2. RECOMMENDATION

APPROVAL subject to the following:

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

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

REASON

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

2 NONSC **Non Standard Condition**

The premises shall only be used for the preparation, sale of food and drink and clearing up between the hours of 08:00 and 23:30. There shall be no staff allowed on the premises outside these hours.

REASON

To safeguard the residential amenity of the occupiers and nearby properties, in accordance with Policies OE1 and OE3 of the Hillingdon Unitary Development Plan (Saved Polices September 2007).

3 NONSC **Non Standard Condition**

The proposed commercial use hereby approved shall not be commenced until details of all extract ventilation systems and odour control equipment including details of any noise levels, vibration levels, and external ducting, have been submitted to and approved by the local planning authority and the equipment so approved has been installed. The approved extract ventilation system equipment and odour control equipment shall be operated at all times when cooking is carried out and maintained in accordance with the manufacturer's instructions. The external ducting shall be removed as soon as possible

when no longer required.

Reason: To protect the amenities of the occupiers of residential accommodation in the vicinity in accordance with Policy OE1 of the Hillingdon UDP.

4 NONSC Non Standard Condition

The development shall not begin until a sound insulation scheme that specifies the provisions to be made for the control of noise transmission to adjoining dwellings, has been submitted to, and approved by the Local Planning Authority. The scheme shall include such combination of sound insulation and other measures as may be approved by the LPA. The said scheme shall include such secure provision as will ensure that the said scheme and all of it endures for use and that any and all constituent parts are repaired and maintained and replaced in whole or in part so often as occasion may require.

REASON - To protect the amenities of the occupiers of residential accommodation in the vicinity in accordance with Policy OE1 of the Hillingdon UDP.

5 MCD10 Refuse Facilities

No development shall take place until details of facilities to be provided for the covered, appropriately sign posted, secure and screened storage of refuse 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).

6 NONSC Non Standard Condition

The premises shall not be used for deliveries and collections, including waste collections other than between the hours of 08:00 and 18:00, Mondays to Fridays, 08:00 to 13:00 Saturdays and not at all on Sundays and Bank and Public Holidays.

REASON

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

7 OM15 General Litter/Waste

No development shall take place until a scheme detailing the method of disposal, storage and collection of litter and waste materials, generated by the business and/or discarded by patrons, has been submitted to and approved in writing by the Local Planning Authority. The details shall include a description of the facilities to be provided and the methods for collection of litter within and in the vicinity of the premises. The approved scheme shall be implemented in full thereafter.

REASON

To ensure that adequate provision is made for the disposal of litter and waste, in the interests of maintaining a satisfactory standard of amenity in the locality, in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Plans (September 2007).

8 DIS2 Access to Buildings for People with Disabilities

Development shall not commence until details of the full internal layout, including a fully accessible wc, access to building entrances (to include ramped/level approaches, signposting, types and dimensions of door width and lobby openings) to meet the needs of people with disabilities have been submitted to and 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 R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policies 3.1, 3.8 and 7.2

INFORMATIVES

1 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).

2 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).

3 I20 Land Drainage

You are advised that, pursuant to the Land Drainage Act 1976, details of any works affecting the beds, banks and flow of the river, including details of any outfall structures discharging into the watercourse, should be submitted to the Environment Agency, Planning Liaison Officer, Thames Region, Howard House, 10/11 Albert Embankment, London SE1 7TG.

4 I28 Food Hygiene

The Council's Commercial Premises Section should be consulted prior to the use of the premises so as to ensure compliance with the Food Safety Registration Regulations 1990, Hygiene (General) Regulations 1970, The Food Act 1984, The Health and Safety at Work Act 1974 and any other relevant legislation. Contact: - Commercial Premises Section, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Telephone 01895 250190).

5 I44A Prevention of Litter

You should ensure that your premises do not generate litter in the streets and nearby areas. Sections 93 and 94 of the Environmental Protection Act 1990 give local authorities the power to serve 'Street Litter Control Notices' requiring businesses to clear up the litter and implement measures to prevent the land from becoming littered again. By imposing a 'Street Litter Control Notice', the local authority has the power to force businesses to clean up the area in the vicinity of their premises, provide and empty bins and do anything else which may be necessary to remove litter. Amendments made to

the 1990 Act by the Clean Neighbourhoods and Environment Act 2005 have made it immediately an offence to fail to comply with the requirements of a Street Litter Control Notice, and fixed penalties may be issued as an alternative to prosecution.

Given the requirements of the Clean Neighbourhoods and Environment Act 2005, you are advised to take part in Defra's Voluntary Code of Practice for 'Reducing litter caused by Food on the Go', published in November 2004.

Should you have any queries on the above, please contact the Environmental Enforcement Team within the Environment and Consumer Protection Group on 01895 277402 at the London Borough of Hillingdon.

6 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).

7 I53 Compulsory Informative (2)

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

S12	Service uses in Secondary Shopping Areas
S6	Change of use of shops - safeguarding the amenities of shopping areas
S7	Change of use of shops in Parades
BE19	New development must improve or complement the character of the area.
BE26	Town centres - design, layout and landscaping of new buildings
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
LPP 2.16	(2011) Strategic Outer London Development Centres
LPP 3.1	(2011) Ensuring equal life chances for all

8 I25 Consent for the Display of Adverts and Illuminated Signs

This permission does not authorise the display of advertisements or signs, separate consent for which may be required under the Town and Country Planning (Control of Advertisements) Regulations 1992. [To display an advertisement without the necessary consent is an offence that can lead to prosecution]. For further information and advice, contact - Planning, Environment, Education & Community Services, 3N/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250574).

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located towards the northern end of Eastcote Town Centre and is on the east side of Field End Road. It comprises an unoccupied shop, No.109, on the ground floor of a three storey, brick built parade of shops. Flats are located on the first and second floors above. There is front access through a set of stairs in the centre of the parade of shops and rear access to other flats where there is some car parking accessed from an un-gated service road and yards. The site lies within the Secondary Shopping Area of the Eastcote Town Centre as identified in the policies of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007). The surrounding shopping frontage has a mix of A-class uses, including two existing takeaways, with existing advertisements on each unit.

3.2 Proposed Scheme

Planning permission is sought for the change of use from retail (Use Class A1) to use as a takeaway (Use Class A5 for).

3.3 Relevant Planning History

12666/A/88/3128 109 Field End Road Eastcote Pinner
Installation of an internally illuminated fascia sign

Decision: 21-10-1988 Approved

12666/B/88/1998 109 Field End Road Eastcote Pinner
Installation of a new shopfront

Decision: 29-11-1988 Approved

Comment on Relevant Planning History

None relevant

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:

- | | |
|----------|--|
| S12 | Service uses in Secondary Shopping Areas |
| S6 | Change of use of shops - safeguarding the amenities of shopping areas |
| S7 | Change of use of shops in Parades |
| BE19 | New development must improve or complement the character of the area. |
| BE26 | Town centres - design, layout and landscaping of new buildings |
| 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 |
| LPP 2.16 | (2011) Strategic Outer London Development Centres |

LPP 3.1 (2011) Ensuring equal life chances for all

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

23 neighbours were consulted on 27 June 2011, plus The Eastcote Association and Eastcote Residents' Association.

There have been 8 objections which can be summarised as follows:

- 1) Noise and disturbance to nearby dwellings as proposed A5 use directly below residential flats where there are many young families with children;
- 2) increased amounts of rubbish as the stairs and gates leading up to the residential flats above could be used as a seating area harbouring late night users of the takeaway;
- 3) greater potential for antisocial behaviour as already have problems with rubbish and graffiti in the stairwell particularly appearing in the evenings;
- 3) concern over loss of A1 retail unit and impact on viability and vitality of area;
- 4) area has sufficient restaurants and takeaways;
- 5) current takeaways in area cause problems with litter, providing bins doesn't seem to work and litter thrown into gardens of houses;
- 6) discarded food causes health hazards and problems from foxes and rats;
- 7) noise from people congregating outside takeaways;
- 8) exacerbate current parking problems;
- 9) cooking smells;
- 10) problems of late night operation for local residents;
- 11) high rents in parade forcing out A1 uses.

Thames Water:

Recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Further information on the above is available in a leaflet, 'Best Management Practices for Catering Establishments' which can be requested by telephoning 01923 898 188. Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application. With regard to water supply, this comes within the area covered by the Veolia Water Company.

Internal Consultees

Environmental Protection Unit:

I do not wish to object to this proposal. Should this proposal be recommended for approval I would recommend conditions relating hours of operation, details of all extract ventilation systems and odour control equipment, sound insulation and deliveries and collections together with the construction site informative.

Highway Engineer:

The proposed site is part of a relatively busy shopping parade in Field End Road corner of Abbotsbury Road which is Borough Secondary Distributor Road.

The proposed A5 use is fronting a lay-by that separates shop fronts from the main road, with existing A1 use that was trading as an ironmongery and door specialist. The entire parade is benefiting from Pay and Display parking area, whereas the applicant indicates that there are three off street vehicle parking spaces available for their use.

Policy AM14 of the UDP refers to the Council's vehicle parking standard contained in the Annex 1. The London Borough of Hillingdon UDP (adopted 1998) saved policies, 27th September 2007, requires two vehicle parking and four cycle parking spaces for similar use. However, considering that currently the shop is vacant, no objection is raised on the highways aspect of the proposals subject to a suitable condition being attached requesting the applicant to provide details of off-site vehicle parking arrangements and covered and secure cycle storage for 4 no. cycles.

Waste Management:

The application is for a food takeaway. One x 1,100 litre type of bulk bin is needed to safely and hygienically contain the waste arising from this type of business. Additional bins for recycling waste may also be required.

b) The bulk bin should be sited on an area of hard-standing, with a smooth surface, so that it can be washed down with water and disinfectant. The surface should be cambered so the 'run off' follows towards a proper drain.

c) The collectors should not have to cart a bulk bin more than 10 metres from the point of storage to the collection vehicle (BS 5906 standard). The collection crew would therefore need to access the rear of the shop. Alternatively the owners would have to present the bulk bin at an agreed collection point on the allocated day.

d) 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 path 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.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Paragraph 8.24 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) defines secondary shopping areas as peripheral to the primary areas in which shopping and service uses are more mixed although class A1 shops should still be the majority use. Paragraph 8.26 states that as a guideline, the Council will normally seek to prevent a separation or an increase in the separation of class A1 units of more than approximately 12m. Class A1 shops should remain the predominant use in secondary areas and the Local Planning Authority will expect at least 50% of the frontage to be in class A1 use.

Policy S12 establishes that a change of use from class A1 to non class A1 uses in secondary frontages, where there remains adequate retail facilities to accord with the character and function of the shopping centre in order to maintain the vitality and viability of the town centre, to be acceptable.

The 2010 shopping survey shows that within the secondary frontage of the Eastcote Town

centre class A1 is at 51.9% of the frontage. The loss of the application property would reduce this to 51%. Therefore the proposal would not result in a reduction in the retail frontage below 50%. Furthermore the change of use would not result in a break in the retail frontage longer than 12m.

Overall, it is considered that the change of use does not harm the vitality and attractiveness of Eastcote Town Centre and complies with policy S12 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.06 Environmental Impact

See section below

7.07 Impact on the character & appearance of the area

No alterations are proposed on the front elevation and therefore the proposal does not harm the appearance of the street scene. The proposal therefore complies with policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.08 Impact on neighbours

In terms of assessing the effects of the proposal on residential amenity, the relevant factors are those of noise, smell and disturbance.

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 states buildings or uses which have the potential to cause noise annoyance will only be permitted if the impact can be mitigated.

The proposed development would be set within an existing commercial area. The nearest residential properties lie above, adjacent and opposite to the application unit. It is considered that planning conditions requiring details of the ventilation equipment, the installation of appropriate sound attenuation and insulation between floors and the imposition of limitations on hours of operation and deliveries are sufficient to maintain the residential amenity of the occupiers of adjoining and nearby residential properties, should planning permission be granted.

The proposal is thus considered to comply with policies OE1 and S6 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and 7.15 of the London Plan 2011.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The restaurant use does not lead to an increase in traffic generation given its use and location within a parade of shops.

The Council's Parking Standards (Annex 1, adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) requires 1 space per 25sqm for non-shop uses. This requirement is the same for shop uses. As no additional floorspace is proposed, no additional parking spaces are required. The site has capacity for the provision of three parking spaces to the rear and thus the proposal complies with policies AM2, AM7(ii) and AM14 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and the Council's Parking Standards (Annex 1, adopted Hillingdon Unitary Development Plan, Saved Policies, September 2007).

7.11 Urban design, access and security

No floor plans have been submitted with the application as it is speculative. As a result, the Council cannot at this stage be satisfied that the internal arrangement will be fully accessible. A condition is proposed to address this matter.

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

The change of use does not result in the proportion of frontage in non-retail use within the secondary area exceeding 50% and it is not considered that the proposal would impact on the amenities of adjoining occupiers to such an extent as to justify refusal. The proposal is therefore considered acceptable in this instance.

11. Reference Documents

Hillingdon Unitary Development Plan (Saved Policies September 2007).

Contact Officer: Clare Wright

Telephone No: 01895 250230



Notes

 Site boundary

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Site Address

**109 Field End Road,
Eastcote**

Planning Application Ref:

12666/APP/2011/1044

Planning Committee

North Page 236

Scale

1:1,250

Date

**September
2011**

**LONDON BOROUGH
OF HILLINGDON**
Planning,
Environment, Education
& Community Services

Civic Centre, Uxbridge, Middx. UB8 1UW
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HILLINGDON
LONDON

Report of the Head of Planning & Enforcement Services

Address LAND ADJACENT TO COMPOST MATURATION SITE AT PYLON FARM
NEWYEARS GREEN LANE HAREFIELD

Development: Variation of condition 1 of planning permission ref 12579/APP/2007/534 dated 24/05/2007 to allow retention of the existing drainage lagoon for a period of 12 months. (Section 73 application)

LBH Ref Nos: 12579/APP/2011/1993

Drawing Nos: Planning Supporting Statement
001
002

Date Plans Received: 15/08/2011 **Date(s) of Amendment(s):**

Date Application Valid: 24/08/2011

1. SUMMARY

Planning permission is sought for a temporary period of 12 months for the retention and continued use of a drainage lagoon, required for operations connected with the use of land at Pylon Farm as an organic composting facility. The lagoon is located at the northern end of an extended compost maturation site. Separate planning applications to extend the use of the original and extended maturation sites are also included on this agenda.

The retention of the lagoon for a further 12 month period would not increase the built up nature of the site, or harm the openness of the area to a detrimental degree. Although composting is a form of industrial use which is not normally considered appropriate in a Green Belt location, Council policy aims to increase green waste recycling in line with the Government's Waste Strategy. It is considered that these are special circumstances to justify the retention and continued use of the composting facilities, of which the drainage lagoon forms an integral part, at this location, to the extent that the harm to the openness of the Green Belt has been outweighed. Approval is therefore recommended.

2. RECOMMENDATION

APPROVAL subject to the following:

1 NONSC Non Standard Condition

The use hereby permitted shall be discontinued and the land restored to its former condition on or before one year from the date of this permission, in accordance with a scheme of work submitted to and approved by the Local Planning Authority.

REASON

1. It is not considered appropriate to grant a permanent permission for the use until its effect on the amenities of the locality has been assessed.
2. In order to comply with the terms of the application.
3. The proposal constitutes inappropriate development within the Green Belt.

2 NONSC Non Standard Condition

Any excess landfill material excavated and/or imported material shall be tested for

contamination levels therein, to the satisfaction of the Local Planning Authority. If contaminated, the material shall not be used at the development and shall be transferred and disposed of elsewhere, such that none of the contaminated material remains on the site.

REASON

To ensure that the users of the site and the environment are not subjected to any risks from land contamination associated with the tipped ground in accordance with Policy OE11 of the Hillingdon Unitary Development Plan (Saved Policies (September 2007)).

3 NONSC Non Standard Condition

The surface and foul drainage system shall be carried out in accordance with details submitted to and approved in writing by the Local Planning Authority.

REASON

To prevent pollution of the water environment in accordance with Policy OE11 of the Hillingdon Unitary Development Plan and Policies 5.13 and 5.14 of the London Plan (July 2011).

4 NONSC Non Standard Condition

Within one month of the date of this permission a schedule of landscape maintenance for a minimum period of 1 year shall be 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 Saved Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 NONSC Non Standard Condition

Within 1 month of grant of this planning permission (or other date as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

1. A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- potential contaminants associated with the current use
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2. A "monitoring and maintenance plan" for monitoring of potentially unacceptable pollutant linkages, as identified in the preliminary risk assessment. The plan shall include maintenance arrangements, contingency action and a scheme for reporting the monitoring results to the Local Planning Authority. Any changes to these components require the express consent of the local planning authority. The plan shall be implemented as approved.

REASON

Groundwater is very sensitive beneath the site and it is not known what the risk of pollution to groundwater posed by the site and by this activity would pose. Geology maps

indicate there is some clay beneath the site but that this is likely to be thin. Consequently, there is limited natural protection for the Chalk Principal Aquifer beneath the clay, from which groundwater is abstracted. The site lies within Inner Source Protection Zone (SPZ1) for a public water supply abstraction, so the groundwater beneath the site is a precious resource that must be protected from pollution, in compliance with Policies 5.13 and 5.14 of the London Plan (July 2011).

INFORMATIVES

1 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).

2 I53 **Compulsory Informative (2)**

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

AM7	Consideration of traffic generated by proposed developments.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
MIN16	Waste recycling and disposal - encouragement of efficient and environmentally acceptable facilities
MIN18	Safeguarding of existing civic amenity and waste transfer sites
OE1	Protection of the character and amenities of surrounding properties and the local area
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL5	Development proposals adjacent to the Green Belt
OL9	Areas of Environmental Opportunity - condition and use of open land
LPP 5.13	(2011) Sustainable drainage
LPP 5.14	(2011) Water quality and wastewater infrastructure
LPP 5.16	(2011) Waste self-sufficiency
LPP 5.17	(2011) Waste capacity
PPG13	Transport
PPG2	Green Belts
PPS1	Delivering Sustainable Development
PPS1-A	Planning and Climate Change - Supplement to Planning Policy Statement 1
PPS10	Planning for Sustainable Waste Management
PPS9	Biodiversity and Geological Conservation

3

You are reminded that this site is regulated through environmental permits, issued by the Environment Agency. You are advised to contact the Environment Agency for any future overarching planning application as early as possible, in order to identify any issues before an application is submitted. A number of additional reports may be required with the overarching application, such as surface water flood risk assessments, drainage scheme details and further ground and contamination investigations.

3. CONSIDERATIONS

3.1 Site and Locality

The West London Composting (WLC) Operational Facility is effectively divided into two operational areas off New Years Green Lane, with the existing compost maturation area (Pylon Farm), located on the northern side of the road and the waste reception and in-vessel facility located at Highview Farm on the southern side of the road. This application relates to a drainage lagoon, which has a capacity of 900m³, located to the north of the existing organic composting maturation site.

The application site falls within the Green Belt and the Colne Valley Park. The site is accessed from New Years Green Lane, a single track lane with passing places and links two distributor roads, Breakspear Road South and Harvil Road.

The lagoon is bounded to the north by a hedgerow and further vegetation has been planted on the northern and eastern edges of the site.

The adjoining compost maturation area has been constructed from crushed concrete and subsequently coated with a high specification heat resistant asphalt surface. The surface has been designed and constructed with engineered gradients for surface water management. The concrete apron slopes towards the engineered drainage lagoon (subject of this application), which has been designed to accommodate a worst case storm event.

3.2 Proposed Scheme

No changes are proposed to the physical characteristics of the drainage lagoon. Planning permission is sought to vary condition 1 of Planning consent 12579/APP/2007/534 dated 24/5/2007, to allow the retention and continued use of the drainage lagoon for a period of 12 months.

Condition 1 of the planning consent states:

The use hereby permitted shall be discontinued and the land restored to its former condition on or before 16 August 2011, in accordance with a scheme of work submitted to and approved by the Local Planning Authority

The reason for including condition 1 of the Planning Consent was:

It is not considered appropriate to grant a permanent permission for the use until its effect on the amenities of the locality has been assessed in accordance with Policy OE1 of the Hillingdon Unitary Development Plan.

The requested variation of Condition 1 is set out below:

The use hereby permitted shall be discontinued on or before 16th August 2012, in accordance with a scheme of work submitted to and approved by the Local Planning Authority.

It is not considered necessary to treat this application as a departure from the development Plan, as the proposal merely seeks a temporary extension of time for operations that have already been considered by the Secretary of State. However, should an application be submitted for a permanent permission, to consolidate the various consents on the site, then such a scheme would be treated as a departure and referred to the Secretary of State and the Mayor of London (as appropriate) at that time.

3.3 Relevant Planning History

12579/APP/2007/534 Land Adjacent To Compost Maturation Site At Pylon Farm New Years
RELOCATION OF EXISTING DRAINAGE LAGOON TO THE NORTHERN END OF THE SITE TO FACILITATE IMPROVED MANAGEMENT OF THE SITE IN ACCORDANCE WITH PLANNING PERMISSION 12579/APP/2006/1524 DATED 17-08-2006 'CHANGE OF USE FROM LOW GRADE AGRICULTURAL LAND TO ALLOW THE NORTHERN EXTENSION OF THE EXISTING COMPOST MATURATION FACILITY'

Decision: 24-05-2007 Approved

Comment on Relevant Planning History

The existing recycling facility is located on two sites and was the subject of separate planning applications. The facility involves the deposition of household green waste collected predominantly from the Local Authority Waste contractors. The composting process is carried out initially at High View Farm, where the incoming waste is received, sorted and shredded. The waste is then transferred to enclosed pods, incorporating ventilation and sprays. Once the initial processing is complete, the waste is transferred to the adjoining Pylon Farm (the subject of this application), to the north of New Years Green Lane, where it is deposited on tarmac aprons and formed into rows of material (windrows), where the material is turned during maturation. Relevant planning history of the application site is given below:

Pylon Farm

Planning permission was granted on 13 September 2002 for change of use from agriculture to organic composting site for open windrows (Ref:12579/M/99/2048). Since Council policy aims to increase green waste recycling, this was considered sufficient special circumstances to justify the use in this location, to the extent that the harm on the openness of the Green Belt had been outweighed. Therefore, even though the application was contrary to Green Belt policy, approval was recommended subject to a S106 Agreement to divert public footpath U36. Engineering and development of the compost maturation area (application site) commenced in May 2004 and the facility was opened to accept waste on 16th July 2004.

There are no restrictions governing the level of use on this site other than that the windrows shall not exceed 1.5 metres in height (condition 9). However, this permission was temporary until 6 May 2006.

In March 2004 it was established that engineering operations to level the land in preparation for laying of hard core and excavations for a drainage lagoon had extended

some 80 metres to the north of the boundary of the approved site relating to the 2002 planning permission. The land owner agreed to reinstate all the land outside the application site to its original condition by filling in the excavated lagoon, furrowing the land and seeding to grass. He also agreed to limit the hard surface to the area shown on the approved drawings. A site visit was carried out in May 2004, when it was established that the remedial work to rectify the breach of planning control had been carried out.

On March 6th 2006 an application (Ref 12579/APP/2006/673) was submitted to allow the continued use of the original maturation area for a further five years. This application was granted. The permission expires on 17th August 2011.

On May 18th 2006 another application (ref:12579/APP/2006/ 1524) was granted for increasing the size of the maturation area (to allow operations to become more efficient). The permission expired on 17 August 2011.

On 19th February 2007 an application Ref: 12579/APP/2007/534 swas ubmitted to relocate the drainage lagoon to the northern end of the site. The application was approved on 24/5/2007. The permission expired on 16th August 2011.

4. Planning Policies and Standards

London Plan (July 2011)

- Policy 5.16 Waste Self Sufficiency; and
- Policy 5.17 Waste Capacity

UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
MIN16	Waste recycling and disposal - encouragement of efficient and environmentally acceptable facilities
MIN18	Safeguarding of existing civic amenity and waste transfer sites
OE1	Protection of the character and amenities of surrounding properties and the local area
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL5	Development proposals adjacent to the Green Belt
OL9	Areas of Environmental Opportunity - condition and use of open land
LPP 5.13	(2011) Sustainable drainage
LPP 5.14	(2011) Water quality and wastewater infrastructure

LPP 5.16	(2011) Waste self-sufficiency
LPP 5.17	(2011) Waste capacity
PPG13	Transport
PPG2	Green Belts
PPS1	Delivering Sustainable Development
PPS1-A	Planning and Climate Change - Supplement to Planning Policy Statement 1
PPS10	Planning for Sustainable Waste Management
PPS9	Biodiversity and Geological Conservation

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **16th September 2011**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

The application has been advertised as a development of a type likely to be of wider concern. 18 adjoining owner/occupiers have been notified. In addition, Harefield and Ruislip Residents Associations were notified. No responses have been received.

ENVIRONMENT AGENCY

We consider that permission to vary these conditions should only be granted if the planning conditions can be amended to include the elements as set out below. Without these elements, the proposed variations pose an unacceptable/unknown risk to the environment and we would wish to object to the applications.

A - Within 1 month of grant of this planning permission (or other date as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - potential contaminants associated with the current use
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.

2. A "monitoring and maintenance plan" for monitoring of potentially unacceptable pollutant linkages, as identified in the preliminary risk assessment. The plan shall include maintenance arrangements, contingency action and a scheme for reporting the monitoring results to the Local Planning Authority. Any changes to these components require the express consent of the local planning authority. The plan shall be implemented as approved.

B - On completion of the activities identified in the agreed monitoring and maintenance plan, a final report including the findings of the all the monitoring shall be submitted to and approved in writing by the local planning authority.

Reason for parts A and B: Groundwater is very sensitive beneath the site and we do not know the risk of pollution to groundwater posed by the site and by this activity. Our geology maps indicate there is some Clay beneath the site but that this is likely to be thin. Consequently, there is limited natural protection for the Chalk Principal Aquifer beneath the clay, from which groundwater is abstracted. The site lies within Inner Source Protection Zone (SPZ1) for a public water supply abstraction, so the groundwater beneath the site is a precious resource that must be protected from pollution.

C - No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority.

Reason: To protect the quality of the very sensitive groundwater beneath the site from pollution.

Environmental permits

Please be aware that we regulate this site through environmental permits. Please contact me if you need any further details on this. Future overarching planning application I recommend that the applicant contacts me for pre-application discussions for the full application as early as possible. This is currently a free service and will help to identify any issues before an application is submitted. A number of additional reports may be required with the overarching application, such as surface water flood risk assessments, drainage scheme details and further ground and contamination investigations.

HAREFIELD RESIDENTS ASSOCIATION: No response.

RUISLIP RESIDENTS ASSOCIATION: No response.

Internal Consultees

POLICY AND ENVIRONMENTAL PLANNING

1. Site

The proposal site is located approximately 2.5km south-east of the village of Harefield and 2km west of Ruislip. The site is accessed by New Years Green Lane, which links to the A4180. The site is located on land designated as Green Belt.

2. London Plan (adopted July 2011)

The London Plan strongly supports the protection, promotion and enhancement of London's open spaces and natural environments. Policy 7.16: Green Belt states that in terms of planning decisions:

The strongest protection should be given to London's Green Belt, in accordance with national guidance. Inappropriate development should be refused, except in very special circumstances. Development will be supported if it is appropriate and helps secure the objectives of improving the Green Belt as set out in national guidance.

3. Previous Applications

The existing uses on the site were established by 39755/APP/2002/3026. Condition 14 of 02/3026 requires that the activities on site are restricted to a maximum of 50,000 cumulative tonnes of waste processed on the site per year. (Reason: To safeguard Green Belt amenity).

A renewal of permission was granted on 18 August 2006, (ref.12579/APP/2006/673), condition 1 limits the use of the site for organic composting for five years with the following reason: it is not considered appropriate to grant a permanent permission for the use until its effects on the

amenities of the locality has been assessed.

While, the application stipulates that no intensification of the waste processed on the site will occur, Officers will need to be certain that this is the case and that in allowing the application this will not result in the cumulative justification for a future application to increase the waste processed.

4. Main Policy Issues

Land-use

The site is located within designated Green Belt land. Under the terms of Policy OL1 development in the Green Belt is normally unacceptable unless it is agriculture, cemetery or recreation related. The existing site use for composting organic waste does not conform to the type of development allowed by Policy OL1.

In accordance with PPG2 very special circumstance need to exist to justify the inappropriate development in the Green Belt and that the harm is clearly outweighed by other considerations.

It is noted that the uses on the site promote the recycling of green waste, which at a Borough wide level is beneficial to Hillingdon. While this in isolation may not be a justification for approving the application, it can be a material consideration, to balance against the use being located within the Green Belt.

The existing use of the site for composting waste was granted planning permission for a period of 5 years. The Council policy aims to increase green waste were considered a sufficient special circumstance to justify the use in this location, to the extent that the harm on the openness of the Green Belt had been outweighed.

West London Waste Plan

The West London Waste Plan (WLWP) safeguards all waste facilities within its administrative area (The London Boroughs of Brent, Ealing, Harrow, Hillingdon, Hounslow and Richmond upon Thames) that have current planning permission for a waste activity. Those located in the Metropolitan Green Belt although safeguarded are not allocated for intensification as this does not align with national and regional policy, nor does it accord with the vision and objectives of the WLWP.

4. Conclusion

Whilst the use of the site is not appropriate within the Green Belt, the LDF Team have no specific objections to the renewal of planning permissions for a temporary period of one year.

ENVIRONMENTAL PROTECTION UNIT (EPU)

EPU does not have any objections to this proposal to extend the planning permission.

TRES AND LANDSCAPE OFFICER

LANDSCAPE CONTEXT: The site is occupied by an area of asphalt used to accommodate the windrows of an organic organic composting operation. Situated within the Green Belt, the original proposal included woodland shelter planting around the perimeter to provide shelter and visual screening. There are no Tree Preservation Orders on, or close to, the site, nor does it fall within a designated Conservation Area.

PROPOSAL: The original proposal was granted a five year temporary permission. The current application is to allow the continued use of the land for a further 12 months.

LANDSCAPE CONSIDERATIONS: Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

- No trees or other landscape features will be affected by the development and the proposed new building will have little impact on views into the site, or the landscape setting.
- The management, maintenance and replacement planting (of any failed trees or shrubs) should continue in accordance with the previous approvals.

RECOMMENDATIONS: No objection, subject to the above considerations and condition TL7.

WASTE MANAGER

I would recommend this application as the site is an integral part of recycling and composting system in the Borough.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

To ensure that leachate does not contaminate ground water, the lagoon subject to this application is essential to the safe operation of the compost maturation site. Two applications (ref: 12579/APP/2011/1991 and 1992) are included elsewhere on this agenda, seeking to extend the use of the compost maturation site for a further 12 month period. Detailed justification for the continued temporary use of the existing green waste recycling facility in this location is provided in these applications. Given that the lagoon forms an integral part of the recycling and composting operations, should those applications be approved, no objections would be raised for the retention of the lagoon for a similar 12 month period.

7.02 Density of the proposed development

Not applicable to this development.

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

Not applicable to this development.

7.04 Airport safeguarding

Not applicable to this development.

7.05 Impact on the green belt

The change of use from agricultural land to an open composting maturation site involved granting of planning permission for a development within the Green Belt, Colne Valley Park and within proximity to nationally protected woodland. There is potential for long-term effects on biodiversity, landscape character, visual impacts on these areas and on the amenity of the green belt for its users. These matters were assessed as part of the determination of the original application to approve the siting of the drainage lagoon at this location. Situated within the Green Belt, the original proposal included young woodland and hedgerow plantations to the north and west of the site, to provide shelter and visual screening. This planting was required, in order to screen and mitigate the visual impact of the windrows and the lagoon, when viewed from surrounding public footpaths.

These existing hedgerows and field/hedgerow trees around the site are now established and will not be affected by the proposal. Since there are no physical changes proposed as part of this application, it is considered that the retention and continued temporary use of the lagoon would not cause unacceptable landscape and visual impacts, in accordance with Saved Policies OL5 and BE38 of the UDP, subject to continued management of the planting around the site.

7.06 Environmental Impact

Environmental considerations relating to this application, namely air and ground water quality, have been addressed in the relevant sections of this report.

7.07 Impact on the character & appearance of the area

This issue has been dealt with at Section 7.07 above.

7.08 Impact on neighbours

The main impact on neighbours arising from the continued use of the composting facility relate to air quality and noise. However, there are no issues arising from the retention and continued use of the drainage lagoon on surrounding neighbours.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Policies AM1, AM2, AM7, AM9, AM14 and AM15 of the UDP are concerned with traffic generation, road capacity, on-site parking, access to public transport and provisions for parking for people with disabilities. New Years Green Lane is unsuitable for HGV traffic for much of its length, due to the width of the road and further traffic increases ought to be discouraged. The applicants have already implemented measures to ensure that delivery and collection vehicles use only the short stretch of New Years Green Lane, between the site and Breakspear Road. These measures include site signage and profiling the junction to the access road to Highview Farm, so that vehicles are physically prevented from turning towards Harvil Road. In addition, operators are informed of the preferred route for all vehicles entering and leaving the site. These measures were secured by conditions on the previous consents and were incorporated into the Waste Management Licence, issued by the Environment Agency.

Allowing the development to continue for another 12 months under the same parameters as the existing permission will have a negligible impact on the surrounding highway as there is no proposal to increase the volume of waste material being accepted at the site and no new trips have been identified. The existing safety record of the highway has been reviewed and it has been concluded that there is no pattern of accidents that is suggestive of a highway layout deficiency that leads to unacceptable safety risks.

Consequently, allowing the development for another 12 months is considered acceptable from a highway safety perspective. The Highway Engineer therefore raises no objections to this application, subject to limiting the total amount of through put to 50,000 tonnes per year.

7.11 Urban design, access and security

There are no urban design issues associated with this application.

7.12 Disabled access

There are no disabled access issues associated with this application.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

LANDSCAPING: No landscape or visual effects have been identified by allowing the continuation of the use and retention of the drainage lagoon for a further 12 months. No increase in development is proposed and it is considered that the maturation area, including the lagoon, benefits from good screening on all boundaries.

The tree and Landscape Officer advises that the management, maintenance and replacement planting of any failed trees or shrubs on the site boundaries should continue in accordance with the previous approvals. Subject to compliance with landscape

conditions, the development is considered to comply with Saved Policy BE38 of the UDP.

ECOLOGY: The applicant originally provided a detailed Ecological Appraisal of the site, which established that there are no protected species on the site. No increase in development is proposed and no ecological issues have been identified by allowing the continuation of the maturation area for a further 12 months. Natural England has raised no objections. It is therefore not considered that the scheme will have an adverse impact on ecology and nature conservation in the area, in accordance with Saved Policies EC1 and EC3 of the UDP.

7.15 Sustainable waste management

This is an application for the continued use of a composting facility, which is a sustainable development addressing waste as a resource in compliance with national and local requirements to increase green waste recycling.

7.16 Renewable energy / Sustainability

This is an application for the continued use of a composting facility, which is a sustainable development addressing waste as a resource in compliance with national and local requirements to increase green waste recycling.

7.17 Flooding or Drainage Issues

To ensure that there is no contamination of ground water, the compost maturation site involves extensive works to provide a protective membrane, with ground levels altered to allow leachate to feed into a lagoon, which is currently located to the north of the existing site.

The applicants submit that potential environmental impacts associated with allowing the maturation area to continue for a further 12 months are considered to be negligible, as no operations are proposed to change at the site. There will be no increased rate of runoff from the maturation area as it is not increasing, so no flooding is expected. However, the Environment Agency notes that groundwater beneath the site is very sensitive and it is not clear what the risk of pollution to groundwater posed by the site and by this activity would be. The Agency points out that there is limited natural protection for the aquifer beneath the site from which groundwater is abstracted. Given that the site lies within Inner Source Protection Zone (SPZ1) for a public water supply abstraction, ground water beneath the site is a precious resource that must be protected from pollution.

There is therefore a potential for leachates to pollute groundwater quality. The potential effects are likely to become more significant with a longer exposure period to pollution. The Environment Agency has therefore requested conditions requiring a scheme to deal with the risks associated with contamination of the site. The Agency has specified that this should include a preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- potential contaminants associated with the current use
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

In addition, the Environment Agency has recommended a condition requiring a monitoring and maintenance plan for monitoring of potentially unacceptable pollutant linkages, as identified in the preliminary risk assessment. The plan shall include maintenance arrangements, contingency action and a scheme for reporting the monitoring results to the Local Planning Authority. On completion of the activities identified in the agreed monitoring and maintenance plan, a final report including the findings of the all the monitoring should be submitted to and approved in writing by the local planning authority.

The Environment Agency further advise that a number of additional reports may be required with the overarching application, such as surface water flood risk assessments, drainage scheme details and further ground and contamination investigations. The applicants have been advised of this likely requirement by way of an informative.

Subject to the above mentioned conditions to protect ground water quality in the area being imposed and discharged, it is considered that the continued use of the lagoon for an additional 12 month period would not compromise the statutory functions of the Environment Agency, the risk of flooding will be minimised and the quality of the water environment will be protected, in compliance with Policies OE7 and OE8 of the Hillingdon Unitary development Plan Saved Policies (September 2007) and Policy 5.14 of the London Plan (July 2011).

7.18 Noise or Air Quality Issues

Since there are no operational changes proposed to the scheme, there are no air quality or noise issues associated with the retention of the drainage lagoon for a further 12 month period.

7.19 Comments on Public Consultations

None.

7.20 Planning Obligations

There are no planning obligations relating specifically to this proposal.

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 application.

8. Observations of the Borough Solicitor

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

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

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

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

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other

opinion, national or social origin, association with a national minority, property, birth or other status'.

10. CONCLUSION

It is considered that national and local requirements to increase green waste recycling constitute the very special circumstances to justify the continued use of the maturation site, of which the drainage lagoon forms an integral part. These circumstances are considered to outweigh the fact that the proposals are inappropriate development in the Green Belt. It is not considered that the visual amenities or the open character of the Green Belt would be adversely affected by the continued temporary use.

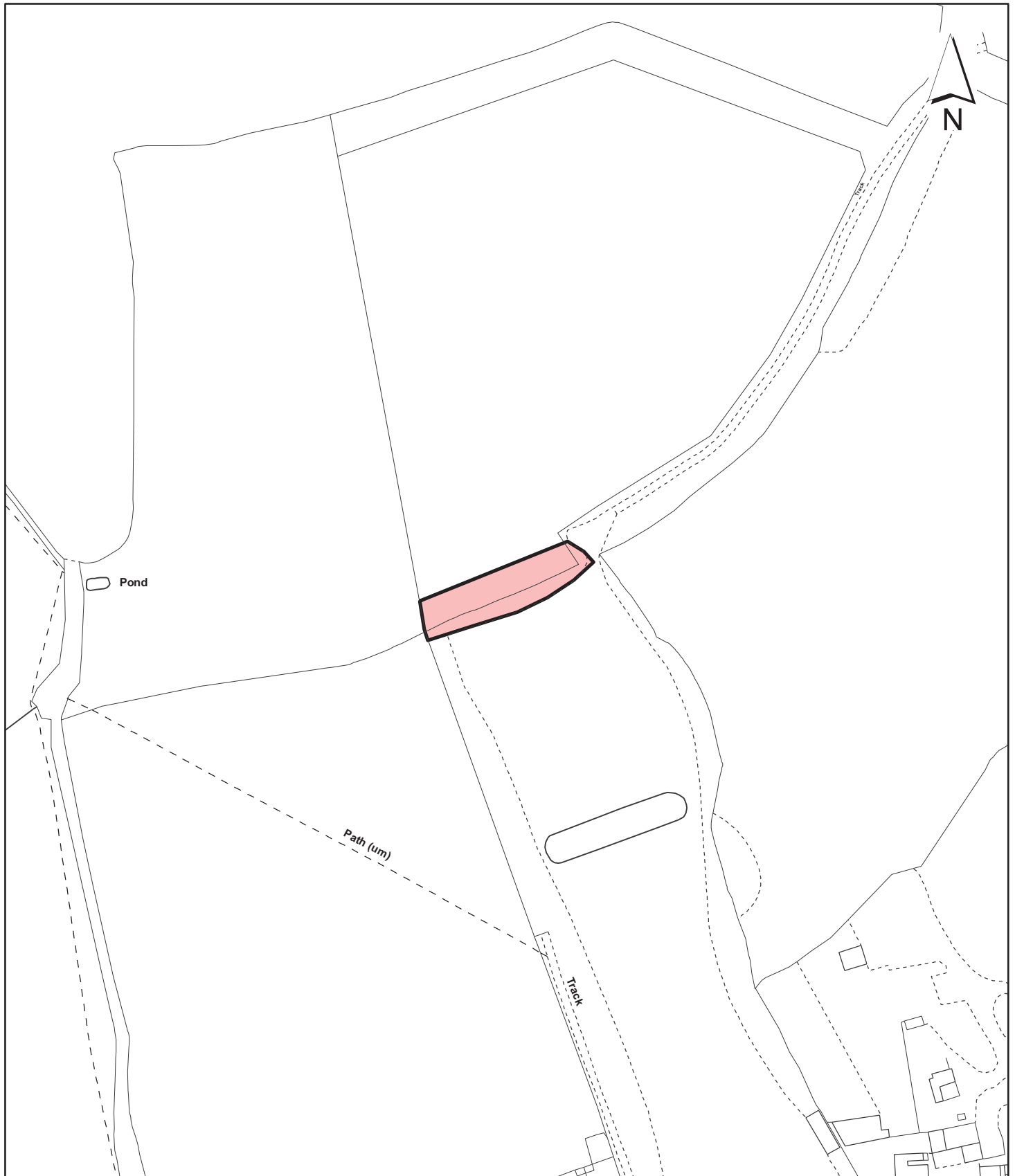
It is recommended that a further 1 year temporary permission be granted for the continued use of the existing open maturation site. This will allow the Council the opportunity to monitor the site and assess the effectiveness of these measures on the amenities of the locality. It is not considered that the scheme will have an adverse impact on ecology and nature conservation in the area, or on the highway network. On this basis approval is recommended.

11. Reference Documents

Planning Policy Guidance Note 2: Green Belts
Planning Policy Statement 1: Delivering Sustainable Development
Planning and Climate Change (2007) supplement to PPS 1
Planning Policy Statement 10: Planning for Sustainable Waste Management
Government Review of Waste Policy in England 2011
The London Plan (July 2011)
London Borough of Hillingdon Unitary Development Plan Saved Policies (September 2007)

Contact Officer: Karl Dafe

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address

**Land adjacent to Compost
Maturation Site at Pylon Farm
Newyears Green Lane, Harefield**

Planning Application Ref:

12579/APP/2011/1993

Scale

1:2,000

Planning Committee

North Page 251

Date

**October
2011**

**LONDON BOROUGH
OF HILLINGDON**
Planning,
Environment, Education
& Community Services

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



HILLINGDON
LONDON

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Report of the Head of Planning & Enforcement Services

Address LAND FORMING PART OF 66 LONG LANE ICKENHAM

Development: Two storey 5-bed detached dwelling with habitable roofspace, associated parking and amenity space, involving installation of vehicular crossover

LBH Ref Nos: 49805/APP/2011/1811

Drawing Nos: 06/2405/104 Rev. A
Tree Survey
Design and Access Statement
06/2405/103
06/2405/102
Location Plan to Scale 1:1250
06/2405/101 Rev. B
06/2405/100 Rev. B

Date Plans Received:	22/07/2011	Date(s) of Amendment(s):	26/07/2011
Date Application Valid:	10/08/2011		02/08/2011
			10/08/2011
			01/10/2011
			05/10/2011

1. SUMMARY

Planning permission is sought for the erection of a two storey building with habitable accommodation in the roof space, comprising 1 x 5-bedroom dwelling, together with parking to the front, access drive and associated landscaping.

It is considered that the overall layout, density and design would result in a form of development which would harmonise with the surrounding area and would not be detrimental to the character and appearance of the Ickenham Village Conservation Area.

The proposal would not detract from the amenities of adjoining occupiers and would provide a satisfactory standard of accommodation for future occupiers.

2. RECOMMENDATION

APPROVAL subject to the following:

1 T8 Time Limit - full planning application 3 years

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

REASON

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

2 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).

3 MRD4 Single Dwellings Occupation

The development hereby approved shall not be sub-divided to form additional dwelling units or used in multiple occupation without a further express permission from the Local Planning Authority.

REASON

To ensure that the premises remain as a single dwelling until such time as the Local Planning Authority may be satisfied that conversion would be in accordance with Policy H7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4 OM1 Development in accordance with Approved Plans

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

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 RPD1 No Additional Windows or Doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 64 and 66 Long Lane.

REASON

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

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

The window(s) facing 64 and 66 Long Lane shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

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

7 RPD5 Restrictions on Erection of Extensions and Outbuildings

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

REASON

So that the Local Planning Authority can ensure that any such development would not

result in a significant loss of residential amenity in accordance with policy BE21 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

8 RPD6 Fences, Gates, Walls

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

REASON

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

9 RPD9 Enlargement to Houses - Roof Additions/Alterations

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

REASON

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

10 MRD8 Education Contributions

Before the development hereby permitted is commenced, a scheme shall be submitted to, and approved in writing by the Local Planning Authority detailing how additional or improved educational facilities will be provided within a 3 miles radius of the site to accommodate the nursery, primary and secondary school child yield arising from the proposed development. This shall include a timescale for the provision of the additional/improved facilities. The approved means and timescale of accommodating the child yield arising from the development shall then be implemented in accordance with the agreed scheme.

REASON

To ensure the development provides an appropriate contribution to educational facilities within the surrounding area, arising from the proposed development, in accordance with Policy R17 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and the Council's Supplementary Planning Guidance on Educational Facilities.

11 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).

12 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.

13 TL21 Tree Protection, Building & Demolition Method Statement

Prior to development commencing on site, a method statement outlining the sequence of development on the site including demolition, building works shall be submitted to and approved by the Local Planning Authority, and the scheme thereafter implemented in accordance with the approved method statement.

REASON

To ensure that trees can be satisfactorily retained on the site in accordance with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

14 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).

15 TL5 Landscaping Scheme - (full apps where details are reserved)

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. 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).

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).

16 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).

17 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).

18 SUS4 Code for Sustainable Homes details

No development shall take place until an initial design stage assessment by an accredited assessor for the Code for Sustainable Homes and an accompanying interim certificate stating that each dwelling has been designed to achieve level 3 of the Code has been submitted to, and approved in writing, by the local planning authority. No dwelling shall be occupied until it has been issued with a final Code certificate of compliance.

REASON

To ensure that the objectives of sustainable development identified in Policy 5.3 of the London Plan (2011).

19 DIS5 Design to Lifetime Homes Standards & Wheelchair Standards

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

REASON

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (2011) Policy 3.5.

20 SUS5 Sustainable Urban Drainage

No development shall take place on site until details of the incorporation of sustainable

urban drainage have been submitted to, and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed on site and thereafter permanently retained and maintained.

REASON

To ensure that surface water run off is handled as close to its source as possible in compliance with policy 4A.14 of the London Plan (February 2008) /if appropriate/ and to ensure the development does not increase the risk of flooding contrary to Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), policy 5.3 of the London Plan (2011) and PPS25.

21 H11A Visibility Splays

The access for the proposed car parking shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.

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).

22 H3 Vehicular access - construction

The hardstanding area shall not be used until the means of vehicular access has been constructed in accordance with the details first submitted to and approved in writing by the Local Planning Authority.

REASON

To ensure the provision of a safe and convenient access for vehicular traffic, prior to occupation in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

23 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.

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).

24 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).

INFORMATIVES

1 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).

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (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.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LPP 3.3	(2011) Increasing housing supply
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice

LPP 5.1	(2011) Climate Change Mitigation
LPP 5.13	(2011) Sustainable drainage
LPP 5.15	(2011) Water use and supplies
LPP 5.18	(2011) Construction, excavation and demolition waste
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.7	(2011) Renewable energy
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

3 11 Building to Approved Drawing

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

4 115 Control of Environmental Nuisance from Construction Work

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

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

D) No bonfires that create dark smoke or nuisance to local residents.

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

5 118 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).

6 12 **Encroachment**

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

7 121 **Street Naming and Numbering**

All proposed new street names must be notified to and approved by the Council. Building names and numbers, and proposed changes of street names must also be notified to the Council. For further information and advice, contact - The Street Naming and Numbering Officer, Planning & Community Services, 3 North Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250557).

8 13 **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).

9 143 **Keeping Highways and Pavements free from mud etc**

You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act 1980.

10 15 **Party Walls**

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

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

in some circumstances, carry out groundworks within 6 metres of an adjoining building.

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

11 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.

12

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.

With regard to water supply, this comes within the area covered by the Veolia Water Company. For your information the address to write to is - Veolia Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

13

The applicant is advised to contact the Councils Highways Team in respect of the construction of the vehicle crossover. It is contrary to section 163 of the Highways Act 1980 for surface water from private land to drain onto the highway or discharge into the highway drainage system.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the west side of Long Lane and comprises a large attractive vernacular style house with tile hanging and mock timber, set in a very spacious plot, and fronted by tall dense hedges and trees. A detached garage and side garden lie to the north. To the north of the application site lies 64 Long Lane, a two storey detached house with a single storey side extension and detached outbuildings along the side boundary with the application site, and to the south lies 35-45 Long Lane, a purpose built residential apartment block. The street scene is characterised by generous plots with mature planting and trees in front gardens and these provide a buffer from the main road.

The application site lies within the Ickenham Village Conservation Area, as identified in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007). The application site is also covered by TPO 5.

3.2 Proposed Scheme

Planning permission is sought for the erection of a two storey detached house on land to the north of 66 Long Lane, involving demolition of the detached garage. The application site measures 10.5m wide and 47.5m deep.

The proposed house would be set back some 19m from the road and would be in line with the front gable projection of 66 Long Lane. The proposed house would measure 7.5m wide and 12.1m deep at ground floor level and 11.1m deep at first floor level and would be 5.5m high at eaves level and finished with a hipped, ridged roof 9.2m high. A dormer window would be situated within the rear roof slope set down 1.3m from the ridge and set in 0.9m from the eaves. This box style dormer would measure 1.3m high by 1.4m wide with a depth out of 1.3m.

A front projection is proposed incorporating an integral garage, set flush with the southern flank wall, measuring 3.5m wide, 1m deep and finished with a hipped roof set 1.9m below the roof ridge. The proposed single storey rear extension would be finished with a monopitched hip end roof measuring 2.5m high at eaves level and 3.5m high at its highest point. Casement windows are proposed on the elevations. At front, the existing driveway and crossover would be utilised for the new house.

3.3 Relevant Planning History

39319/APP/2005/11 66 Long Lane Ickenham
ERECTION OF 6, TWO-BEDROOM FLATS AND 2, FOUR-BEDROOM HOUSES WITH GARAGES AND PARKING COURTYARD (INVOLVING DEMOLITION OF EXISTING HOUSE AND GARAGE)

Decision: 31-01-2005 Refused **Appeal:** 30-01-2006 Dismissed

39319/APP/2005/13 66 Long Lane Ickenham
DEMOLITION OF EXISTING HOUSE AND GARAGE (IN CONNECTION WITH PROPOSAL TO REDEVELOP SITE FOR 6, TWO-BEDROOM FLATS, AND 2, FOUR-BEDROOM HOUSES WITH GARAGES AND PARKING COURTYARD) (APPLICATION FOR CONSERVATION AREA CONSENT)

Decision: 31-01-2005 Refused **Appeal:** 30-01-2006 Dismissed

39319/APP/2007/171 66 Long Lane Ickenham
ERECTION OF A TWO STOREY BUILDING WITH HABITABLE ACCOMMODATION IN THE ROOFSPACE CONTAINING 7 TWO-BEDROOM FLATS, INCORPORATING 3 REAR DORMERS, ASSOCIATED PARKING AND LANDSCAPING AND WIDENING OF THE EXISTING VEHICULAR CROSSOVER (INVOLVING DEMOLITION OF THE EXISTING DWELLING).

Decision: 10-12-2007 Approved

39319/APP/2007/615 66 Long Lane Ickenham
DEMOLITION OF EXISTING HOUSE AND GARAGE (IN CONNECTION WITH PROPOSAL TO REDEVELOP SITE FOR 7 TWO-BEDROOM FLATS) (APPLICATION FOR CONSERVATION AREA CONSENT).

Decision: 10-12-2007 Approved

39319/APP/2010/1601 66 Long Lane Ickenham
Erection of two storey building with habitable accommodation in the roof space, containing 7 two bedroom flats (amendment to previously approved scheme 39319/APP/2007/171 dated 10-12-2007 to include 2 new rear dormers)(INVOLVING DEMOLITION OF THE EXISTING DWELLING).

Decision: 08-10-2010 Approved

39319/APP/2010/1602 66 Long Lane Ickenham
Demolition of existing house and garage (in connection with proposal to redevelop site for 7 x 2-

bedroom flats) (Application for Conservation Area Consent)

Decision: 08-10-2010 Approved

49805/95/0382 Forming Part Of 66 Long Lane Ickenham
Erection of a detached house with integral garage

Decision: 26-10-1995 Refused

49805/A/96/0601 Forming Part Of 66 Long Lane Ickenham
Erection of a coach house style detached house with integral garage

Decision: 21-08-1996 Refused **Appeal:** 29-05-1997 Dismissed

49805/APP/2011/44 Forming Part Of 66 Long Lane Ickenham
Erection of a five-bedroom, two storey detached dwelling with habitable roofspace, integral garage to side and associated parking and amenity space.

Decision: 07-04-2011 Refused

Comment on Relevant Planning History

The site contains several previous planning applications for the erection of a two storey dwelling. The most recent planning application 49805/APP/2011/44 was refused by the North Committee in April this year for the following reasons:

1. The proposed detached house, by reason of its overall size and width in relation to the existing houses in the street, would be out of keeping with the character and appearance of the street scene and the local context of the area. It would fail to retain a sufficient gap between it and the side boundary with 66 Long Lane and as such would appear cramped in the street scene, to the detriment of the character and appearance of the Ickenham Village Conservation Area, contrary to policies BE4, BE13, BE19 and BE22 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Supplementary Planning Document HDAS: Residential Layouts.

2. The proposed detached house, by reason of its overall design and appearance in particular, its roof form, incorporating a gable end half hip roof at rear, and an overly large side dormer window, would represent an incongruous and visually intrusive form of development which would be detrimental to the visual amenities of the street scene and the surrounding area generally and the character and appearance of the Ickenham Village Conservation Area, contrary to policies BE4, BE13 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Supplementary Planning Document HDAS: Residential Layouts.

3. The proposed detached house, by reason of its proximity and excessive projection would result in an overdominant/visually obtrusive form of development in relation to 66 Long Lane. It would constitute an un-neighbourly form of development, resulting in a material loss of residential amenity. The proposal is therefore contrary to Policies BE19 and BE21 of the adopted Hillingdon Unitary Development Plan (Saved Policies 2007) and

the Supplementary Planning Document HDAS: Residential Layouts.

4. The proposal due to the downstairs toilet not being wheelchair accessible and the door widths being less than 900mm wide, fails to meet the requirements of lifetime homes and is thus contrary to London Plan policies 3A.5 and 4B.5 and to the adopted Supplementary Planning Document Hillingdon Design & Accessibility Statement: Accessible Hillingdon.

5. The site is located within the Ickenham Village Conservation Area and there is a Holly tree at the front of the site, which is protected by TPO 5 (Group G3) and is part of a feature of merit that makes a positive contribution to the character and appearance of the street scene and the Ickenham Village Conservation Area. The proposal results in the loss of the protected Holly, which would be detrimental to the character and visual amenities of the street scene and the Ickenham Village Conservation Area, contrary to policies BE4, BE13 and BE38 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

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

The current application has been amended aiming to address these refusal reasons. The following amendments have taken place from the previous scheme:

1. The width and depth of the dwelling has been reduced to 7.5m and 11.1m from 8m and 11.7m respectively.
2. There is now 1m gap between the neighbouring property at No.66 Long Lane.
3. The depth of the extension beyond the rear wall of No.66 Long Lane has been reduced to 3m at 1st floor level and 4m and ground level. Under the previous application, this depth was 6m ground floor and 5m first floor.
4. The previous side dormer projecting onto the flank of No.66 has been omitted.
5. The half gable end half-hipped roof to the rear has been replaced by a fully hipped roof.
6. A smaller rear dormer has been inserted into the rear roof slope.
7. The protected Holly Tree to the front is to be retained and remain protected.

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. |
| BE15 | Alterations and extensions to existing buildings |

BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LPP 3.3	(2011) Increasing housing supply
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.13	(2011) Sustainable drainage
LPP 5.15	(2011) Water use and supplies
LPP 5.18	(2011) Construction, excavation and demolition waste
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.7	(2011) Renewable energy
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **14th September 2011**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

94 adjoining owner/occupiers and the Ickenham Residents Association (x2) have been consulted on the 12/08/2011. 4 letters of objection and 1 letter raising no objection have been received making the following comments:

(i) The proposed house shows no significant alterations from the previous refused schemes and continues to be an overdevelopment of the site;

- (ii) It would appear out of character with other houses in the street;
- (iii) The proposal would lead to an overdominant form of development;
- (iii) The proposal would not be in keeping in terms of its size, appearance and spacing in the road and therefore would be detrimental to the character and appearance of the Ickenham Village;
- (iv) The proposal would include a large hallway window on the flank that would overlook the neighbouring property;
- (v) The plans for the integral garage show a different internal layout.

ICKENHAM CONSERVATION PANEL:

Despite removal of the side dormer this remains a very objectionable scheme. The panel consider this to be a gross overdevelopment of an artificially created infill site which is unsuitable for separation in this manner. What's proposed is out of character and detrimental to the neighbouring occupiers and its conservation area setting.

WARD COUNCILLOR:

Requests that this application is reported to the planning committee for determination.

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. They can be contacted on 0845 850 2777. Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application. With regard to water supply, this comes within the area covered by the Veolia Water Company.

Internal Consultees

CONSERVATION OFFICER:

There has been a long history on this site, the side garden of No. 66 Long Lane. Recently, an application for a new house was refused. The design of the house has been amended and is now considered to be appropriate to its Conservation Area setting. There are concerns about the front garden treatment, in terms of materials, access and boundaries, as the current verdant appearance of No. 66 contributes considerably to the special character of this part of the Conservation Area. In the circumstances it is considered that all paving, planting and boundary treatment should be subject to sample materials and detailed drawings as a condition of approval.

RECOMMENDATIONS: Acceptable, conditions required for front garden and boundary treatment

TREES/LANDSCAPE OFFICER:

There are several trees on/close to the site, which are subject to TPO 5 or protected by virtue of their location in the Ickenham Village Conservation Area, and hedges at the front of the site. The mature Horse Chestnut and the Holly at the front of the site within the group G3 on TPO 5 (trees 52 and 53 on the tree survey) have high and moderate amenity values respectively and are features of merit that should be retained as part of any development of this site. The only other 'tree' on the site is a mature Laurel (tree 50), which is not subject to TPO 5 and has a low amenity

value, and so does not constrain the development of the site.

The scheme makes provision for the retention of the mature Horse Chestnut (tree 53), but not for the retention of the Holly (tree 52). There is also space for landscaping, including tree planting, on the site. In this case, whilst there is no objection to the removal of the laurel, the layout plan should be amended, so that the driveway remains unchanged (with no path) and to include the retention of the Holly, and to include a note/key to show which the trees and hedges on the site will be retained or removed.

Subject to these key amendments to the plan, and subject to conditions TL1 (services, levels ONLY), TL2, TL3, TL5, TL6, TL7 and TL21, the application is acceptable in terms of Saved Policy BE38 of the UDP.

OFFICER COMMENTS: Amended plans have been received showing the Holly tree to the front to be retained. The Landscape Officer is satisfied with the amended plans subject to the above conditions.

WASTE MANAGEMENT:

Hillingdon is not a wheeled bin borough. Bins or other containment would have to be provided by the developer. The current waste and recycling collection systems are:
Weekly residual (refuse) waste, using sacks purchased by the occupier;
Weekly dry recycling collection, using specially marked sacks provided by the Council;
Fortnightly green garden waste collection, three specially marked reusable bags provided by the Council free of charge. The waste and recycling should be presented near the curtilage of the property on allocated collection days.

ENVIRONMENT PROTECTION UNIT:

No objections, subject to conditions relating to importation of materials and contamination and a site construction informative.

HIGHWAYS:

Proposed land is sited north of the existing five bedroom detached dwelling in Long Lane that is Borough Secondary Distributor Road, and is benefiting from a vehicular access leading into a garage/front garden with ample parking space. Proposal is to construct a two storey 5 bed house by utilising the land situated north side of the existing property and provision of two off street parking spaces involving installation of new cross over as detailed in submitted plan no 06/2405/100, which complies with maximum standards, set out in the annex to saved UDP Policy AM14.

Consequently, no objection is raised subject to the following conditions and informatives being applied:

Conditions

1. The use of the land for vehicle parking shall not be commenced until the area has been laid out, surfaced and drained and shall be permanently maintained and available for the parking of vehicles at all times thereafter to the Authority's satisfaction;
2. The hardstanding area shall not be used until the means of vehicular access has been constructed in accordance with the details first submitted to and approved in writing by the Local Planning Authority;
3. The access for the proposed car parking shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the

level of the adjoining highway.

Informatives

1. The applicant is advised to contact the Council's Highways Team in respect of the construction of the vehicle crossover.
2. It is contrary to section 163 of the Highways Act 1980 for surface water from private land to drain onto the highway or discharge into the highway drainage system.

ACCESS OFFICER:

The revised plans have addressed concerns and the house now meets the Lifetime Homes Standards.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application site lies within an established residential area and the street scene comprises predominantly detached houses. As such, the development of the site for residential is considered to be acceptable.

7.02 Density of the proposed development

The proposed scheme would have a density of 208 habitable rooms per hectare. This is at the middle of the London Plan density range of 150-250 habitable rooms per hectare, based on the site's Public Transport Accessibility Level (PTAL) score of 2. There is therefore no objection to the proposed density of the scheme, subject to compliance with other policies in the Unitary Development Plan Saved Policies September 2007.

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

The impact of the proposed development on the character and appearance of the Ickenham Village Conservation Area is addressed in Section 7.07.

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

Policy BE13 of the Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene and BE19 states the Local Planning Authority will seek to ensure that new development within residential areas compliments or improves the amenity and character of the area. The adopted Supplementary Planning Document (SPD): Residential Layouts: Section 3.4 states this type of development must seek to enhance the character of the area.

The street scene is characterised by predominantly detached houses within spacious plots with mature planting and trees in the front. The plot widths of the sites in the street are quite generous, ranging in size from 12m to in some cases as much as 20m wide. The majority of the plots opposite the site measure approximately 12m wide, including 59 and 59A Long Lane, which lie directly opposite the application site. The application site with a width of 10.5m is similar in size to these plots and given its set back of 19m from the front boundary and existence of mature protected trees to the front of the site, it is considered that the slightly narrower width of the site would not have an adverse impact on the street scene or the surrounding area.

Furthermore, the revised application would now have a sufficient gap of 1.0m between the proposed house and the side boundary with 64 Long Lane and some 1.5m between the proposed house and the side boundary with 66 Long Lane, both of which comply with policy BE22 of the saved UDP, September 2007. As such, the proposed dwelling would not result in an unacceptable closing of the visually open gap with the neighbouring properties and would therefore maintain the open character and also protect the architectural form of both the original house and the surrounding area.

The Conservation Officer has been consulted on the revised application and has no objections to the proposed footprint. Concerns have been raised regarding the front garden in terms of materials, access and boundaries, as the current verdant appearance of No. 66 contributes considerably to the special character of this part of the Conservation Area. In the circumstances it is considered that all paving, planting and boundary treatment should be subject to sample materials and detailed drawings as a condition of approval.

With regards to the design and appearance of the proposed house, the previous proposed gable end half-hipped roof has been replaced by a fully hipped roof that complements the overall style of architecture in the area. The eaves and roof line would be similar to both adjoining properties and would not detract from the character and appearance of the new house. The previous side dormer has now been omitted, which enhances the overall appearance of the front elevation in between the two adjoining properties. The proposed dormer within the rear roof slope would not appear excessive in size and would be set down from the ridge and set in from the eaves by sufficient distance to enable it to appear subordinate within the roof slope.

Overall, it is considered that the proposed house, by reason of its design and appearance would not have a detrimental impact on the appearance of the street scene and surrounding area and would not be out of character with the Ickenham Village Conservation Area. It would therefore comply with policies BE4, BE13, BE15, BE19 and BE22 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and paragraphs 4.23 and 4.24 of the Hillingdon Design & Accessibility Statement: Residential Layouts.

7.08 Impact on neighbours

Paragraph 4.9 of the Hillingdon Design & Accessibility Statement: Residential Layouts advises that all residential developments and amenity spaces should receive adequate daylight and sunlight and that new development should be designed to minimise the negative impact of overbearing and overshadowing. It goes on to advise that 'where a two storey building abuts a property or its garden, adequate distance should be maintained to overcome possible domination'. Generally, 15m will be the minimum acceptable distance between buildings. Furthermore, and a minimum of 21m overlooking distance should be maintained.

The proposed house would not project beyond the front walls of 64 and 66 Long Lane. The existing side extension and outbuilding at 64 Long Lane, along the side boundary with the new house, would screen the impact of the proposal from that house. Furthermore, the southern flank wall of 64 Long Lane would be some 8m from the flank wall of the proposed house. It is therefore considered that the proposal would not harm the residential amenities of the occupiers of 64 Long Lane through overdominance, visual intrusion and overshadowing. The proposed first floor flank window facing 64 Long Lane can be fitted with obscure glass to prevent overlooking, as it would provide natural light to the hallway.

With regards to 66 Long Lane, the proposed rear building line has been altered from the previous application. The dwelling would now extend 4m at ground floor level and 3m at first floor level, beyond the rear wall of this neighbouring property. A gap of 2.5m between the two flank walls, together with the reduction in the footprint, would reduce the impact on this neighbour's amenity. The proposed dwelling would no longer be visually intrusive or overdominant from the occupiers of No.66 Long Lane property. As 66 Long Lane lies to the south, no overshadowing would result. It is therefore considered that the revised plans address refusal reason 3 of the previous scheme.

As such, the proposal would not represent an unneighbourly form of development and in this respect would be in compliance with policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and paragraphs 4.9 and 4.12 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Layouts. The new windows would provide an adequate outlook and natural light to the rooms they would serve, in accordance with London Plan Policy 4A.3 and BE20 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.09 Living conditions for future occupiers

The internal size of the proposed house would be approximately 195sq.m which would exceed the requirements of paragraph 4.6 of the Hillingdon Design & Accessibility Statement: Residential Layouts for 4 or more bedroom houses, in accordance with policies BE19 and H7 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

With regard to amenity space, some 200sq.m is proposed for the new house and this would meet the recommended standard of 100sq.m for a 4 or more bedroom house as advised at paragraph 4.15 of the Hillingdon Design & Accessibility Statement: Residential Layouts. Therefore, the proposal would comply with policy BE23 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.10 Traffic impact, car/cycle parking, pedestrian safety

The proposed house would not lead to a significant increase in traffic generation given its proposed use and location within a residential area. As such, the proposal would comply with policy AM7 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

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

The proposed integral garage has an internal width that would not meet the Council's standard of 3m. However, the existing driveway can accommodate two off-street parking spaces. As such, it is considered that the proposal would not result in an increase in on-street demand for parking to the detriment of highway and pedestrian safety, in accordance with policies AM7, AM9 and AM14 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and paragraphs 4.33 and 4.39 of the Hillingdon Design & Accessibility Statement: Residential Layouts.

7.11 Urban design, access and security

This has been covered in Section 7.07.

7.12 Disabled access

The London Plan Policy 3.5 requires all new housing to be built to 'Lifetime Homes' standards. The Council's HDAS 'Accessible Hillingdon' also requires all new housing to be built to 'Lifetime Homes' standards.

The proposed internal layout has been revised in order to meet these standards. All rooms on the plans indicate that they would meet accessibility widths. The ground floor WC is also accessible to wheelchairs. Therefore, the proposal complies with the 'Lifetime Homes' standards set out in policy 3.5 of the London Plan (2011) as well as the Council's Hillingdon Design & Accessibility Statement: 'Accessible Hillingdon'.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

There is a mature Horse Chestnut and Holly at the front of the site, both of which are considered to have high and moderate amenity values respectively, and are features of merit that make a positive contribution to the character and appearance of the street scene and the Ickenham Village Conservation Area. The only other tree on the site is a mature laurel which is not subject to TPO 5 but is protected under conservation area status. However, this tree is considered to have a low amenity value.

The scheme makes provision for the retention of the mature Horse Chestnut and the Holly tree to the front. This would partially screen the property from the highway and would maintain the character and visual amenities of the street scene and the Ickenham Village Conservation Area. The retention and further landscaping, both soft and hard, can be secured by further conditions, if the scheme is deemed acceptable. The application is thus considered to comply with policies BE4 and BE38 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.15 Sustainable waste management

As the proposal is for a single dwelling, specific conditions requiring the provision of refuse storage facility are not normally attached, particularly given that this borough does not operate a wheeled bin collection system. In this case, the building is set back some 19m from the road frontage and sufficient space is available for the storage of bins within this area.

7.16 Renewable energy / Sustainability

A condition requiring the development to meet Level 3 of the code for sustainable homes is recommended and would meet the sustainability objectives of the development.

7.17 Flooding or Drainage Issues

A condition requiring the provision of sustainable urban drainage and the use of porous materials is recommended. It is therefore considered that the proposal would not lead to any potential flooding issues. Furthermore, the site is not located within a flood zone. The proposal would therefore comply with policy OE8 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

With regards to the design of the house and its impact on the conservation area and its impact on adjoining occupiers, these issues are covered in the main body of the report.

7.20 Planning Obligations

The proposed house would result in a net increase of 6 habitable rooms and therefore would fall within the threshold for seeking a contribution towards school places. The Education Service has confirmed that a sum of £13,728, would be required. The applicant has confirmed that if the application is deemed acceptable, these contributions would be paid in full. Therefore, the proposal would comply with policy R17 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

None relevant.

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

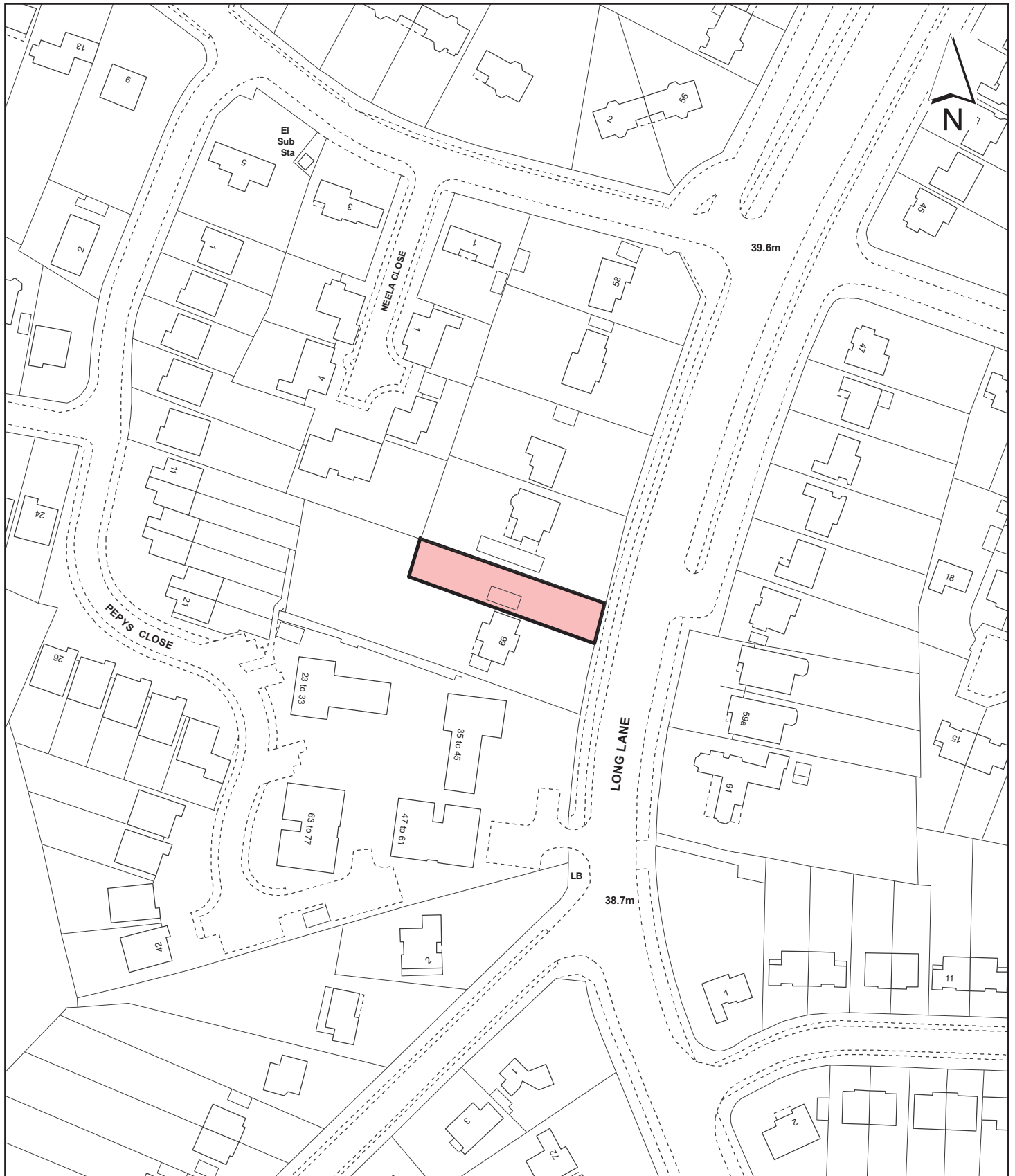
For reasons outlined above and that the proposal would comply with the aforementioned policies of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007), this application is recommended for approval.

11. Reference Documents

The London Plan (2011)
Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007)
Hillingdon Design & Accessibility Statement: Residential Layouts
Hillingdon Design & Accessibility Statement: Accessible Hillingdon

Contact Officer: Eoin Concannon

Telephone No: 01895 250230



<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). 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>Land forming part of 66 Long Lane Ickenham</p>		<p>LONDON BOROUGH OF HILLINGDON Planning, Environment, Education & Community Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p>49805/APP/2011/1811</p>	<p>Scale</p> <p>1:1,250</p>	
	<p>Planning Committee</p> <p>North Page 275</p>	<p>Date</p> <p>October 2011</p>	
		 HILLINGDON <small>LONDON</small>	

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Report of the Head of Planning & Enforcement Services

Address UNIT 3, RUISLIP RETAIL PARK VICTORIA ROAD RUISLIP

Development: Variation of condition 6, (to remove restrictions on the sales of goods), of planning permission ref. 43510/APP/2010/1979 dated 10/02/2011:
Construction of a 1,810 sq.m mezzanine within Unit 3, Ruislip Retail Park.

LBH Ref Nos: 43510/APP/2011/1343

Drawing Nos: Barton Willmore Letter dated 2/9/2011
Cushman Wakefield Letter dated 4/10/2011
Planning Statement (Ref: BWLLP/17684/A5/AI)
PP-001

Date Plans Received: 31/05/2011 **Date(s) of Amendment(s):**
Date Application Valid: 31/05/2011

1. SUMMARY

The application seeks to amend condition 6 of Planning Permission 43510/APP/2010/1979, to remove the restriction on the sale of fancy goods as it relates to the mezzanine floor of unit 3, Ruislip Retail Park. This mezzanine floor space was recently granted planning permission on 10/2/2011, but has not yet been implemented. This proposal has been submitted in conjunction with another application, also on this agenda, which seeks to relax a similar condition on the type of goods that can be sold from the original unit, by removing any reference to 'fancy goods' (Condition 11 of planning permission ref: 43510/APP/2000/2485). The unit has been vacant for two and a half years and the relaxation of the conditions is intended to facilitate bringing the unit back into economic use, through the widening of the range of goods permitted to be sold, to allow it to be occupied by interested retailers.

It is considered that sufficient information has been provided to demonstrate that the development would not have a detrimental impact on the vitality or viability of nearby Town Centres in accordance with Planning Policy Statement 4: Planning for Sustainable Economic Growth, relevant UDP and London Plan policies.

It is not considered that the expansion in the range of goods sold at the site would give rise to any significant additional traffic generation which would be detrimental to the operation of the highway network. Subject to conditions, the existing car parking and servicing facilities for the retail park would be retained for use by the proposed unit and would continue to meet the needs of the proposed unit and retail park as a whole.

There are no external amendments. As such the unit would remain in keeping with the character and appearance of the surrounding area. The development would not result in any detrimental impacts on the amenity of nearby residential occupiers, subject to conditions.

Accordingly, approval is recommended to relax the existing planning condition as proposed, subject to the imposition of all other conditions originally imposed, which are still relevant and capable of being discharged.

2. RECOMMENDATION

APPROVAL subject to the following:

1 T8 Time Limit - full planning application 3 years

The development hereby permitted shall be begun before 9th. February 2014.

REASON

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

2 NONSC Non Standard Condition

The mezzanine floor space hereby permitted shall not be used to form a separate unit, but shall be used solely in conjunction with the existing ground level floor space.

REASON

To enable the Local Planning Authority to assess the implications of the intensification of the use of the floorspace in the context of the relevant development plan policies for retail development, specifically in terms of its impact on traffic, car parking and other environmental issues.

3 NONSC Non Standard Condition

Development shall not commence until details of the location and dimensions of the lift to the mezzanine have been submitted to and 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 R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policies 3A.13, 3A.17 and 4B.5.

4 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 6 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.

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).

5 DIS1 Facilities for People with Disabilities

All the facilities designed specifically to meet the needs of people with disabilities including the disabled parking bays that are shown on the approved plans shall be provided prior to the occupation of the development and thereafter permanently retained.

REASON

To ensure that adequate facilities are provided for people with disabilities in accordance with Policy AM15 and R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policies 3.1 and 7.2.

6 NONSC Non Standard Condition

The premises shall not be used for the retail sale of food (other than refreshments restricted for consumption on the premises by customers), clothing and footwear (other than clothing, footwear and accessories intended for use in connection with building and construction, DIY, motor cycling, cycling or vehicle repair and maintenance activities), cosmetics, toiletries, pharmaceutical products, photographic equipment, newspapers, magazines and books (other than those related to DIY goods, vehicle repair and maintenance), stationery, jewellery, toys, luggage and sports goods.

REASON

To accord with existing restrictions on the sale of goods from the premises, to protect the vitality and viability of town and local centres and to limit retail activity on sites which are more readily accessible by private motor vehicles than by public transport, bicycles or pedestrians in compliance with London Plan Policy 2.151 and relevant policies contained in PPS4: Planning For Sustainable Economic Growth (December 2009).

7 MCD13 Extraction Vent or Chimney

No development shall take place until details of the height, position, design and materials of any chimney or extraction vent to be provided in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out until the vent/chimney has been installed in accordance with the approved details. Thereafter the vent/chimney shall be permanently retained and maintained in good working order for so long as the use continues.

REASON

In order to safeguard the amenities of adjoining properties in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policies 7.1 and 7.14.

8 SUS1 Energy Efficiency Major Applications (full)

The measures to reduce the energy demand and carbon dioxide emissions of the development contained within the submitted report entitled Energy Report Ref: BWLLP/17684/A5/SM/jp dated 16 September 2010, comprising the exclusive use of low energy light fittings, shall be integrated into the development and thereafter permanently retained and maintained.

REASON

To ensure that the development incorporates appropriate energy efficiency measures in accordance with policies 5.1, 5.3, 5.4, 5.5, 5.7 and 5.9 of the London Plan (July 2011).

NONSC

The car parking areas, ~~Non-Standard Condition~~ parking spaces, loading and servicing facilities for the Ruislip Retail Park shall be retained and made available for users of Unit 3 for its lifetime.

REASON

To ensure pedestrian and vehicular safety and convenience and to ensure adequate off-street parking, and loading facilities in compliance with Policies AM7, AM14 and AM15 of the adopted 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.

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.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
LE2	Development in designated Industrial and Business Areas
OE1	Protection of the character and amenities of surrounding properties and the local area
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 2.15	(2011) Town Centres
PPG13	Transport
PPS1	Delivering Sustainable Development
PPS1-A	Planning and Climate Change - Supplement to Planning Policy Statement 1
PPS4	Planning for Sustainable Economic Growth

3 125 **Consent for the Display of Adverts and Illuminated Signs**

This permission does not authorise the display of advertisements or signs, separate consent for which may be required under the Town and Country Planning (Control of Advertisements) Regulations 1992. [To display an advertisement without the necessary

consent is an offence that can lead to prosecution]. For further information and advice, contact - Planning & Community Services, 3N/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250574).

4 I25A The Party Wall etc. Act 1996

On 1 July 1997, a new act, The Party Wall etc. Act 1996, came into force.

This Act requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:-

- 1) carry out work to an existing party wall;
- 2) build on the boundary with a neighbouring property;
- 3) 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. Building Control will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by Building Control should be taken as removing the necessity for the building owner to comply fully with the Act.

5 I14 Installation of Plant and Machinery

The Council's Commercial Premises Section and Building Control Services should be consulted regarding any of the following:-

The installation of a boiler with a rating of 55,000 - 1¼ million Btu/hr and/or the construction of a chimney serving a furnace with a minimum rating of 1¼ million Btu/hr;

The siting of any external machinery (eg air conditioning);

The installation of additional plant/machinery or replacement of existing machinery.

Contact:- Commercial Premises Section, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190). Building Control Services, 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

6 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, Bank and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

D) No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval

under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

7 16 Property Rights/Rights of Light

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

8

Your attention is drawn to conditions 3, 4 and 7 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 these conditions.

9 134 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
- 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.
- 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.
- 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.

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

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The applicant is encouraged to produce and implement a Green Travel Plan which relates to the whole unit and sets targets for sustainable travel arrangements and a commitment to achieving the travel plan objectives.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is a 1,858m² retail unit, one of four retail outlets, forming part of the larger Ruislip Retail Park (totalling 5,855m²). The retail park is located on the southwest corner of the junction of Field End Road and Victoria Road, South Ruislip and falls within the Stonefield Way Industrial Estate, a designated Industrial and Business Area.

This application relates to relaxation of a condition imposed on planning permission ref: 43510/APP/2010/1979 for a 1,810m² mezzanine floor at Unit 3 which, was granted planning permission in February 2011. This permission has not yet been implemented.

The current car parking provision for the retail park is 204 spaces (including 10 for disabled drivers). The 4 units in the Retail Park which are part of the applicant's landholding are currently occupied as follows:

Unit 1: Furniture Village

Unit 2: Carpetright

Unit 3: Application Site. Vacant (formerly occupied by MFI)

Unit 4: Halfords

To the west of the four units is a Wickes DIY Store, which, whilst part of the Ruislip Retail Park, is not part of the applicant's landholding. There are a further 100 spaces in an adjoining car park for the neighbouring Wickes DIY Store. Servicing and deliveries to Units 3 and 4 are provided via Field End Road, whilst servicing access to Units 1 and 2 is provided via Stonefield Way.

Ruislip Retail Park is located in close proximity to a number of other retail outlets and retail parks. Stores include Argos Extra, Homebase, Brantano (on the Victoria Retail Park); Pets at Home, Allied Carpets (on the Brook Retail Park); Currys, DFS, Kwik Fit, Comet, Rosebys and Bensons Beds as well as a number of car showrooms (including Honda and VW).

Alongside the existing retail units and retail parks located along Victoria Road there are a variety of industrial units, which extend south of Victoria Road along Stonefield Way. This area, including Ruislip Retail Park, extending west to the defined South Ruislip Local Centre and south to the rail line, is designated within the Adopted London Borough of Hillingdon UDP as an Industrial and Business Area.

Unit 3 has stood vacant for the past two and a half years, following MFI's closure in 2008.

3.2 Proposed Scheme

The application seeks to amend condition 6 of Planning Permission 43510/APP/2010/1979, to remove the restriction on the sale of fancy goods as it relates to the mezzanine floor of unit 3, Ruislip Retail Park. This mezzanine floor space was granted planning permission on 10/2/2011, but has not yet been implemented.

This proposal has been submitted in conjunction with another application, also on this agenda, which seeks to relax a similar condition on the type of goods that can be sold from the original unit, by removing any reference to 'fancy goods' (Condition 11 of planning permission ref: 43510/APP/2000/2485).

Condition 6 of Planning Permission 43510/APP/2010/1979 states:

"The premises shall not be used for the retail sale of food (other than refreshments restricted for consumption on the premises by customers), clothing and footwear (other than clothing, footwear and accessories intended for use in connection with building and construction, DIY, motor cycling, cycling or vehicle repair and maintenance activities), cosmetics, toiletries, pharmaceutical products, photographic equipment, newspapers, magazines and books (other than those related to DIY goods, vehicle repair and maintenance), stationery, jewellery, toys, luggage and sports goods and fancy goods".

The applicants state that the reason for seeking to remove the restriction on the sale of fancy goods is to enable the unit to be brought back into economic use, through the widening of the range of goods permitted to be sold, to allow it to be occupied by interested retailers. At the time of submitting this application, these parties included Next at Home and Dunelm Mill. These retailers typically operate from out-of-centre locations under 'bulky goods' consents. However, concern has been expressed by potential occupiers with respect to the restriction of the sale of fancy goods. As a result, this application seeks to remove reference to the restriction on the sale of fancy goods from the relevant planning permission, to enable the re-occupation of the unit.

The applicants suggested wording of the condition is as follows:

The sale of goods from the premises shall be in accordance with condition 11 of planning permission 43510/APP/2000/2485 and any subsequent amendment.

However, it is not considered appropriate to link the amended condition (in the event of an approval) to a condition attached to a separate planning permission. The preferred approach would be to impose the same amended condition for the mezzanine floor space as for the original unit.

The application is supported by a Planning and Retail Assessment. The scope of the assessment is intended to address the variation of the range of goods that could be sold at Unit 3. This document includes a sequential site assessment, which indicates that there are no suitable alternative sites which would meet the requirement of the proposed occupier of Unit 3. The Assessment concludes that the proposal would not have any unacceptable impact on the vitality and viability of nearby existing centres and would comply with the tests set out in PPS4.

The Application Site is subject to a Section 52 Agreement, which restricts the type of goods which can be sold. This application for the variation of condition 11 which governs the range of goods, if approved, would automatically vary the Section 52 Agreement, so

that the prohibition of fancy goods contained in the Section 52 Agreement would cease to have effect.

3.3 Relevant Planning History

43510/89/3560 Mfi Victoria Road Ruislip

Retention of a non-illuminated sign

Decision: 13-11-1989 Approved

43510/APP/2010/1979 Unit 3, Ruislip Retail Park Victoria Road Ruislip

Construction of a 1,810 sq.m mezzanine within Unit 3, Ruislip Retail Park.

Decision: 10-02-2011 Approved

43510/C/91/3600 Mfi Victoria Road Ruislip

Installation of freestanding internally and externally illuminated sign, seven internally illuminated fascia signs and one non-illuminated fascia sign

Decision: 10-01-1992 Approved

Comment on Relevant Planning History

Application 2120/S/85/0645 Erection of two single storey retail buildings for limited retail purposes within Class I (one building of 60,000sq feet to be occupied by MFI and one of 19,500sq feet to be occupied by Wickes), was allowed on appeal on 1 August 1986 (appeal decision ref. R5510/A/85/36786).

The Inspector in allowing the appeal, did not include a condition restricting the type of goods to be sold from the units or any conditions restricting subdivision or additional internal floorspace. However, on the 26 September 1986 the applicants for the original application entered into a Section 52 Agreement with the Council which stipulated that:

The site shall not be used for the retail sale of food (other than refreshments intended for consumption on the site by customers), clothing, footwear and accessories (other than clothing footwear and accessories intended for use in connection with building or DIY activities) cosmetics, toiletries, pharmaceutical products, photographic equipment, newspapers, magazines, books (other than those relating to DIY and car maintenance manuals), and stationery, jewellery, toys, luggage, sport and fancy goods.

2120AC/87/2107 Planning permission to use part of the MFI building for the retail sale of vehicle parts and accessories and associated products was granted in January 1988.

43510/APP/2003/1601: A proposal for the addition of a 158m² mezzanine for unit 4. Approved 11/09/2003.

43510/APP/2003/1447: Variation of condition 10 (to allow for installation of mezzanine floor to provide additional 1,170m² of floorspace) together with details of access to mezzanine as required by condition 8 of the same consent of planning permission ref. 43510/APP/2000/2485 dated 14/03/2003; refurbishment of existing retail units, cladding on all elevations, new covered walkway on

northern frontage. Approved 10/09/2003

In terms of subsequent planning history, the following most relevant planning application to the current application proposals is Planning Application 43510/APP/2000/2485 which was granted permission on 14 March 2003 for the refurbishment of existing retail units, with new cladding on all elevations, new covered walkway on northern frontage (facing Victoria Road) and changes to service arrangements and car parking with enhanced frontage landscaping, incorporating disused service road.

Condition 11 is of specific relevance, which stipulates the following:

The premises shall not be used for the retail sale of food (other than refreshments restricted for consumption on the premises by customers), clothing and footwear (other than clothing, footwear and accessories intended for use in connection with building and construction, DIY, motor cycling, cycling or vehicle repair and maintenance activities), cosmetics, toiletries, pharmaceutical products, photographic equipment, newspapers, magazines and books (other than those related to DIY goods, vehicle repair and maintenance), stationery, jewellery, toys, luggage, sports goods and fancy goods.

Reason:

To accord with existing restrictions on the sale of goods from the premises, to protect the vitality and viability of town and local centres and to limit retail activity on sites which are more readily accessible by private motor vehicles than by public transport, bicycles or pedestrians.

Planning permission ref: 43510/APP/2010/1979 was granted in February 2011 for the construction of a 1,810m² mezzanine to the existing 1,858m² floorspace creating a total of 3,668m² retail floorspace.

4. Planning Policies and Standards

PPS1: Delivering Sustainable Development (January 2005)

PPS1 sets out the overarching planning policies on the delivery of sustainable development through the planning system.

Planning and Climate Change (Supplement to PPS1) (December 2007)

The underlying objective of the Supplement to PPS1 is to reduce carbon emissions from domestic and non-domestic buildings, by way of action against climate change.

PPS4: Planning For Sustainable Economic Growth (December 2009)

PPS4 was published relatively recently and brings together all of the Government's planning policies relating to the economy in both urban and rural areas into one single PPS. It replaces PPS6, PPG5 and PPG4 in their entirety as well as sections of PPS7 and PPG13. PPS4 emphasises the Government's support for sustainable economic growth and the need for local authorities to take a positive approach to identifying sites and determining applications. It defines economic development as development within the B Use Classes, public and community uses, main town centre uses as well as any development that either: provides employment, generates wealth or produces an economic output.

Policy EC10 of PPS4 sets out considerations which should be applied to all economic development including whether it has been planned to minimise carbon dioxide reductions, the accessibility of the site, whether it achieves a high quality and accessible design, the impact on economic and physical regeneration and the impact on local employment. Policies EC14, EC15, EC16 and EC17 of PPS4 set out the information which is required to support applications for Town Centre Uses and the approach to the assessment of applications for such uses in out of centre locations.

PPG13: Transport (March 2001)(Amended January 2011)

The objectives of PPG13 are to integrate planning and transport at the national, regional, strategic and local level and to promote more sustainable transport choices. It recognises that our quality of life depends on transport and easy access to jobs, shopping, leisure facilities and services, and that we need a safe, efficient and integrated transport system to support a strong and prosperous economy. It encourages development which facilitates cycling and walking, as well as the use of public transport.

Draft National Planning Policy Framework

Since the submission of this application, the Government has published the Draft National Planning Policy Framework (NPPF). Key points relevant to the consideration of applications are:

- The default position to development should be positive unless the adverse impacts significantly and demonstrably outweigh the benefits.
- Significant weight should be attached to economic growth.
- The impact test has been streamlined to two main criteria rather than the 6 in PPS4.

Whilst in draft form, the NPPF is a material consideration.

LONDON PLAN (July 2011)

Policy 2.15 Town Centres recognises the key economic importance of Town Centre and strongly supports the development of a competitive retail sector through policies which among other things sustain and enhance the vitality and viability of town centres including community and civic activities and facilities, and also reducing delivery, servicing and road user conflict. It aims to encourage retail, leisure and other related uses in town centres.

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. |
| BE38 | Retention of topographical and landscape features and provision of new planting |

and landscaping in development proposals.

LE2	Development in designated Industrial and Business Areas
OE1	Protection of the character and amenities of surrounding properties and the local area
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 2.15	(2011) Town Centres
PPG13	Transport
PPS1	Delivering Sustainable Development
PPS1-A	Planning and Climate Change - Supplement to Planning Policy Statement 1
PPS4	Planning for Sustainable Economic Growth

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

93 nearby owner/occupiers have been consulted individually. Site notices were posted on the site. No responses have been received in relation to the consultation.

London Borough of Harrow: No objection.

South Ruislip Residents Association: No response.

Internal Consultees

POLICY AND ENVIRONMENTAL PLANNING

1) The previous 2003 planning condition was extensive in scope and probably reflected the Council's intention to severely restrict any future bulky goods retailing in the Stonefield Way/Victoria Road IBA. This IBA was identified in the Employment Land Study as at threat from further retail incursion. Unit 3 was on part of its north east corner which the Study considered would not be included in a future Locally Significant Industrial Site.

2) Previous caution at relaxing any constraint on the permission reflected concern that the applicants had not given any information on the user proposed for Unit 3. Without that, the Council might relax one aspect of the condition and then subsequently find itself approached for further loosening of its restrictions, so that eventually it is faced with another application for an out-of-centre retail use on the site, resulting from the arguments being put forward previously on the difficulty of letting Unit 3.

3) Now that the applicants have submitted details of the letting campaign from Cushman Wakefield and Barton Willmore in their recent letters, the evidence suggests that detailed attempts have been made to market Unit 3 for some time to major bulky goods retailers. It appears that the existing planning condition regarding "fancy goods" is a major difficulty for potential occupiers. Allied to that, Barton Willmore have carried out a local sequential test to meet PPS4 requirements and found little floorspace in the area used for that type of goods. There is also no policy requirement to maintain

that sector here.

4) In these circumstances it would seem appropriate to relax the existing planning condition as proposed.

HIGHWAY ENGINEER: No objections.

ENVIRONMENTAL PROTECTION UNIT: No objections.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application site is an existing retail park within the Stonefield Way Industrial and Business Area as designated within the Saved Policies UDP. Ruislip Retail Park is located on the Victoria Road which is an established retail location that includes a range of retailers that sell both bulky and non-bulky comparison goods. The sale of comparison goods and food is currently restricted on the retail park. Given that the site is an existing retail park and no change of use is proposed, there is no objection in terms of Policy LE2 of the Saved Policies UDP.

Condition 6 seeks to restrict the type of goods sold from the application premises so as not to conflict with those goods that are readily available in the adjoining local parade and local town centre, in order not to damage their vitality, viability and competitiveness. This condition was imposed upon the mezzanine consent in order to conform with the existing goods restriction condition for the original unit. The condition includes a restriction on the sale of fancy goods. As such, the applicant would be required to provide evidence that the amendment of the condition would not have a negative impact on the vitality and viability of the nearby local town centres and local parades, or result in the increase in the use of private vehicles to and from the site.

Definition of fancy goods

There is no precise definition as to what is considered to constitute 'fancy goods'. The Oxford Dictionary defines this term as items for sale that are purely or chiefly ornamental, Collins New English Dictionary defines this term as small decorative gifts, whilst the Free Dictionary online as small objects used for decoration. On the basis that fancy goods might be considered to be classed as chiefly ornamental goods, many ornaments and by implication, fancy goods could be classed as bulky goods, which are already permitted to be sold from Unit 3.

The applicants contend that since there is no clear and precise definition of fancy goods, the condition is ambiguous, imprecise and unenforceable. As a result, any reference to 'fancy goods' (without proper definition) cannot accord with Circular 11/95 (Use of Conditions in Planning Permission).

It is acknowledged that there is lack of precision in the definition of fancy goods and this ambiguity could lead to potential occupiers expressing concerns with respect to the restriction of the sale of fancy goods, as there would be no certainty as to when they might be in breach of planning control.

Sequential test

The Planning and Retail Statement assesses the proposal in relation to the tests of PPS4, principally the sequential and the impact tests. The Assessment has attempted to demonstrate that there are no sites in sequentially preferable locations available within the

catchment area to accommodate the application Proposals.

Policy EC15 of PPS4 requires that all development proposals for sites that are not in an existing centre, nor allocated in an up-to-date development plan document should be subject to a sequential assessment as to whether the proposal could be located within a town centre. Whilst the application site is located within an established retail location, it does not fall within a defined centre, nor is it allocated for retail development in an up-to-date development plan document. As such the site is considered to occupy an out of centre location.

The applicants consider, and officers agree, that the wider catchment of Victoria Retail Park is the most appropriate catchment in assessing the availability, viability and suitability of sequentially preferable sites within this area. South Ruislip Local Centre is the only defined centre which is encompassed within this catchment area, and therefore the sequential site assessment has been limited to this centre.

The applicants have submitted that there are no vacant units of similar size to Unit 3 within the catchment area of the retail park and that operators who have expressed interest in occupying Unit 3 would not be interested in occupying units in the adjoining local centre. There are no specific retailers who sell only fancy goods in nearby centres. Such goods generally comprise a very small element of a much wider retail offer and are ancillary in nature. It is therefore not considered appropriate to seek to detach the fancy goods element and locate it within a separate unit within, or on the edge of, an existing Centre.

For these reasons, it is considered that the removal on the restriction of the sale of fancy goods will comply with the PPS4 sequential test (Policy EC15).

Impact Assessment

The applicants undertook survey of retailers at the nearby South Ruislip Local Centre and nearby parades within South Ruislip. There were no retailers selling goods within the gifts, china, and leather goods or other non-bulky categories. By implication, the assessment concludes, the proposed variation of condition would not result in an adverse impact upon the vitality and viability of the Centre or parades. As such, the inclusion of the sale of such goods from the unit, forming an ancillary component of a much wider retail offer, would not result in an adverse impact on the vitality and viability of these Centres. The applicant states further that the removal of the restriction on the sale of 'fancy goods' would not affect the bulky goods nature of the unit, but rather allow for the future use of the unit by bulky goods retailers, which would still be subject to the remaining restrictions on the sale of goods. As the proposed variation of the condition does not comprise additional floorspace, the turnover the unit could potentially achieve will not increase. It would still remain a bulky goods unit in nature and would primarily sell such goods.

The applicant cannot provide evidence at this stage of potential retailer(s), so as to assess the scale and range of 'fancy goods' to be sold by such retailer. However, the applicants point out that in reality, any fancy goods element within the unit will be small. It is noted that several of the nearby retail warehouse units on Victoria Road do sell fancy goods, including Homebase and Argos. In respect of Homebase, these are a small proportion of their overall bulky goods offer, whilst Argos sells a range of bulky and non-bulky items. It is more likely that the unit, operating without the fancy goods restriction would compete with similar retail warehouse operators on Victoria Road. The impact on other locations such as the South Ruislip Local Centre would be negligible.

The variation of the conditions should also be assessed taking into account of the benefits of bringing a vacant retail unit back into active use. It will result in the creation of a range of job opportunities and types, will increase local spend and access to goods locally (none of which are sold within existing Centres) and would therefore benefit the overall economy and assist in stimulating economic growth, in compliance with PPS4 Policy EC17.

It is therefore considered that the removal of the restriction on the sale of fancy goods will not result in a significant adverse impact against any one of the tests set out in PPS4 Policy EC16.

Marketing of Unit

Council policy is primarily concerned with the health of its town centres and would encourage retailers to locate in existing suitable vacant units in the town centre. As a result of the recession, there has been an increase in vacant A1 floorspace in Hillingdon. Although South Ruislip Local Centre is relatively healthy with only one unit (2.1% of total units) vacant, this particular unit has been vacant for two and a half years.

The applicants have submitted details of the letting campaign from Cushman Wakefield and Barton Willmore. The evidence suggests that detailed attempts have been made to market Unit 3 for some time to major bulky goods retailers. It appears that the existing planning condition regarding fancy goods is a major difficulty for potential occupiers.

Planning Policy Statement 4 (PPS4) recognises a need for sites for larger format developments. Such locations (as the application site) are intended for specialist retailers which sell bulky goods, which would still apply with the modified condition in place.

For the reasons given above, no policy objections are raised to the proposal and it is considered that in this case, it would be appropriate to relax the existing planning condition as proposed.

7.02 Density of the proposed development

Not applicable to this application.

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

Not applicable to this application.

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 seeks an alteration to a condition restricting the sale of goods at an existing retail park. It would not therefore have any impacts on the character or appearance of the application site.

7.08 Impact on neighbours

With regard to impact on residential amenity, the proposal seeks an alteration to a condition restricting the sale of goods at an existing retail park. As the proposal does not involve any external alterations, the proposed development will not have a visual impact on nearby residential properties. In terms of additional traffic/shoppers attracted to the

retail park, the site is within an established retail location where there are sufficient car parking facilities and also existing arrangements for accessing the site via public transport. It is acknowledged that the re-use of the vacant unit will increase the number of visitors to the Retail Park, but it is not felt that any increased trips will have a detrimental impact on residential amenity.

It is not considered that this would result in any impacts detrimental to the amenity of nearby residential occupiers in compliance with Saved Policy OE1 of the UDP.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Traffic Generation/ Access

The proposal seeks an alteration to a condition restricting the sale of goods at an existing retail park. No alterations to the existing car parking or access arrangements for the retail park are proposed. It is not considered that the proposed variation of the condition, to allow a greater range of goods to be sold at the unit, would result in a significant increase in traffic to/from the site sufficient to justify refusal.

In terms of car parking arrangements the Ruislip Retail Park provides 304 car parking spaces, of which 204 are within the applicant's control. Of these spaces 10 are set aside for disabled access. It is intended as part of the proposals for the recently approved mezzanine floor, that 2 additional disabled car parking bays are provided, which will reduce to car parking spaces to 303.

The Council's current car parking standards rely on the London Plan which requires between 1 space per 15m² of floorspace and 1 space per 75m² of floorspace depending on retail format and PTAL. Therefore, based on an approximate total floorspace of 3,668m² retail floorspace (1,858m² gross of floor space originally allowed in addition to 1,810m² mezzanine floorspace permitted during 2010) between approximately 49 and 244 spaces should be provided. Accordingly, the existing parking provision complies with the Council's current Parking Standards and is considered to be adequate.

Cycle/Pedestrian Facilities

Currently the Retail Park benefits from 18 cycle parking spaces which are located in front of the terrace of retail units. The Retail Park is also accessible by workers and shoppers by foot with pavements linking the site to South Ruislip and nearby bus stops. It is not considered that it would necessitate the provision of any additional cycle parking facilities, given the nature of the goods likely to be sold from the retail outlet.

In conclusion, the Council's Highways Engineer has reviewed the submission and raises no objection to the proposal in terms of traffic generation or car parking, subject to a condition requiring that the car parking for the retail park be retained and made available for users of the unit for its lifetime.

7.11 Urban design, access and security

Not applicable to this application.

7.12 Disabled access

The proposal seeks an alteration to a condition restricting the sale of goods at an existing retail park. It would not therefore have any implications with regard to disabled accessibility.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

The proposal seeks an alteration to a condition restricting the sale of goods at an existing retail park. It would not therefore have any implications on existing trees, landscaping or ecology.

7.15 Sustainable waste management

The proposal seeks an alteration to a condition restricting the sale of goods at an existing retail park. Accordingly, it does not have any implications with regard to sustainable waste management.

7.16 Renewable energy / Sustainability

The proposal seeks an alteration to a condition restricting the sale of goods at an existing retail park. Accordingly, it does not have any implications with regard to renewable energy or sustainability.

7.17 Flooding or Drainage Issues

With regard to flood risk, the site is not within an area of flood risk. The proposal seeks an alteration to a condition restricting the sale of goods at an existing retail park. Accordingly, it would not have any implications with regard to flooding or drainage issues.

7.18 Noise or Air Quality Issues

The proposal seeks an alteration to a condition restricting the sale of goods at an existing retail park. Accordingly, it would not have any implications with regard to noise or air quality.

7.19 Comments on Public Consultations

No comments have been received.

7.20 Planning Obligations

The Retail Park is the subject to a Section 52 Agreement which restricts the range of goods that can be sold from Unit 3 to that specified in condition 11.(part 7 (Clause1) of the Section 52 Agreement). However Part 7 (Clause 2) of the Agreement goes on to state that if any planning permission is granted subsequently for any of the uses prohibited by Clause 1, such planning permission shall vary Clause 1 of the S52 Agreement, to allow those prohibited goods to be sold from the unit. In effect, should the current S73 application be approved, this would automatically vary Clause 1 of the S52 Agreement and there would be no need to enter into a deed of variation.

The proposal would not give rise to any impacts which would need to be mitigated by way of planning obligations.

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

Unit 3 has remained vacant since the departure of MFI in 2008. Despite on going marketing over the past two and a half years, there has been no viable interest in the unit, and these proposals will facilitate bringing the unit back into economic use.

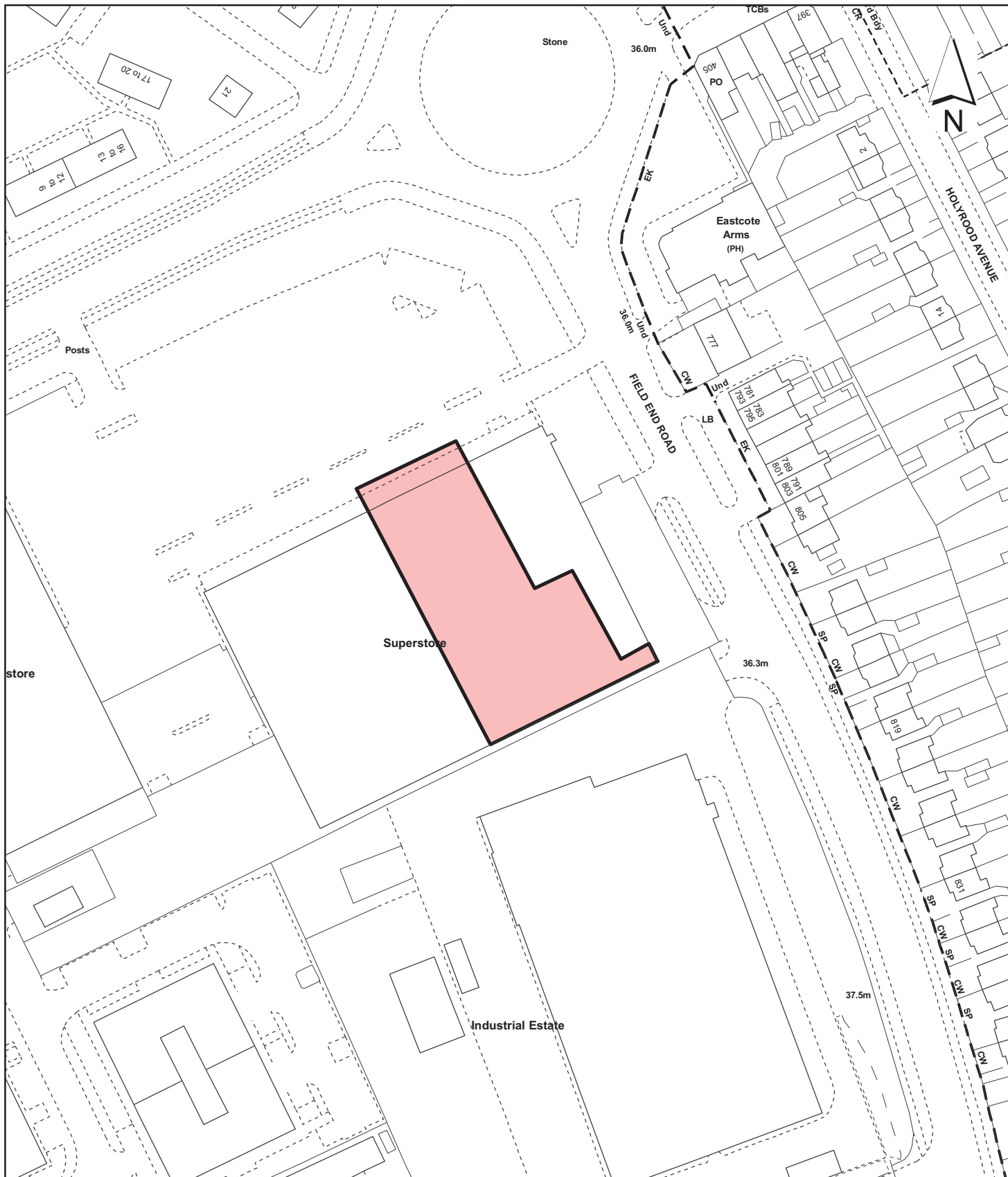
It is considered that the proposed relaxation of the condition controlling the range of goods that can be sold from the site meets the sequential and impact tests of PPS4 and would not have a significant detrimental impact on the vitality or viability of nearby centres. The amended condition would still restrict the unit primarily to the sale of bulky comparison goods. The proposal is therefore considered to be acceptable in planning policy terms. Accordingly, there are no objections to the principle of the development, subject to conditions originally imposed, which are still subsisting and are capable of being discharged.

11. Reference Documents

Planning Policy Statement 1: Delivering Sustainable Development
Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1
Planning Policy Guidance 13: Transport
Planning Policy Guidance 24: Planning and Noise
The London Plan
Accessible Hillingdon SPD
Air Quality SPG
Noise SPG
Planning Policy Statement 4: Planning for Sustainable Economic Growth

Contact Officer: Karl Dafe

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.
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Site Address

**Unit 3, Ruislip Retail Park
 Victoria Road
 Ruislip**

Planning Application Ref:

43510/APP/2011/1343

Planning Committee

North Page 295

Scale

1:1,250

Date

**October
 2011**

**LONDON BOROUGH
 OF HILLINGDON**
 Planning,
 Environment, Education
 & Community Services

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



HILLINGDON
 LONDON

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Report of the Head of Planning & Enforcement Services

Address UNIT 3, RUISLIP RETAIL PARK VICTORIA ROAD RUISLIP

Development: Variation of condition 11 (to remove restrictions on the sales of fancy goods) of planning permission Ref: 43510/APP/2000/2485 dated 14/03/2003: (Refurbishment of existing retail units, with new cladding on all elevations, new covered walkway on northern frontage (facing Victoria Road) and changes to service arrangements and car parking with enhanced frontage landscaping, incorporating disused service road.

LBH Ref Nos: 43510/APP/2011/1344

Drawing Nos: PP-001
Letter from Barton Willmore dated 2/9/2011
Letter from Cushman Wakefield dated 4/10/2011
Planning Statement (Ref: P/17684/A5/AI)

Date Plans Received: 31/05/2011 **Date(s) of Amendment(s):**

Date Application Valid: 31/05/2011

1. SUMMARY

The application seeks to amend condition 11 of Planning Permission 43510/APP/2000/2485 to allow for the sale of fancy goods as it relates to unit 3, in order to expand the acceptable range of goods.

It is considered that sufficient information has been provided to demonstrate that the development would not have a detrimental impact on the vitality or viability of nearby Town Centres in accordance with Planning Policy Statement 4: Planning for Sustainable Economic Growth, relevant UDP and London Plan policies

It is not considered that the expansion in the range of goods sold at the site would give rise to any significant additional traffic generation which would be detrimental to the operation of the highway network. Subject to conditions, the existing car parking and servicing facilities for the retail park would be retained for use by the proposed unit and would continue to meet the needs of the proposed unit and retail park as a whole.

There are no external amendments. As such the unit would remain in keeping with the character and appearance of the surrounding area. The development would not result in any detrimental impacts on the amenity of nearby residential occupiers, subject to conditions.

Accordingly, approval is recommended to relax the existing planning condition as proposed, subject to the imposition of all other conditions originally imposed, which are still relevant and capable of being discharged.

2. RECOMMENDATION

APPROVAL subject to the following:

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

The development hereby permitted shall be begun before the expiration of three years

from the date of this permission.

REASON

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

2 TL5 Landscaping Scheme - (full apps where details are reserved)

The landscaping scheme, management responsibilities and maintenance of all landscaped areas shall be carried out in accordance with the details approved under application ref: 43510/APP/2003/797 dated 29/10/2003, 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).

3 M1 Details/Samples to be Submitted

The materials, colours and finishes to be used on all external surfaces shall be in accordance with details approved under application ref: 43510/APP/2003/797 dated 29/10/2003, unless otherwise agreed 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).

4 NONSC Non Standard Condition

The roads/turning/loading facilities/sight lines, direction and prohibition signs and parking areas (including the installation of one way flaps at the Victoria Road access and the marking out of parking spaces) and servicing facilities for the Ruislip Retail Park shall be retained and made available for users of Unit 3 for its lifetime.

REASON

To ensure that adequate facilities are provided, to ensure pedestrian and vehicular safety and convenience and to ensure adequate off-street parking, and loading facilities are provided, in compliance with Policies AM7 and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 DIS1 Facilities for People with Disabilities

All the facilities designed specifically to meet the needs of people with disabilities (to include where appropriate to this application reserved/specifically designated disabled parking bays, ramped approach to building entrances, ramped kerbs, door and lobby openings at building entrances) that are shown on the approved plans shall be provided prior to the occupation of the development and thereafter permanently retained.

REASON

To ensure that adequate facilities are provided for people with disabilities in accordance with Policy AM15 and R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policies 3.1 and 7.2.

6 NONSC Non Standard Condition

The premises shall not be used for the retail sale of food (other than refreshments restricted for consumption on the premises by customers), clothing and footwear (other

than clothing, footwear and accessories intended for use in connection with building and construction, DIY, motor cycling, cycling or vehicle repair and maintenance activities), cosmetics, toiletries, pharmaceutical products, photographic equipment, newspapers, magazines and books (other than those related to DIY goods, vehicle repair and maintenance), stationery, jewellery, toys, luggage and sports goods.

REASON

To accord with existing restrictions on the sale of goods from the premises, to protect the vitality and viability of town and local centres and to limit retail activity on sites which are more readily accessible by private motor vehicles than by public transport, bicycles or pedestrians, in compliance with London Plan Policies 2.15 and relevant policies contained in PPS4: Planning For Sustainable Economic Growth (December 2009).

7 NONSC Non Standard Condition

No mezzanine or upper level floorspace may be used for retail purposes until details of access arrangements to the upper level have been submitted to and 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 R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policies 3.1 and 7.2.

8 RCU4 Internal Floorspace

Notwithstanding the provisions of Section 55 of the Town and Country Planning Act 1990 (or any others revoking and re-enacting this provision with or without modification), no additional internal floorspace shall be created other than that expressly authorised by planning permission ref: 43510/APP/2010/1979 dated 10/02/2011.

REASON

To enable the Local Planning Authority to assess all the implications of the development and to ensure that adequate parking and loading facilities can be provided on the site, in accordance with Policy AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

INFORMATIVES

1 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).

2 I53 Compulsory Informative (2)

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

AM7 Consideration of traffic generated by proposed developments.

AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
BE13	New development must harmonise with the existing street scene.
LE2	Development in designated Industrial and Business Areas
OE1	Protection of the character and amenities of surrounding properties and the local area
LPP 2.15	(2011) Town Centres
PPG13	Transport
PPS1	Delivering Sustainable Development
PPS1-A	Planning and Climate Change - Supplement to Planning Policy Statement 1
PPS4	Planning for Sustainable Economic Growth

3 I25 Consent for the Display of Adverts and Illuminated Signs

This permission does not authorise the display of advertisements or signs, separate consent for which may be required under the Town and Country Planning (Control of Advertisements) Regulations 1992. [To display an advertisement without the necessary consent is an offence that can lead to prosecution]. For further information and advice, contact - Planning & Community Services, 3N/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250574).

4 I25A The Party Wall etc. Act 1996

On 1 July 1997, a new act, The Party Wall etc. Act 1996, came into force.

This Act requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:-

- 1) carry out work to an existing party wall;
- 2) build on the boundary with a neighbouring property;
- 3) 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. Building Control will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by Building Control should be taken as removing the necessity for the building owner to comply fully with the Act.

5 I14 Installation of Plant and Machinery

The Council's Commercial Premises Section and Building Control Services should be consulted regarding any of the following:-

- The installation of a boiler with a rating of 55,000 - 1¼ million Btu/hr and/or the construction of a chimney serving a furnace with a minimum rating of 1¼ million Btu/hr;
- The siting of any external machinery (eg air conditioning);
- The installation of additional plant/machinery or replacement of existing machinery.

Contact:- Commercial Premises Section, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190). Building Control Services, 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

6 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, Bank and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

D) No bonfires that create dark smoke or nuisance to local residents.

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

7 16 Property Rights/Rights of Light

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

8

Your attention is drawn to conditions 3, 4 and 7 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 these conditions.

9 134 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
- 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.
- 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.
- 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.

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

10

The applicant is encouraged to produce and implement a Green Travel Plan which relates to the whole unit and sets targets for sustainable travel arrangements and a commitment to achieving the travel plan objectives.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is a 1,858m² retail unit, one of four retail outlets, forming part of the larger Ruislip Retail Park (totalling 5,855m²). The retail park is located on the southwest corner of the junction of Field End Road and Victoria Road and falls within the Stonefield Way Industrial Estate, a designated Industrial and Business Area. The current car parking provision for the retail park is 204 spaces (including 10 for disabled drivers). The 4 units in the Retail Park which are part of the applicant's landholding are currently occupied as follows:

Unit 1: Furniture Village

Unit 2: Carpetright

Unit 3: Application Site. Vacant (formerly occupied by MFI)

Unit 4: Halfords

To the west of the four units is a Wickes DIY Store, which, whilst part of the Ruislip Retail Park, is not part of the applicant's landholding. There are a further 100 spaces in an adjoining car park for the neighbouring Wickes DIY Store. Servicing and deliveries to Units 3 and 4 are provided via Field End Road, whilst servicing access to Units 1 and 2 is provided via Stonefield Way.

Ruislip Retail Park is located in close proximity to a number of other retail outlets and retail parks. Stores include Argos Extra, Homebase, Brantano (on the Victoria Retail

Park); Pets at Home, Allied Carpets (on the Brook Retail Park); Currys, DFS, Kwik Fit, Comet, Rosebys and Bensons Beds as well as a number of car showrooms (including Honda and VW).

Alongside the existing retail units and retail parks located along Victoria Road there are a variety of industrial units, which extend south of Victoria Road along Stonefield Way. This area, including Ruislip Retail Park, extending west to the defined South Ruislip Local Centre and south to the rail line, is designated within the Adopted London Borough of Hillingdon UDP as an Industrial and Business Area.

Unit 3 has stood vacant for the past two and a half years, following MFI's closure in 2008.

3.2 Proposed Scheme

The Application Proposal relates to Unit 3, Ruislip Retail Park. The Unit comprises a ground floor area of 1,858 sq m gross, and operates within a bulky goods permission. This is a Section 73 Application to vary Condition 11 of Planning Permission 43510/APP/2000/2485, to allow for the sale of fancy goods from this unit, thereby widening the range of goods permitted to be sold from the premises.

Condition 11 of Planning Permission 43510/APP/2000/2485 states:

"The premises shall not be used for the retail sale of food (other than refreshments restricted for consumption on the premises by customers), clothing and footwear (other than clothing, footwear and accessories intended for use in connection with building and construction, DIY, motor cycling, cycling or vehicle repair and maintenance activities), cosmetics, toiletries, pharmaceutical products, photographic equipment, newspapers, magazines and books (other than those related to DIY goods, vehicle repair and maintenance), stationery, jewellery, toys, luggage and sports goods and fancy goods"

The applicants state that the reason for seeking to remove the restriction on the sale of fancy goods is to enable the unit to be brought back into economic use, through the widening of the range of goods permitted to be sold, to allow it to be occupied by interested retailers. At the time of submitting this application, these parties included Next at Home and Dunelm Mill. These retailers typically operate from out-of-centre locations under 'bulky goods' consents. However, concern has been expressed by potential occupiers with respect of the restriction of the sale of fancy goods. As a result, this application seeks to remove reference to the restriction on the sale of fancy goods from the relevant planning permission, to enable the re-occupation of the unit.

The application is supported by a Planning and Retail Assessment. The scope of the assessment is intended to address the variation of the range of goods that could be sold at unit 3. This document includes a sequential site assessment, which indicates that there are no suitable alternative sites which would meet the requirement of the proposed occupier of unit 3. The Assessment concludes that the proposal would not have any unacceptable impact on the vitality and viability of nearby existing centres and would comply with the tests set out in PPS4.

The Application Site is subject to a Section 52 Agreement, which restricts the type of goods which can be sold. This application for the variation of condition 11 which governs the range of goods, if approved, would automatically vary the Section 52 Agreement, so that the prohibition of fancy goods contained in the Section 52 Agreement would cease to have effect.

3.3 Relevant Planning History

43510/APP/2000/2485 Mfi, Carpetright And Halfords Victoria Road Ruislip
REFURBISHMENT OF EXISTING RETAIL UNITS, WITH NEW CLADDING ON ALL ELEVATIONS, NEW COVERED WALKWAY ON NORTHERN FRONTAGE (FACING VICTORIA ROAD) AND CHANGES TO SERVICE ARRANGEMENTS AND CAR PARKING WITH ENHANCED FRONTAGE LANDSCAPING, INCORPORATING DISUSED SERVICE ROAD

Decision: 14-03-2003 Approved

43510/APP/2003/797 Mfi, Carpetright And Halfords Victoria Road Ruislip
DETAILS OF LANDSCAPING SCHEME, LANDSCAPING MAINTENANCE, TREE PROTECTION, MATERIALS AND ACCESS IN COMPLIANCE WITH CONDITIONS 2, 3, 4, 7 AND 8 OF PLANNING PERMISSION REF. 43510/APP/2000/2485 DATED 14/03/2003; REFURBISHMENT OF EXISTING RETAIL UNITS, WITH NEW CLADDING ON ALL ELEVATIONS, NEW COVERED WALKWAY ON NORTHERN FRONTAGE (FACING VICTORIA ROAD) AND CHANGES TO SERVICE ARRANGEMENTS AND CAR PARKING WITH ENHANCED FRONTAGE LANDSCAPING, INCORPORATING DISUSED SERVICE ROAD

Decision: 29-10-2003 Approved

43510/APP/2010/1979 Unit 3, Ruislip Retail Park Victoria Road Ruislip
Construction of a 1,810 sq.m mezzanine within Unit 3, Ruislip Retail Park.

Decision: 10-02-2011 Approved

Comment on Relevant Planning History

Application 2120/S/85/0645 Erection of two single storey retail buildings for limited retail purposes within Class I (one building of 60,000 sq feet to be occupied by MFI and one of 19,500 sq feet to be occupied by Wickes), was allowed on appeal on 1 August 1986 (appeal decision ref. R5510/A/85/36786).

The Inspector in allowing the appeal, did not include a condition restricting the type of goods to be sold from the units or any conditions restricting subdivision or additional internal floorspace. However, on the 26 September 1986 the applicants for the original application entered into a Section 52 Agreement with the Council which stipulated that:

The site shall not be used for the retail sale of food (other than refreshments intended for consumption on the site by customers), clothing, footwear and accessories (other than clothing footwear and accessories intended for use in connection with building or DIY activities) cosmetics, toiletries, pharmaceutical products, photographic equipment, newspapers, magazines, books (other than those relating to DIY and car maintenance manuals), and stationery, jewellery, toys, luggage, sport and fancy goods.

2120AC/87/2107 Planning permission to use part of the MFI building for the retail sale of vehicle parts and accessories and associated products was granted in January 1988.

In terms of subsequent planning history, the following most relevant planning application to the current application proposals is Planning Application 43510/APP/2000/2485 which was granted permission on 14 March 2003 for the refurbishment of existing retail units, with new cladding on all elevations, new covered walkway on northern frontage (facing

Victoria Road) and changes to service arrangements and car parking with enhanced frontage landscaping, incorporating disused service road.

The condition of specific relevance is Condition 11 which stipulates the following:

The premises shall not be used for the retail sale of food (other than refreshments restricted for consumption on the premises by customers), clothing and footwear (other than clothing, footwear and accessories intended for use in connection with building and construction, DIY, motor cycling, cycling or vehicle repair and maintenance activities), cosmetics, toiletries, pharmaceutical products, photographic equipment, newspapers, magazines and books (other than those related to DIY goods, vehicle repair and maintenance), stationery, jewellery, toys, luggage, sports goods and fancy goods.

Reason:

To accord with existing restrictions on the sale of goods from the premises, to protect the vitality and viability of town and local centres and to limit retail activity on sites which are more readily accessible by private motor vehicles than by public transport, bicycles or pedestrians.

Planning permission ref: 43510/APP/2010/1979 was granted in February 2011 for the construction of a 1,810 sq.m mezzanine to the existing 1,858 sq.m floorspace creating a total of 3,668 sq.m retail floorspace.

4. Planning Policies and Standards

PPS1: Delivering Sustainable Development (January 2005)

PPS1 sets out the overarching planning policies on the delivery of sustainable development through the planning system.

Planning and Climate Change (Supplement to PPS1) (December 2007)

The underlying objective of the Supplement to PPS1 is to reduce carbon emissions from domestic and non-domestic buildings, by way of action against climate change.

PPS4: Planning For Sustainable Economic Growth (December 2009)

PPS4 was published relatively recently and brings together all of the Government's planning policies relating to the economy in both urban and rural areas into one single PPS. It replaces PPS6, PPG5 and PPG4 in their entirety as well as sections of PPS7 and PPG13. PPS4 emphasises the Government's support for sustainable economic growth and the need for local authorities to take a positive approach to identifying sites and determining applications. It defines economic development as development within the B Use Classes, public and community uses, main town centre uses as well as any development that either: provides employment, generates wealth or produces an economic output.

Policy EC10 of PPS4 sets out considerations which should be applied to all economic development including whether it has been planned to minimise carbon dioxide reductions, the accessibility of the site, whether it achieves a high quality and accessible design, the impact on economic and physical regeneration and the impact on local employment. Policies EC14, EC15, EC16 and EC17 of PPS4 set out the information which is required to support applications for Town Centre Uses and the approach to the

assessment of applications for such uses in out of centre locations.

PPG13: Transport (March 2001)(Amended January 2011)

The objectives of PPG13 are to integrate planning and transport at the national, regional, strategic and local level and to promote more sustainable transport choices. It recognises that our quality of life depends on transport and easy access to jobs, shopping, leisure facilities and services, and that we need a safe, efficient and integrated transport system to support a strong and prosperous economy. It encourages development which facilitates cycling and walking, as well as the use of public transport.

Draft National Planning Policy Framework

Since the submission of this application, the Government has published the Draft National Planning Policy Framework (NPPF). Key points relevant to the consideration of applications are:

- The default position to development should be positive unless the adverse impacts significantly and demonstrably outweigh the benefits.
- Significant weight should be attached to economic growth.
- The impact test has been streamlined to two main criteria rather than the 6 in PPS4.

Whilst in draft form, the NPPF is a material consideration.

LONDON PLAN (July 2011)

Policy 2.15 Town Centres recognises the key economic importance of Town Centre and strongly supports the development of a competitive retail sector through policies which among other things sustain and enhance the vitality and viability of town centres including community and civic activities and facilities, and also reducing delivery, servicing and road user conflict. It aims to encourage retail, leisure and other related uses in town centres and discourage them outside the town centres.

UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
BE13	New development must harmonise with the existing street scene.
LE2	Development in designated Industrial and Business Areas
OE1	Protection of the character and amenities of surrounding properties and the local area
LPP 2.15	(2011) Town Centres
PPG13	Transport
PPS1	Delivering Sustainable Development
PPS1-A	Planning and Climate Change - Supplement to Planning Policy Statement 1
PPS4	Planning for Sustainable Economic Growth

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

93 nearby owner/occupiers have been consulted individually. Site notices were posted on the site. No responses have been received in relation to the consultation.

London Borough of Harrow: No objection.

South Ruislip Residents Association: No response.

Internal Consultees

POLICY AND ENVIRONMENTAL PLANNING

1) The previous 2003 planning condition was extensive in scope and probably reflected the Council's intention to severely restrict any future bulky goods retailing in the Stonefield Way/Victoria Road IBA. This IBA was identified in the Employment Land Study as at threat from further retail incursion. Unit 3 was on part of its north east corner which the Study considered would not be included in a future Locally Significant Industrial Site.

2) Previous caution at relaxing any constraint on the permission reflected concern that the applicants had not given any information on the user proposed for Unit 3. Without that, the Council might relax one aspect of the condition and then subsequently find itself approached for further loosening of its restrictions, so that eventually it is faced with another application for an out-of-centre retail use on the site, resulting from the arguments being put forward previously on the difficulty of letting Unit 3.

3) Now that the applicants have submitted details of the letting campaign from Cushman Wakefield and Barton Willmore in their recent letters, the evidence suggests that detailed attempts have been made to market Unit 3 for some time to major bulky goods retailers. It appears that the existing planning condition regarding "fancy goods" is a major difficulty for potential occupiers. Allied to that, Barton Willmore have carried out a local sequential test to meet PPS4 requirements and found little floorspace in the area used for that type of goods. There is also no policy requirement to maintain that sector here.

4) In these circumstances it would seem appropriate to relax the existing planning condition as proposed.

HIGHWAY ENGINEER: No objections.

ENVIRONMENTAL PROTECTION UNIT: No objections.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application site is an existing retail park within the Stonefield Way Industrial and Business Area as designated within the UDP Saved Policies. Ruislip Retail Park is located on the Victoria Road which is an established retail location that includes a range of retailers that sell both bulky and non-bulky comparison goods. The sale of comparison

goods and food is currently restricted on the retail park. Given that the site is an existing retail park and no change of use is proposed, there is no objection in terms of Policy LE2 of the Saved Policies UDP.

Condition 11 seeks to restrict the type of goods sold from the application premises so as not to conflict with those that are readily available in the adjoining local parade and local town centre, in order not to damage their vitality, viability and competitiveness. As such, the applicant would be required to provide evidence that the amendment of the condition would not have a negative impact on the vitality and viability of the nearby local town centres and local parades, or result in the increase in the use of private vehicles to and from the site.

Definition of fancy goods

There is no precise definition as to what is considered to constitute fancy goods. The Oxford Dictionary defines this term as items for sale that are purely or chiefly ornamental, Collins New English Dictionary as small decorative gifts and the Free Dictionary online as small objects used for decoration. On the basis that 'fancy goods' might be considered to be classed as chiefly ornamental goods many ornaments and by implication, fancy goods could be classed as bulky goods, which are already permitted to be sold from Unit 3. The applicants contend that there is no clear and precise definition of fancy goods and as a result, the condition is ambiguous, imprecise and unenforceable. As a result, any reference to 'fancy goods' (without proper definition) cannot accord with Circular 11/95 (Use of Conditions in Planning Permission).

It is acknowledged that there is lack of precision in the definition of fancy goods and this ambiguity could lead to potential occupiers expressing concerns with respect to the restriction of the sale of fancy goods, as there would be no certainty as to when they might be in breach of planning control.

Sequential test

The Planning and Retail Statement assesses the proposal in relation to the tests of PPS4, principally the sequential and the impact tests. The Assessment has attempted to demonstrate that there are no sites in sequentially preferable locations available within the catchment area to accommodate the application Proposals.

Policy EC15 of PPS4 requires that all development proposals for sites that are not in an existing centre, nor allocated in an up-to-date development plan document should be subject to a sequential assessment as to whether the proposal could be located within a town centre. Whilst the application site is located within an established retail location, it does not fall within a defined centre, nor is it allocated for retail development in an up-to-date development plan document. As such the site is considered to occupy an out of centre location.

The applicants consider, and officers agree, that the wider catchment of Victoria Retail Park is the most appropriate catchment in assessing the availability, viability and suitability of sequentially preferable sites within this area. South Ruislip Local Centre is the only defined centre which is encompassed within this catchment area, and therefore the sequential site assessment has been limited to this centre.

The applicants have submitted that there are no vacant unit of similar size to Unit 3 within the catchment area of the retail park and that operators who have expressed interest in

occupying Unit 3 would not be interested in occupying units in the adjoining local centre. There are no specific retailers who sell only fancy goods in nearby centres. Such goods generally comprise a very small element of a much wider retail offer and are ancillary in nature. It is therefore not considered appropriate to seek to detach the fancy goods element and locate it within a separate unit within, or on the edge of, an existing Centre.

For these reasons, it is considered that the removal on the restriction of the sale of fancy goods will comply with the PPS4 sequential test (Policy EC15).

Impact Assessment

The applicants undertook survey of retailers at the nearby South Ruislip Local Centre and nearby parades within South Ruislip. There were no retailers selling goods within the gifts, china, and leather goods or other non-bulky categories. By implication, the assessment concludes, the proposed variation of condition would not result in an adverse impact upon the vitality and viability of the Centre or parades. As such, the inclusion of the sale of such goods from the unit, forming an ancillary component of a much wider retail offer, would not result in an adverse impact on the vitality and viability of these Centres. The applicant states further that the removal of the restriction on the sale of 'fancy goods' would not affect the bulky goods nature of the unit but rather allow for the future use of the unit by bulky goods retailers, which would still be subject to the remaining restrictions on the sale of goods. As the proposed variation of the condition does not comprise additional floorspace, the turnover the unit could potentially achieve will not increase. It will still remain a bulky goods unit in nature and would primarily sell such goods.

The applicant cannot provide evidence at this stage of potential retailer(s), so as to assess the scale and range of 'fancy goods' to be sold by such retailer. However, the applicants point out that in reality, any fancy goods element within the unit will be small. It is noted that several of the nearby retail warehouse units on Victoria Road do sell fancy goods, including Homebase and Argos. In respect of Homebase, these are a small proportion of their overall bulky goods offer, whilst Argos sells a range of bulky and non-bulky items. It is more likely that the unit, operating without the fancy goods restriction would be more likely to compete with similar retail warehouse operators on Victoria Road. The impact on other locations such as the South Ruislip Local Centre would be negligible.

The variation of the conditions should also be assessed taking into account the benefits of bringing a vacant retail unit back into active use. It will result in the creation of a range of job opportunities and types, will increase local spend and access to goods locally (few if any of which are sold within existing Centres) and would therefore benefit the overall economy and assist in stimulating economic growth. It therefore complies with PPS4 Policy EC17.

It is therefore considered that the removal of the restriction on the sale of fancy goods will not result in a significant adverse impact against any one of the tests set out in PPS4 Policy EC16.

Marketing of Unit

Council policy is primarily concerned with the health of its town centres and would encourage retailers to locate in existing suitable vacant units in the town centre. As a result of the recession, there has been an increase in vacant A1 floorspace in Hillingdon. Although South Ruislip Local Centre is relatively healthy with only one unit (2.1% of total units) vacant, this particular unit has been vacant for two and a half years.

The applicants have submitted details of the letting campaign from Cushman Wakefield and Barton Willmore. The evidence suggests that detailed attempts have been made to market Unit 3 for some time to major bulky goods retailers. It appears that the existing planning condition regarding fancy goods is a major difficulty for potential occupiers.

Planning Policy Statement 4 (PPS4) recognises a need for sites for larger format developments. Such locations (as the application site) are intended for specialist retailers which sell bulky goods, which would still apply with the modified condition in place.

For the reasons given above, no policy objections are raised to the proposal and it is considered that in this case, it would be appropriate to relax the existing planning condition as proposed.

7.02 Density of the proposed development

Not applicable to this application.

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

Not applicable to this application.

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 seeks an alteration to a condition restricting the sale of goods at an existing retail park. It would not therefore have any impacts on the character or appearance of the application site.

7.08 Impact on neighbours

With regard to impact on residential amenity, the proposal seeks an alteration to a condition restricting the sale of goods at an existing retail park. As the Application Proposals do not involve any external alterations, the proposed development will not have a visual impact on nearby residential properties.

In terms of additional traffic/shoppers attracted to the retail park, the application site is within an established retail location where there are sufficient car parking facilities and also existing arrangements for accessing the site via public transport. It is acknowledged that the re-use of the vacant unit will increase the number of visitors to the Retail Park, but it is not felt that any increased trips will have a detrimental impact on residential amenity.

Overall, it not considered that the relaxation of this condition would result in any impacts detrimental to the amenity of nearby residential occupiers, in compliance with Saved Policy OE1.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

TRAFFIC GENERATION

The proposal seeks an alteration to a condition restricting the sale of goods at an existing retail park. No alterations to the existing car parking or access arrangements for the retail park are proposed. It is not considered that the proposed variation of the condition, to allow a greater range of goods to be sold at the unit, would result in a significant increase

in traffic to/from the site sufficient to justify refusal.

In terms of car parking arrangements, the Ruislip Retail Park provides 304 car parking spaces, of which 204 are within the applicant's control. Of these spaces 10 are set aside for disabled access. It is intended as part of the proposals for the recently approved mezzanine floor, that 2 additional disabled car parking bays are provided, which will reduce to car parking spaces to 303.

The Council's current car parking standards rely on the London Plan which requires between 1 space per 15m² of floorspace and 1 space per 75m² of floorspace depending on retail format and PTAL. Therefore, based on an approximate total floorspace of 3,668m² retail floorspace (1,858m² gross of floor space originally allowed in addition to 1,810m² mezzanine floorspace permitted during 2010) between approximately 49 and 244 spaces should be provided. Accordingly, the existing parking provision complies with the Council's current Parking Standards and is considered to be adequate.

Cycle/Pedestrian Facilities

Currently the Retail Park benefits from cycle 18 parking which is located in front of the terrace of retail units. The Retail Park is also accessible by workers and shoppers by foot with pavements linking the site to South Ruislip and nearby bus stops. It is not considered that it would necessitate the provision of any additional cycle parking facilities, given the nature of the goods likely to be sold from the retail outlet.

In conclusion, the Council's Highways Engineer has reviewed the submission and raises no objection to the proposal in terms of traffic generation or car parking, subject to a condition requiring that the car parking for the retail park be retained and made available for users of the unit for its lifetime.

7.11 Urban design, access and security

Not applicable to this application.

7.12 Disabled access

The proposal seeks an alteration to a condition restricting the sale of goods at an existing retail park. It would not therefore have any implications with regard to disabled accessibility.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

The proposal seeks an alteration to a condition restricting the sale of goods at an existing retail park. It would not therefore have any implications on existing trees, landscaping or ecology.

7.15 Sustainable waste management

The proposal seeks an alteration to a condition restricting the sale of goods at an existing retail park. Accordingly, it does not have any implications with regard to sustainable waste management.

7.16 Renewable energy / Sustainability

The proposal seeks an alteration to a condition restricting the sale of goods at an existing retail park. Accordingly, it does not have any implications with regard to renewable energy or sustainability.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

The proposal seeks an alteration to a condition restricting the sale of goods at an existing retail park. Accordingly, it would not have any implications with regard to noise or air quality.

7.19 Comments on Public Consultations

No comments have been received.

7.20 Planning Obligations

The Retail Park is the subject to a Section 52 Agreement which restricts the range of goods that can be sold from Unit 3 to that specified in condition 11.(part 7 (Clause1) of the Section 52 Agreement). However Part 7 (Clause 2) of the Agreement goes on to state that if any planning permission is granted subsequently for any of the uses prohibited by Clause 1, such planning permission shall vary Clause 1 of the S52 Agreement, to allow those prohibited goods to be sold from the unit. In effect, should the current S73 application be approved, this would automatically vary Clause 1 of the S52 Agreement and there would be no need to enter into a deed of variation.

The proposal would not give rise to any impacts which would need to be mitigated by way of planning obligations.

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

Unit 3 has remained vacant since the departure of MFI in 2008. Despite on going marketing over the past two and a half years, there has been no viable interest in the unit, and these proposals will facilitate bringing the unit back into economic use.

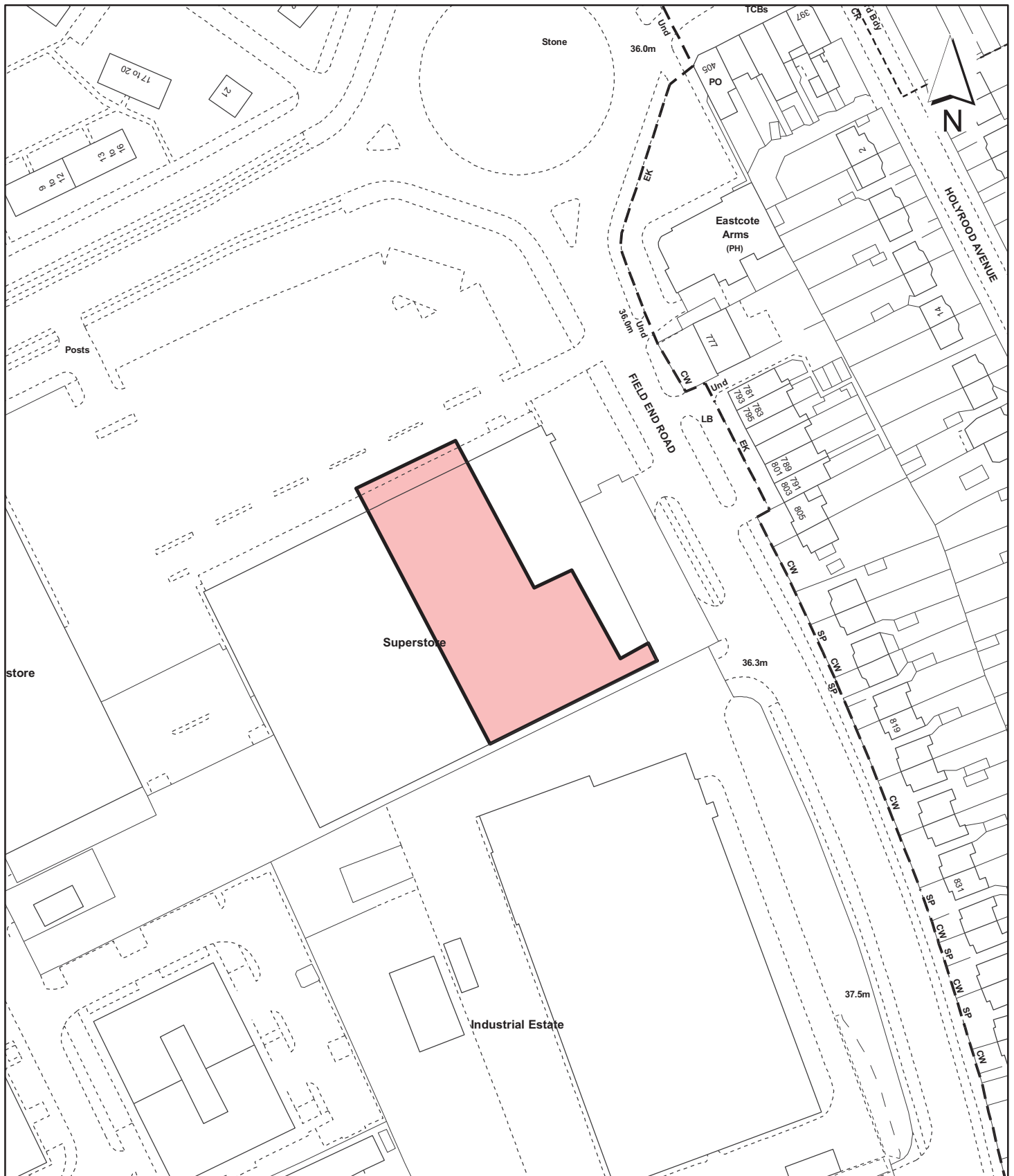
It is considered that the proposed relaxation of the condition controlling the range of goods that can be sold from the site meets the sequential and impact tests of PPS4 and would not have a significant detrimental impact on the vitality or viability of nearby centres. The amended condition would still restrict the unit primarily to the sale of bulky comparison goods. The proposal is therefore considered to be acceptable in planning policy terms. Accordingly, there are no objections to the principle of the development, subject to conditions originally imposed, which are still subsisting and are capable of being discharged.

11. Reference Documents


Planning Policy Statement 1: Delivering Sustainable Development
Planning Policy Statement: Planning and Climate Change - Supplement to Planning
Planning Policy Statement 4: Planning for Sustainable Economic Growth
Planning Policy Guidance 13: Transport
Planning Policy Guidance 24: Planning and Noise
The London Plan (July 2011)
Accessible Hillingdon SPD
Air Quality SPG
Noise SPG

Contact Officer: Karl Dafe

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Notes

 Site boundary

For identification purposes only.

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Site Address	
Unit 3, Ruislip Retail Park Victoria Road Ruislip	
Planning Application Ref:	Scale
43510/APP/2011/1344	1:1,250
Planning Committee	Date
North Page 314	October 2011

LONDON BOROUGH OF HILLINGDON
 Planning,
 Environment, Education
 & Community Services
 Civic Centre, Uxbridge, Middx. UB8 1UW
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HILLINGDON
LONDON

Report of the Head of Planning and Enforcement Services

S.106/278 PLANNING AGREEMENTS - QUARTERLY FINANCIAL MONITORING REPORT

SUMMARY

This report provides financial information on s106 and s278 agreements in the North Planning Committee area up to 30 June 2011 where the Council has received and holds funds.

RECOMMENDATION

That Members note the contents of this report.

INFORMATION

1. Circular 05/05 and the accompanying best practice guidance requires local planning authorities to consider how they can inform members and the public of progress in the allocation, provision and implementation of obligations whether they are provided by the developer in kind or through a financial contribution.
2. The information contained in this report was reported to Cabinet on 29 September 2011 and updates the information received by Cabinet in June 2011. The attached Appendix 1 provides updated financial information on s106 and s278 agreements in the North Planning Committee area up to 30 June 2011, where the Council has received and holds funds.
3. Appendix 1 shows the movement of income and expenditure taking place during the financial year. The agreements are listed under Cabinet portfolio headings. Text that is highlighted in bold indicates key changes since the previous report of July 2011 to the Planning Committee. Figures shown in bold under the column headed 'Total income as at 30/06/11' indicate new income received. Agreements asterisked under the column headed 'case ref' are those where the Council holds funds but is unable to spend for a number of reasons. These include cases where the funds are held as a returnable security deposit for works to be undertaken by the developer and those where the expenditure is dependant on other bodies such as transport operators. In cases where schemes have been completed and residual balances refunded, the refund amount is either the amount listed in the "Balance of Funds" column or where the amount listed in this column is zero the difference between the amounts listed in the columns titled "Total Income as at 31/03/11" and "Total Income as at 30/06/11".
4. Members should note that in the Appendix, the 'balances of funds' held include funds that may already be committed for projects such as affordable housing and school expansion projects. Expenditure must be in accordance with the legal parameters of the individual agreements and must also serve a

planning purpose and operate in accordance with legislation and Government guidance in the form of Circular 05/2005. The Council has adopted Supplementary Planning Guidance for Planning Obligations that provides the framework in which the Council will operate.

5. Members should also note that the listed “balances of funds”, i.e. the difference between income received and expenditure, is not a surplus. As explained in a previous report, a majority of the funds is linked to projects that are already underway or programmed but have not been drawn down against the relevant s106 (or s.278) cost centre. The column labelled “balance spendable not allocated” shows the residual balance of funds after taking into account funds that the Council is unable to spend and those that it has committed to projects.

Financial implications

6. This report provides information on the financial status on s106 and s278 agreements up to 30 June 2011. The recommendation to note has no financial implications.

CORPORATE CONSULTATIONS CARRIED OUT

Legal

It is a requirement of the District Audit report into planning obligations and the Monitoring Officers report that regular financial statements are prepared.

EXTERNAL CONSULTATIONS CARRIED OUT

There are no external consultations required on the contents of this report.

BACKGROUND DOCUMENTS

ODPM Circular 05/2005 ‘Planning Obligations’
District Auditor’s “The Management of Planning Obligations” Action Plan May 1999
Monitoring Officers Report January 2001
Cabinet Report December 2002 / March 2003 / October 2003 / January 2004 / June 2004 / September 2004 / November 2004 / March 2005 / July 2005 / October 2005 / December 2005 / March 2006 / July 2006 / Sept 2006 / November 2006 / March 2007 / July 2007 / September 2007 / December 2007 / March 2008 / June 2008 / September 2008 / December 2008 / March 2009/ June 2009 / September 2009 / December 2009 / March 2010/ June 2010/ September 2010 / December 2010/ March 2011/ June 2011/ September 2011
Planning Obligations Supplementary Planning Document Adopted July 2008.

Contact Officer: NIKKI WYATT

Telephone No: 01895 250230

CASE REF.	WARD	SCHEME / PLANNING REFERENCE	TOTAL INCOME	TOTAL EXPENDITURE	TOTAL EXPENDITURE	TOTAL INCOME	TOTAL EXPENDITURE	BALANCE OF FUNDS	BALANCE SPENDABLE NOT ALL OCATED	COMMENTS (as at mid August 2011)
			AS AT 31/3/11	AS AT 30/6/11	AS AT 31/3/11	AS AT 30/6/11	AS AT 30/6/11	AS AT 30/6/11	AS AT 30/6/11	
SECTION 278										
PORTFOLIO: PLANNING TRANSPORTATION AND RECYCLING										
PT/278/46/135 *32	Northwood	10A Sandy Lodge Way, Northwood 54671/APP/2002/54	7,458.07	2,458.00	2,458.00	7,458.07	2,458.00	5,000.07	0.00	Improvement of visibility for junction of Sandy Lodge Way & Woodridge Way. ECU fees have been claimed and £5,000 security remains. Works substantially complete. 12 month maintenance period, ended 16 September 2006. Final certificate has been prepared. Security held to part offset outstanding education contribution which is being sought via legal proceedings.
PT/278/63/175A *49	South Ruislip	BFPO, R.A.F Northolt 189/APP/2006/2091	5,000.00	0.00	0.00	5,000.00	0.00	5,000.00	0.00	£5k received as the security deposit for the due and proper implementation of junction works at the White House Gate entrance to the development. Signals complete and in operation. Currently within 12 month maintenance period. Date of final completion to be confirmed.
PT/278/64/173	Eastcote & East Ruislip	R.A.F. Eastcote 10169/APP/2004/1781	19,200.00	12,201.13	12,201.13	19,200.00	12,201.13	6,998.87	0.00	Engineers fees paid prior to the execution of an agreement to secure access works associated with this application. Walling restriction in Lime Grove undertaken. Elm Ave/Lime Grove junction improvement pending. Elm Ave Pedestrian crossing technical approval pending.(£5,500) design fees received plus further £6,700 for temporary footpath works carried out by LBH. £7,500 engineering fees claimed. Funds spent towards temporary footpath works. Further £5,000 security deposit for proper execution of highway works.
PT/278/72/231A *66	West Ruislip	R.A.F West Ruislip (Ickenham Park) Design check on S278 Designs 38402/APP/2007/1072	53,986.57	27,486.57	27,486.57	53,986.57	27,486.57	26,500.00	0.00	Fees received for design checks. Pelican crossing and signals on Long Lane. S278 agreement and technical approval pending. Further £18,000 returnable deposit received to ensure reinstatement of temporary crossover on Alysiam Drive. Further fees received towards inspection fees and traffic orders. Spend towards fees & inspection.
PT/278/73	South Ruislip	R.A.F Northolt, South Ruislip/Main Gate 189/APP/2007/1321	2,000.00	0.00	0.00	2,000.00	0.00	2,000.00	0.00	Fees received for design checks. Junction improvements at West End Road/ Bridgewater Road. S278 agreement and technical approval pending.
PT/278/75/218A	Harefield	The Harefield Academy, Harefield 1109/APP/2006/825	72,011.08	46,587.99	44,971.59	72,011.08	25,423.09	25,423.09	0.00	Fees received for design checks. Alteration to Academy entrance and proposed zebra crossing. S278 agreement and technical approval pending. fees received for design checks for pedestrian crossing. £68,011.08 received for provision of zebra crossing on Northwood Road. Scheme complete, awaiting invoices.
PT/278/77/197 *62	Ruislip Manor	Windmill Hill Public House, Pembroke Road, Ruislip 11924/APP/2632	24,000.00	1,000.00	1,000.00	24,000.00	1,000.00	23,000.00	0.00	Fees received for design checks (£1,000). £23,000 received as a security deposit to ensure works are carried at to a satisfactory standard. £1,000 engineering fees claimed.
PT/278/78/238G *76	West Ruislip	Fmr Mill Works, Bury Street, Ruislip 6157/APP/2009/2069	19,782.00	0.00	0.00	19,782.00	0.00	19,782.00	0.00	Fees received for design checks and monitoring & supervision. £5,000 received as a security deposit to ensure highway works are carried out to a satisfactory standard.
		SECTION 278 SUB - TOTAL	203,437.72	89,733.69	88,117.29	183,655.72	88,117.29	113,704.03	0.00	
SECTION 106										
PORTFOLIO: PLANNING TRANSPORTATION AND RECYCLING										

CASE REF.	WARD	SCHEME / PLANNING REFERENCE	TOTAL INCOME	TOTAL INCOME	TOTAL EXPENDITURE	TOTAL EXPENDITURE	BALANCE OF FUNDS	BALANCE SPENDABLE NOT ALL OCATED	COMMENTS (as at mid August 2011)
			AS AT 30/6/11	AS AT 31/3/11	AS AT 30/6/11	AS AT 31/3/11	AS AT 30/6/11	AS AT 30/6/11	
PT/25/66 *24	South Ruislip	J Sainsbury, 11 Long Drive, Ruislip 3366/1719/0684	37,425.09	37,425.09	0.00	0.00	37,425.09	0.00	Highway improvements adjacent to the site. Legal advice stated that because of time that has elapsed, it would not be reasonable to proceed without Sainsbury's agreement. Officers investigating the potential to utilise these funds for traffic congestion mitigation at that junction to complement current works that have been commissioned for that location. A portion of land owned by Sainsbury's would need to be dedicated as public highway for the scheme to be feasible. Traffic congestion mitigation scheme is fully funded. Officers investigating whether improvements could be tied into 114 bus route project. Excess funds are to be refunded to the developer following the date of the Final Account.
PT/76/119	Northwood	Land at 64 Ducks Hill Road Northwood/ 26900L/99/1077	35,253.56	35,253.56	25,226.23	25,226.23	10,027.33	0.00	To provide a speed camera, anti-skid surface and associated road markings in Ducks Hill Road. Speed camera cannot be installed in this location, as the accident rate in this location is below the threshold established by TL...Deed of variation not required. Site included in vehicle activated sign (VAS) forward programme. Officers looking into feasibility of 'Driver Feedback Sign'. Implementation due Spring 2007. Subject to feasibility. Quotes being sought with the view to possible purchase of signs. Interest accrued. No time constraints. Utilities works completed Nov 08. Anti-skid can be implemented following 3 months after completion of utilities works. Scheme programmed for implementation April/May 2010. Spend towards the provision of anti skid and electrical work.
PT/112/205A	Eastcote	RAF Eastcote, Lime Grove, Ruislip. 10189/APP/2004/1781	7,502.15	7,502.15	550.00	550.00	6,952.15	0.00	Contribution towards improvements to the London cycle network within a radius of 1500m of the site. Funds to be spent by September 2013. Funds allocated (26/10/2010) towards the provision of a cycle shelter as part of Eastcote Station improvements.
PT/117/231B	Ruislip	Former RAF West Ruislip (Ickenham Park), High Road, Ickenham. 38402/APP/2007/1072	30,000.00	30,000.00	0.00	0.00	30,000.00	0.00	Funds received towards improvements to cycle route 89/network 93 as part of the London Cycle Network. Funds to be spent within 5 years of receipt (Nov 2015).
PT/120/241A	Ruislip	28 & 28a Kingsend, Ruislip. 5740/APP/2008/1214	2,500.00	0.00	0.00	0.00	2,500.00	0.00	Funds received towards the undertaking of a TA to assess the cumulative traffic impact of flattened developments in Kingsend. Funds to be spent within 5 years of receipt (April 2016).
		PLANNING TRANSPORTATION & RECYCLING SUB - TOTAL	112,680.80	110,180.80	25,776.23	25,776.23	86,904.57	30,000.00	
		PLANNING TRANSPORTATION & RECYCLING TOTAL	316,118.52	293,836.52	115,509.92	113,893.52	200,608.60	30,000.00	
PORTFOLIO: CULTURE, SPORT AND LEISURE									
CSL/6/189A	Ruislip	30 Kings End, Ruislip. 46299/APP/2006/2165	7,674.48	7,674.48	0.00	0.00	7,674.48	0.00	Towards the provision of community facilities in the immediate vicinity of the land. No time limits. Earmarked towards Manor Farm Library. Subject to formal allocation of funding.
CSL/7/195A	Eastcote	Highgrove House, Eastcote Road, Ruislip. 10622/APP/2006/2494	9,578.00	9,578.00	0.00	0.00	9,578.00	9,578.00	Funds received towards the improvement of community facilities in the vicinity of the site. No time constraints on the expenditure of funds. Earmarked towards improvement programme at Highgrove Pool, subject to Cabinet Member approval (Cabinet Member report submitted)
CSL/9/199A	Ruislip	41, Kingsend, Ruislip. 2792/APP/2006/3451	9,338.43	9,338.43	0.00	0.00	9,338.43	0.00	Funds received towards the provision of community facilities in the Borough. No time constraints. Earmarked towards Manor Farm Library. Subject to formal allocation of funding.

CASE REF.	WARD	SCHEME / PLANNING REFERENCE	TOTAL INCOME	TOTAL EXPENDITURE	TOTAL EXPENDITURE	TOTAL INCOME	TOTAL EXPENDITURE	BALANCE OF FUNDS	BALANCE SPENDABLE NOT ALL OCATED	COMMENTS (as at mid August 2011)
			AS AT 30/6/11	AS AT 30/6/11	AS AT 31/3/11	AS AT 31/3/11	AS AT 30/6/11	AS AT 30/6/11	AS AT 30/6/11	
CSL/10/200B	Manor	Former Ruislip Manor Library, Victoria Road, Ruislip. 14539/APP/2008/2102	5,200.00	0.00	5,200.00	0.00	5,200.00	0.00	0.00	Funds received towards improvements to nearby by community facilities. Earmarked towards Ruislip Manor Library and Community Resources Centre. Subject to formal allocation of funding.
CSL/11/205B	Eastcote	RAF Eastcote, Lime Grove, Ruislip. 10189/APP/2004/1781	277,131.54	143,676.06	277,131.54	48,503.80	133,455.48	0.00	0.00	Contribution towards the provision or improvement of leisure, youth and/or cultural services within Eastcote and East Ruislip ward boundary. Funds to be spent by September 2014. £265k earmarked towards Highgrove pool improvement programme. £95,172.26 spent towards Highgrove pool improvement programme, funding subject to formal allocation. Cabinet Member report submitted August 2011
CSL/12/215A	Ruislip	5 - 11, Reservoir Road, Ruislip 61134/APP/2006/260	13,338.00	0.00	13,338.00	0.00	13,338.00	13,338.00	0.00	Contribution received towards the provision of community facilities in the locality. No time limits on spend.
CSL/15/231D	Ruislip	Former RAF Ruislip (Ickenham Park), High Road, Ickenham 38402/APP/2007/1072	269,750.00	0.00	269,750.00	0.00	269,750.00	269,750.00	0.00	Funds received towards the construction of a new facility or the extension of an existing facility to provide for improvement of leisure, elderly, youth and/or cultural services within the locality of the land. Funds to be spent by November 2015.
CSL/17/238A	West Ruislip	Former Mill Works, Bury Street, Ruislip. 6157/APP/2009/2069	31,645.25	0.00	15,509.41	0.00	31,645.25	31,645.25	0.00	Funds received as 50% of the community facilities contribution towards community facilities schemes or measures within the Borough. Funds to be spent by February 2018. Further £16,135.84 received as remaining 50% of community facilities contribution.
CSL/18/238B	West Ruislip	Former Mill Works, Bury Street, Ruislip. 6157/APP/2009/2069	3,268.46	0.00	3,268.46	0.00	3,268.46	3,268.46	0.00	Funds received towards the provision of library facilities and/or library books within the Borough. Funds to be spent by February 2018.
CSL/19/237A	Eastcote	Bishop Ramsey School (lower site), Eastcote Road, Ruislip. 19731/APP/2006/1442	24,130.14	0.00	24,130.14	0.00	24,130.14	24,130.14	0.00	Funds received towards environmental improvements and community facilities within a 3 mile radius of the site. Funds to be spent by February 2016.
CSL/20/239A	Eastcote	Highgrove House, Eastcote Road, Ruislip. 10622/APP/2006/2294 & 10622/APP/2009/2504	22,350.00	0.00	22,350.00	0.00	22,350.00	22,350.00	0.00	Funds received towards the provision or improvement of leisure, elderly, youth and/or cultural services or facilities within the Borough. No time limits. Funds earmarked towards Highgrove Pool improvement programme, subject to Cabinet Member approval (Cabinet Member report submitted August 2011).
CSL/22/241B	Ruislip	28 & 29a Kingsend, Ruislip. 5740/APP/2008/1214	3,250.00	0.00	0.00	0.00	3,250.00	3,250.00	0.00	Funds received towards the expansion of local community facilities in the area of the development. Funds to be spent within 5 years of receipt (April 2016).
CSL/23/243A	South Ruislip	Former Tally Ho P.H, West End Road, Ruislip. 8418/APP/2006/913&914	14,300.00	0.00	0.00	0.00	14,300.00	14,300.00	0.00	Funds received towards the cost of providing community facilities in the vicinity of the development. Funds to be spent within 7 years of receipt (June 2018).
		CULTURE, SPORT AND LEISURE SUB - TOTAL	690,954.30	143,676.06	657,268.46	48,503.80	547,278.24	391,609.85		
PORTFOLIO: EDUCATION AND CHILDREN'S SERVICES										
EYL/66/144	Northwood	68 Ducks Hill Road 11900/APP/2005/1087	183,044.65	99,819.57	183,044.65	99,819.57	83,225.08	0.00	0.00	Towards the costs of providing primary and secondary school places in the Borough. No time constraints. £16,400 spent on Ruislip High School. £75,852.85 spent towards Ruislip High School costs. Earmarked for Primary School expansions in north Ruislip/Northwood areas. Further £1,423 spent towards Ruislip High School. £5,000 spent towards Sacred Heart Primary School modernisation.

CASE REF.	WARD	SCHEME / PLANNING REFERENCE	TOTAL INCOME	TOTAL INCOME	TOTAL EXPENDITURE	TOTAL EXPENDITURE	BALANCE OF FUNDS	BALANCE SPENDABLE NOT ALL OCATED	COMMENTS (as at mid August 2011)
			AS AT 30/6/11	AS AT 31/3/11	AS AT 31/3/11	AS AT 30/6/11	AS AT 30/6/11	AS AT 30/6/11	
EYL/87/143B	Harefield	Dairy Farm, Breakspear Rd, Harefield 27314/APP/2005/844	103,122.52	103,122.52	74,935.52	74,935.52	28,187.00	28,187.00	For the provision of educational places in the Borough. Funds not spent by 25 August 2014 are to be repaid. earmarked for primary school expansions in north Ruislip/Northwood areas. Funds spent towards Sacred Heart Primary School modernisation. Further £28,187 received as an additional contribution for provision of educational places in the borough. No time limits on spend.
EYL/103/196	Harefield	19, Vernon Drive, Harefield. 57488/APP/2008/3031	739.00	739.00	0.00	0.00	739.00	739.00	Funds received towards the provision of nursery school places in the Borough. No time limits.
EYL/103/197A	Ruislip Manor	Windmill Public House, Pembroke Road, Ruislip. 11924/APP/2632	68,689.00	68,689.00	34,980.79	34,980.79	33,708.21	33,708.21	Funds received towards the provision of education facilities within the locality. Funds to be spent within 5 years of receipt (Feb 2014). £34,980.79 spent towards Ruislip High School.
EYL/105/199B	Ruislip	41, Kingsend, Ruislip. 2792/APP/2006/3451	37,459.20	37,459.20	37,419.20	40.00	0.00	0.00	Funds received towards the cost of providing education places within the Borough. No time limits on spend. Funds allocated towards the provision of an additional form of entry and sixth form centre at Ruislip High school. (Cabinet Member decision 21/10/2010). £37,419.20 spent towards Ruislip High School.
EYL/108/202	Ickenham	179, Swakeleys Road, Ickenham. 52293/APP/2006/2360	8,037.00	8,037.00	0.00	0.00	8,037.00	8,037.00	Funds received towards the provision of additional or improved education facilities within a 3 mile radius of the site. No time limit on spend.
EYL/110/205C	Eastcote	RAF Eastcote, Lime Grove, Ruislip. 10189/APP/2004/1781	1,830,551.09	1,830,551.09	386,728.57	1,443,822.52	829,553.09	829,553.09	First and second instalments towards the cost of providing educational places in or improvements to nursery, primary or secondary schools in the North Secondary Planning Area. Nursery (£421,026.76), primary (£750,525.95) and secondary (£658,998.39). Funds to be spent within 7 years of receipt of the first contribution (September 2016). Secondary contribution (£658,998) allocated towards the provision of an additional form of entry and sixth form centre at Ruislip High school. (Cabinet Member decision 21/10/2010). £342,000 from the Nursery contribution allocated towards Deansfield Early Years Centre. (Cabinet Member decision 28/7/10/2010). £272,888.69 spent towards Ruislip High School. £73,666.25 spent towards Deansfield Early Years Centre. Spend this quarter towards Ruislip High project. Unallocated funds are for nursery & primary school places within the North Secondary Planning Area (Ruislip, Eastcote, Northwood & facilities in the Northwood area. No time limits.
EYL/112/208	Northwood	110, Green Lane, Northwood 46543/APP/2005/2697	4,085.75	4,085.75	0.00	0.00	4,085.75	4,085.75	Funds received towards additional or improved education facilities within a 3 mile radius if the site. No time limits.
EYL/113/211	Ickenham	1a, Woodstock Drive, Ickenham. 65754/APP/2009/200	8,953.00	8,953.00	0.00	0.00	8,953.00	8,953.00	Funds received towards the provision of education facilities within the Borough of Hillingdon. No time limits on spend.
EYL/115/215B	Ruislip	5 to 11 Reservoir Road, Ruislip. 61134/APP/2006/260	22,087.13	22,087.13	0.00	0.00	22,087.13	22,087.13	Funds received towards additional or improved education facilities to accommodate primary and nursery places within a 3 mile radius of the development. No time limits.
EYL/117/213	Northwood	1, Oakhurst, Northgate, Northwood. 30779/APP/2009/2036	4,441.00	4,441.00	0.00	0.00	4,441.00	4,441.00	Funds received towards the provision of additional or improved education facilities within a 3 mile radius of the site. No time limits.
EYL/120/217A	Harefield	34 High Street, Harefield. 259/APP/2009/2391	7,193.00	7,193.00	0.00	0.00	7,193.00	7,193.00	Funds received towards the provision of additional or improved education facilities within a 3 mile radius of the site. No time limit on spend.
EYL/121/221	Ruislip Manor	2, Windmill Hill, Ruislip. 35595/APP/2008/2951	6,438.00	6,438.00	0.00	0.00	6,438.00	6,438.00	Funds received towards the provision of additional nursery and primary school places in the vicinity of the site. No time limits.
EYL/133/233	Ickenham	6, Warren Road, Ickenham 65990/APP/2009/834	15,492.00	15,492.00	0.00	0.00	15,492.00	25,492.00	Funds received towards the provision of additional or improved education facilities within a 3 mile radius of the site to accommodate the nursery, primary & secondary school child yield arising from the development. No time limit on spend.

CASE REF.	WARD	SCHEME / PLANNING REFERENCE	TOTAL INCOME	TOTAL EXPENDITURE	TOTAL EXPENDITURE	BALANCE OF FUNDS	BALANCE SPENDABLE NOT ALL OCATED	COMMENTS (as at mid August 2011)
			AS AT 30/6/11	AS AT 30/6/11	AS AT 31/3/11	AS AT 30/6/11	AS AT 30/6/11	
EYL/134/234	Ruislip	125a, High Street, Ruislip. 2061/APP/2009/2175	5,054.00	0.00	0.00	5,054.00	5,054.00	Funds received towards the provision of additional or improved educational facilities within a 3 mile radius of the site to accommodate the primary and/or secondary school child yield arising from the development. No time limits.
EYL/135/235	South Ruislip	325, Victoria Road, Ruislip 63602/APP/2009/2288	12,896.00	0.00	0.00	12,896.00	12,896.00	Funds received towards the provision of additional or improved educational facilities within a 3 mile radius of the site to accommodate the child yield arising from the development. No time limits.
EYL/136/236	Harefield	Casa De Boa Vista, Belfry Avenue, Harefield, 64613/APP/2009/2180	16,216.00	0.00	0.00	16,216.00	16,216.00	Funds received towards additional/improved educational facilities within a 3 mile radius of the site to accommodate nursery, primary and secondary child yield arising from the development. No time limits.
EYL/137/237B	Eastcote	Bishop Ramsey School (lower site), Eastcote Road, Ruislip. 19731/APP/2006/1442	426,346.97	0.00	0.00	426,346.97	426,346.97	Funds received towards the costs of providing primary education places to primary schools in Primary Area 3. Funds to be spent by February 2016.
EYL/138/238C	West Ruislip	Former Mill Works, Bury Street, Ruislip. 6157/APP/2009/2069	512,742.69	0.00	0.00	512,742.69	512,742.69	Funds received as 50% of the education contribution towards the cost of providing nursery, primary and secondary facilities in the Borough (See legal agreement for details of funding split). Funds to be spent by February 2018. Further £261,446.35 received as remaining 50% education contribution.
EYL/139/239B	Eastcote	Highgrove House, Eastcote Road, Ruislip. 10622/APP/2006/2294 & 10622/APP/2009/2504	64,920.00	0.00	0.00	64,920.00	64,920.00	Funds received towards the costs of providing educational improvements or facilities in the Borough. No time limits.
EYL/143/241C	Ruislip	28 & 28a Kingsend, Ruislip. 5740/APP/2008/1214	6,063.75	0.00	0.00	6,063.75	6,063.75	Funds received towards the provision of additional or improved educational facilities to accommodate child yield arising from the development. Funds to be spent by April 2016.
EYL/145/243B	South Ruislip	Former Tally Ho P.H, West End Road, Ruislip. 8418/APP/2006/913&914	75,989.00	0.00	0.00	75,989.00	75,989.00	Funds received towards the provision of additional educational facilities in the borough. Funds to be spent within 7 years of receipt (June 2018).
		EDUCATION, YOUTH AND LEISURE SUB - TOTAL	3,420,560.75	633,883.65	594,000.12	2,786,677.10	2,099,142.59	
		PORTFOLIO: FINANCE AND CORPORATE SERVICES						
		FINANCE & CORPORATE SERVICES SUB - TOTAL	0.00	0.00	0.00	0.00	0.00	
		PORTFOLIO: IMPROVEMENT, PARTNERSHIPS AND COMMUNITY SAFETY						
PPR/57/238D	West Ruislip	Former Mill Works, Bury Street, Ruislip. 6157/APP/2009/2069	20,679.21	0.00	0.00	20,679.21	20,679.21	Contribution towards construction training initiatives within the Borough. Funds to be spent within 7 years of receipt (February 2018).
PPR/58/239C	Eastcote	Highgrove House, Eastcote Road, Ruislip. 10622/APP/2006/2294 & 10622/APP/2009/2504	9,667.50	0.00	0.00	9,667.50	9,667.50	Contribution received towards construction training and the provision of a work place co-ordinator within the Borough. No time limits.
PPR/62/231C	Ruislip	Former RAF West Ruislip (Ickenham Park), High Road, Ickenham. 38402/APP/2007/1072	75,000.00	0.00	0.00	75,000.00	0.00	Funds received towards the installation of 3 CCTV cameras and associated infrastructure within the vicinity of the development. Funds to be spent within 5 years of receipt (Nov 2015). Funds transferred from P/118/231C.
		PERFORMANCE, PARTNERSHIPS & REGENERATION SUB - TOTAL	105,346.71	0.00	0.00	105,346.71	30,346.71	

CASE REF.	WARD	SCHEME / PLANNING REFERENCE	TOTAL INCOME AS AT 30/6/11	TOTAL EXPENDITURE AS AT 30/6/11	TOTAL EXPENDITURE AS AT 31/3/11	BALANCE OF FUNDS AS AT 30/6/11	BALANCE SPENDABLE NOT ALL OCATED AS AT 30/6/11	COMMENTS (as at mid August 2011)
PORTFOLIO: FINANCE PROPERTY & BUSINESS SERVICES								
E/46/176B	Northwood	Former True Lovers' Knot Public House, Rickmansworth Road, Northwood 277/17/APP/2007/1440	21,195.00	0.00	0.00	21,195.00	0.00	Funds received towards the costs of providing environmental improvements at "The Gravel Pits" within the vicinity of the Development or other green space within the Borough. No time constraints. Area officer is drawing up a programme of works to be implemented at this site. Funds allocated towards scheme of improvements at The Gravel Pits. (Cabinet Member Decision 3/9/2010).
E/47/177B	Manor	41-55, Windmill Hill, Ruislip planning ref.48283/APP/2006/2353	38,258.39	0.00	0.00	38,258.39	0.00	Funds received towards open green space and recreational open space within a 3 mile radius of the land. This sum includes approximately £8k for bins and benches and £30k for children's play space. Funds not spent within 5 years of receipt (24 December 2012) are to be refunded. Officers currently drawing up a programme of works for Warrender Park. Funds allocated towards a scheme of improvements at Warrender Park (Cabinet Member Decision 3/9/2010).
E/48/181A	West Ruislip	Bury Wharf, Bury Street Ruislip. Planning ref. 19033/APP/2007/3269	2,030.70	1,315.31	1,315.31	715.39	0.00	Funds received for an interpretation sign to be located in the nearby plot of land known as Murphy's field, more particularly described as Public Open Space to the south of the development site immediately adjoining Ducks Hill Road. Interest accrued must be applied to the above purpose. Funds not spent prior to 8 February 2013 are to be refunded. Project complete, awaiting invoices. Spend against revenue account, costs to be journalled to show for March quarter. Journal completed.
E/50/180B	Northwood Hills	16, Watford Rd and 36, Brookend Drive, Northwood planning ref. 62535/APP/2007/2726	20,253.00	0.00	0.00	20,253.00	0.00	Funds received towards the costs of providing local open space facilities at Frithwood Park within the vicinity of the development or other green spaces within the borough of Hillingdon. No time limits. Officers looking at programme of improvements for Frithwood Park. Funds allocated towards the provision of a new play area at Frithwood Park. (Cabinet Member Decision 3/9/2010).
E/56/200C	Manor	Former Ruislip Manor Library, Victoria Road, Ruislip. 14539/APP/2008/2102	5,652.00	0.00	0.00	5,652.00	0.00	Funds received towards improvements to nearby open space facilities. No time limits for spend. Funds allocated towards improvements at Bessingby Park Complex. (Cabinet Member Decision 3/6/2010).
E/57/205D	Eastcote	RAF Eastcote, Lime Grove, Ruislip. 10189/APP/2004/1781	118,803.95	0.00	0.00	118,803.95	118,803.95	Contribution received towards the provision or improvement of outdoor sports pitch facilities within a 300m radius of the land. Funds to be spent by September 2014.
E/58/205E	Eastcote	RAF Eastcote, Lime Grove, Ruislip. 10189/APP/2004/1781	28,275.50	0.00	0.00	28,275.50	0.00	Contribution received to improve the High Grove Nature Reserve and upgrade the path network. Works are specified in the agreement. Funds to be spent by Sept 2011.
E/60/215C	Ruislip	5 - 11 Reservoir Road, Ruislip. 61134/APP/2006/260	28,994.76	0.00	0.00	28,994.76	28,994.76	Contribution received towards open space/recreation improvements or other green spaces in the locality. No time limits on spend.
E/61/217B	Harefield	34 High Street, Harefield. 259/APP/2009/2391	7,000.00	0.00	0.00	7,000.00	7,000.00	Funds received towards additional or improved recreation/open space facilities within a 3 mile radius of the site. No time limit.
E/62/231E	Ruislip	Former RAF Ruislip (Ickenham park), High Road, Ickenham. 38402/APP/2007/1072	146,879.75	0.00	0.00	146,879.75	0.00	Funds received as a commuted sum towards the maintenance of the playing fields as part of the scheme for a period of 10 years. Spend subject to conditions as stipulated in the legal agreement.
E/63/231F	Ruislip	Former RAF Ruislip (Ickenham park), High Road, Ickenham. 38402/APP/2007/1072	30,000.00	0.00	0.00	30,000.00	30,000.00	Funds to be used for works to improve that part of the Hillingdon Trail which lies outside the boundaries of the development. Funds are to be spent within 5 years of receipt (November 2015).

CASE REF.	WARD	SCHEME / PLANNING REFERENCE	TOTAL INCOME	TOTAL INCOME	TOTAL EXPENDITURE	TOTAL EXPENDITURE	BALANCE OF FUNDS	BALANCE SPENDABLE NOT ALL OCATED	COMMENTS (as at mid August 2011)
			AS AT 30/6/11	AS AT 31/3/11	AS AT 30/6/11	AS AT 31/3/11	AS AT 30/6/11	AS AT 30/6/11	
		SOCIAL SERVICES HEALTH & HOUSING SUB-TOTAL	525,091.73	509,059.53	0.00	0.00	525,091.73	0.00	
		SECTION 106 SUB - TOTAL	5,489,979.62	5,026,159.38	804,651.25	669,595.46	4,685,328.37	2,824,990.83	
		GRAND TOTAL ALL SCHEMES	5,693,417.34	5,209,815.10	894,384.94	757,712.75	4,799,032.40	2,824,990.83	
NOTES									
The balance of funds remaining must be spent on works as set out in each individual agreement.									
Bold and strike-through text indicates key changes since the Cabinet report for the previous quarter's figures.									
Income figures for schemes within shaded cells indicate where funds are held in interest bearing accounts.									
* Denotes funds the Council is unable to spend currently (totals £552,883.09)									
*24: PT/25 £37,425.09 reasonable period' for expenditure without owner's agreement has lapsed									
*32: PT/278/46 £5,000.00 is to be held as a returnable security deposit for the highway works (to be later refunded).									
*49: PT/278/63 £5,000.00 is to be held as a returnable security deposit for the highway works (to be later refunded).									
*55: H/9/184C £21,675.10 funds have been received to provide health care facilities in the borough therefore are for the Hillingdon PCT to spend.									
*57: H/11/195B £3,156.00 funds have been received to provide health care services in the borough therefore are for the Hillingdon PCT to spend.									
*58: H/12/197B £11,440.00 funds have been received to provide health care services in the borough therefore are for the Hillingdon PCT to spend.									
*62: PT/278/77/197 £23,000.00 held as security for the due and proper execution of the works.									
*65: H/15/205F £184,653.23 funds have been received to provide health care services in the borough therefore are for the Hillingdon PCT to spend.									
*66: PT/278/72 £18,000.00 funds received as a security deposit to ensure proper execution of works									
*71: H/19/231G £193,305.00 funds have been received to provide Health Care services in the borough therefore are for the Hillingdon PCT to spend.									
*72: H/20/238F £19,409.79 funds have been received to provide Health Care services in the borough therefore are for the Hillingdon PCT to spend.									
*73: H/21/237D £22,455.88 funds have been received to provide Health Care services in the borough therefore are for the Hillingdon PCT to spend.									
*74: H/22/239E £7,363.00 funds have been received to provide Health Care services in the borough therefore are for the Hillingdon PCT to spend.									
*76: PT/78/238G £5,000.00 is to be held as a returnable security deposit for the highway works (to be later refunded).									
£552,883.09									

Item No. Report of the Head of Planning & Enforcement Services

Address 36 & 38 CHESTER ROAD NORTHWOOD

Development: Changes to rear elevation, windows to include wider rear doors. (Application for non-material amendment following grant of appeal decision ref: APP/R5510/A/06/2008833/NWF dated 27/07/2006; Erection of 24-bedroom care home with refurbishment and alterations to no.34 Chester Road and associated parking, involving the demolition of nos.36 and 38 Chester Road)

LBH Ref Nos: 50613/APP/2011/397

Drawing Nos: Un-numbered Approved and Proposed Elevations
Un-numbered Approved and Proposed Floor Plans

Date Plans Recieved: 17/02/2011

Date(s) of Amendment(s):

Date Application Valid: 18/02/2011

REASON FOR URGENCY

An appeal has been lodged against non-determination of the application within the statutory time frame and the Council needs to submit its statement against the appeal by the 4th November, which is prior to the date of the next available North Planning Committee meeting.

Amendment Details

This non-material amendment application seeks part retrospective approval for 'changes to the rear elevation, windows to include wider doors etc'.

There is no requirement to carry out any consultation on non-material amendment applications, as by definition, the changes should not be material. However, in this case, the following correspondence has been received:

A petition with 22 signatories has been received, stating:

'The petition is in two parts:

(A) Against application 50613/APP/2011/397 which is a proposal to accept deviations in the designs approved by the Government Inspector APP/R5510/A/06/2008833 dated 27/07/2006.

(B) Against other serious deviations which are not being included in applications 50613/APP/2011/397 and are therefore not subject to the approval of the planning committee.

We the undersigned are opposed to Application 50613/APP/2011/397 which is a major deviation from the Inspector's approved design. The rear design of the

building has been reversed, external windows have been replaced by enlarged doors, and the decking at the main rear exit is too large and too high, overlooking neighbours gardens.

We the undersigned are opposed to other deviations which have not been included in Application 50613/APP/2011/397, namely: The lift shaft protrudes through the roof - not approved because it does not appear on any of the design drawings; All dormer windows are too large - without approval; Windows shown to have obscure glass on the design drawings have been fitted with clear glass - so that neighbours can see through each others building; Large satellite, TV and radio antenna has been erected without planning approval; Foul drainage, which is ultimately the responsibility of the London Borough of Hillingdon, does not follow the original design.

It is important to note that without the support of Councillor Scott Seaman-Digby and Malcolm Ruddock (Northwood Residents) Application 50613/APP/2011/397 would not have been listed to come before the Planning Committee.'

A neighbour has also commented on this application in two letters as follows:

- (i) We were not consulted on this application,
- (ii) Current application is incomplete as a number of deviations from the planning permission have been ignored, namely (i) all dormers at the front and rear have been extended and size of mansard roof has increased, (ii) lift shaft protrudes through the roof which restricts light within building, which does not form part of approved scheme or on this application, (iii) rear elevation has been reversed with two windows/doors increased in size - to decking area and adjacent to No. 40 and size of doors on site are twice that shown of the plans,
- (iii) Proposed glass balustrade to lounge will restrict outward opening doors but if changed so open inwards, proposed doors would allow noise from this very large lounge, compounded by adjacent decking area,
- (iv) Doors to lounge adjacent to No. 40 would allow greater overlooking of neighbouring garden,
- (v) Documents do not show length of decking area,
- (vi) Side windows have been fitted with clear glass and approval was for obscure glass so kitchen/dining area of NO. 40 is overlooked,
- (vii) Any deviations from approved drawings need to be considered and this should be by Members of the Planning Committee,
- (viii) A Party Wall Act prepared between No. 40 and Seymour Homes to deal with drainage has been ignored.
- (ix) Antennas have been installed on the building without the necessary permission,
- (x) 14 external lights have been sited on the building and are left on overnight,
- (xi) Assume rubbish enclosure and bike store still to be sited at rear of building,
- (xii) Height and length of decking is unacceptable and they do not have approval for this.

Northwood Residents' Association:

BE13: All the dormer windows are larger than those shown upon the current plan.

The current plan does not show the front elevation. These large windows do not match the others in this Area of Special Architectural Interest. They have not been approved. The exposed lift housing has not been approved and is unsightly. BE19: the same exposed lift casing obstructs light to an adjacent rooflight. BE23: The window on the ground floor east elevation has clear glass and overlooks the kitchen window of number 40 and allows the occupants of 40 to see through to the opposite end of 36-38. This window should be obscurely glazed. The glazed doors to the eastern end of the rear elevation, when open will allow the noise from the lounge to affect neighbours at number 40. This room was not a lounge in the previous application and the elderly occupants are likely to be hard of hearing which means the television will be louder than normal. The doors are not glazed as per the diagram in this application. They should be replaced by the windows in the original application. The 14 external lights are on throughout the night and disturb nearby neighbours. This business premises is in a residential road and must not infringe on the amenity of residents. Environmental Protection UK recommend a maximum of 5 lux for suburban environments. The lights must be removed or their wattage compulsorily reduced. The raised decking outside the central doors of the rear elevation has not been erected yet but it will allow people using it to overlook the gardens of number 40 and 34. (The erection of a fence between 36 and 34 suggests 34 will not be part of the business and may become private accommodation.) This decking should be limited to a narrow platform to access the stairs to the garden. According to the Planning Portal the primary antenna should not exceed 100cms and the secondary should not exceed 60cms without planning permission. Both exceed these dimensions without prior planning permission.

Ward Councillor: Re-iterates the points raised by the Northwood Residents Association and requests that the application be presented to the North Planning Committee.

Planning Considerations

The submitted plans do show a wider opening in the previously approved dining room, described as a lounge on the proposed floor plan and French doors and side lights with a Juliette balcony to the lounge adjacent to No. 40. However, more extensive alterations are indicated on the plans, including the re-arrangement of internal rooms, installation of a new external staircase, alterations to the fenestration at basement level for which no floor plans have been provided and alterations to the openings in the front elevation for which no elevations have been provided.

In the absence of the application providing a full description and full details on plan of the amendments being sought, the Local Planning Authority cannot be sure that the amendments are non-material or assess the impact that they may have on the appearance of the building, the street scene and on adjoining occupiers.

Officer comments on correspondence received.

In terms of the concerns raised by the individual consultee, as regards point (i), there is no requirement to consult on a non-material amendment, although officers

would need to satisfy themselves that the amendments are indeed non-material. Point (ii) is noted and in part, forms part of the reason for refusal. Points (iii) and (iv) are noted, but as the openings are at the rear, a reason for refusal could not be justified. The other points raised are noted, but do not raise planning issues that specifically fall to be considered as part of this application, however the matter has been referred to the enforcement section for further investigation.

RECOMMENDATION

The reason for urgency is that an appeal has been lodged against non-determination of the application within the statutory time frame and the Council needs to submit its statement against the appeal by the 4th November.

1 NON2 Non Standard reason for refusal

In the absence of the application providing a full description of the amendments sought, comprehensive floor plans of all the floors affected and elevation drawings showing the full extent of the amendments shown on plan, the Local Planning Authority is unable to consider the full extent and impact of the proposed amendments. As such, the application fails to demonstrate that the amendments are non-material and would not be harmful to the appearance of the building, the street scene and the amenities of the surrounding area. The proposal is thus contrary to Policies BE13 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

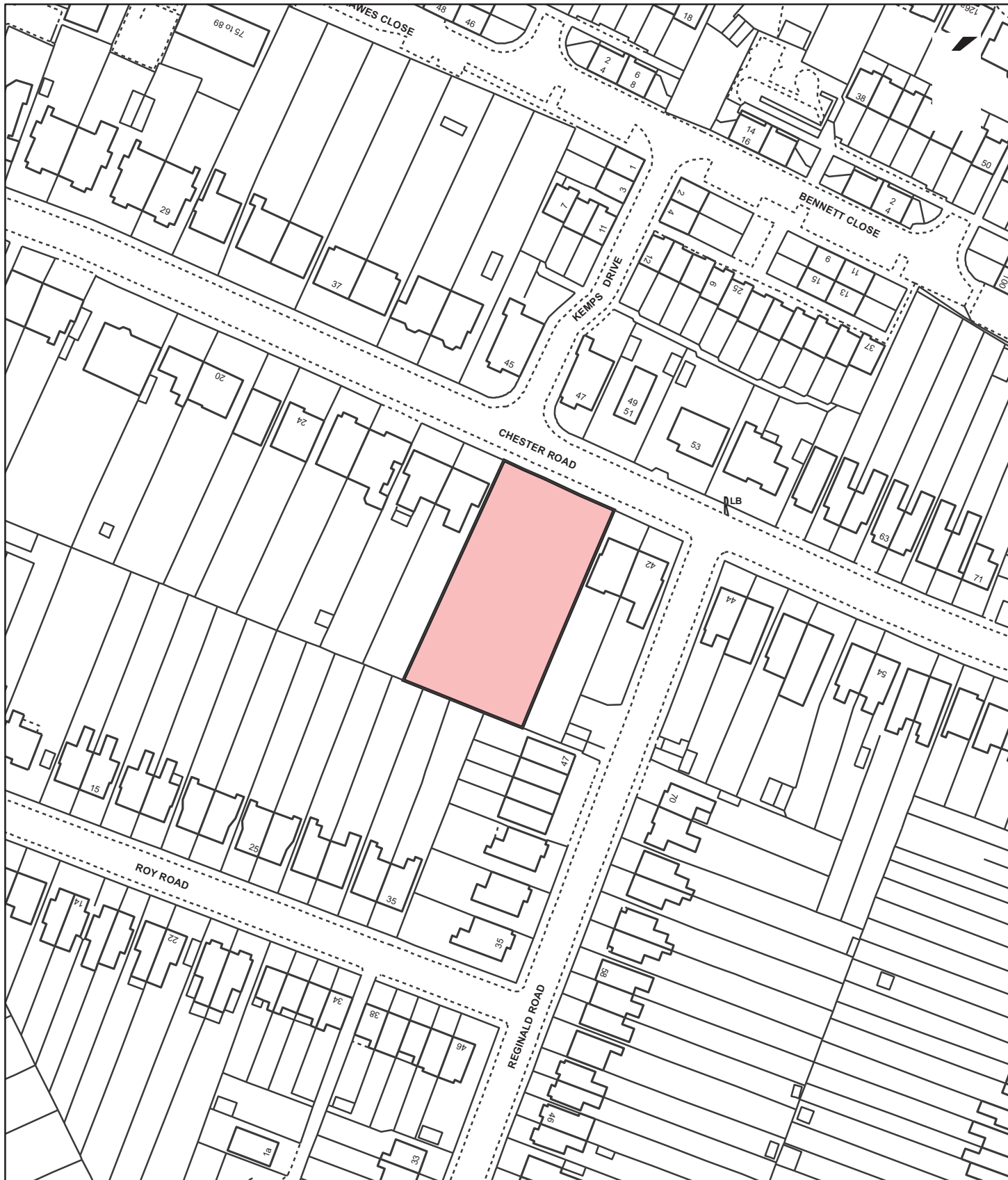
Informatives:



Policies:

- | | |
|------|---|
| BE13 | New development must harmonise with the existing street scene. |
| BE19 | New development must improve or complement the character of the area. |

Contact Officer: Richard Phillips

Telephone No: 01895 250230

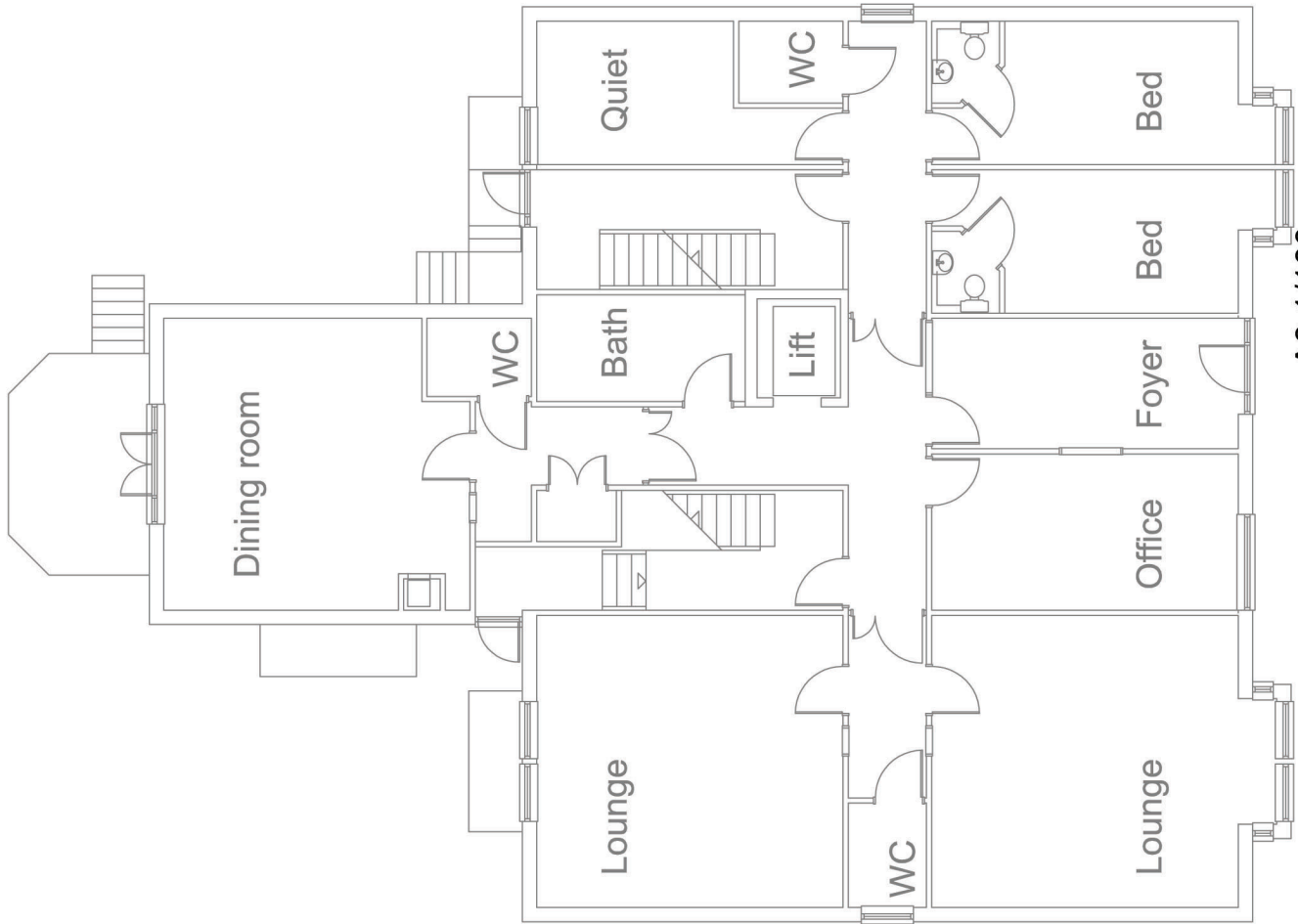


<p>Notes</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.</p> <p>© Crown Copyright. All rights reserved. London Borough of Hillingdon 100019283 2011</p>	<p>Site Address</p> <p>36 & 38 Chester Road Northwood</p>		<p>LONDON BOROUGH OF HILLINGDON</p> <p>Planning, Environment, Education & Community Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p>50613/APP/2011/397</p>	<p>Scale</p> <p>1:1,250</p>	
	<p>Planning Committee</p> <p>North Page 329</p>	<p>Date</p> <p>March 2011</p>	
		 <p>HILLINGDON LONDON</p>	

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Proposed floor plan



A3 1/100 PLANS



Approved floor plan

PROJECT	Proposed development, 2nd floor, 100 Northwood, London.
TITLE	ELEVATIONS
CLIENT	Seymore House Residential Care Homes Ltd.
SCALE	1/100
DRAWING	04/05/2010
REVISION	N/A

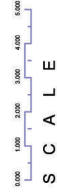


Rear elevation as Approved



Rear elevation as Proposed

MATERIALS
 Roof, Smooth synthetic grey slates
 Walls, Red stock facing bricks to approval
 Bands, Smooth red dental course as shown
 Windows, White UPVC double glazed
 Facias/soffit, White UPVC
 Ramp balustrade to detail
 French door balustrade glass



**A3 1/200
ELEVATIONS**

PROJECT Proposed development,
34 - 38 Chester Road,
Northwood,
Barnet

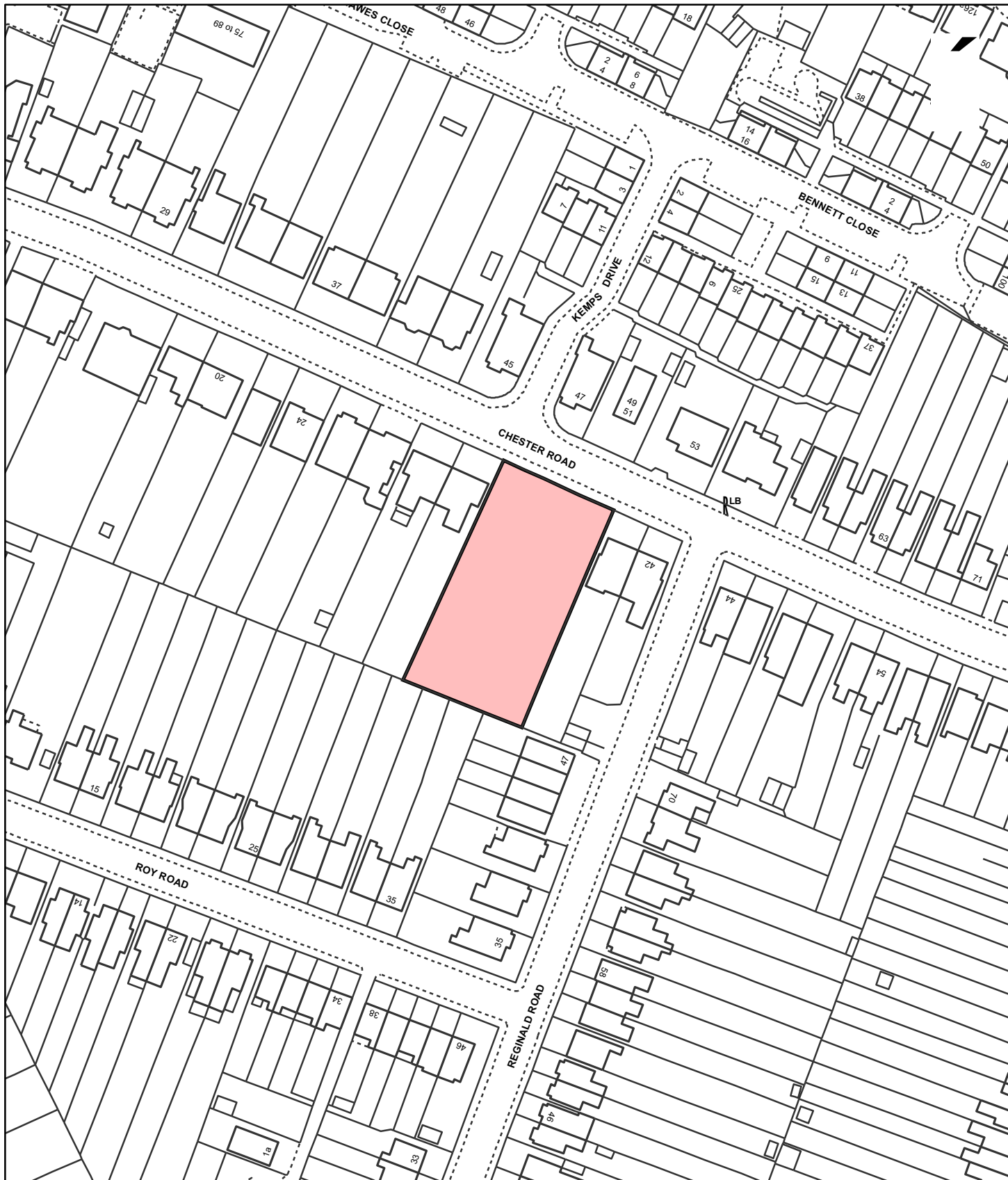
ELEVATIONS

CLIENT	Seymore House Residential Care Homes Ltd.
SCALE	1/200
DATE	JAN., 2011
DRAWING	04/05/2006
REVISION	N/A


Tel: 01304 619333
 Fax: 01304 611539
 E: info@designs-arc.com

ARCHITECTURE - PLANNING - SURVEYING - CONTRACT MANAGEMENT
 The Old School, School Road, Tottenham, Kent CT14 0EL

02/05/2010



Notes

 Site boundary

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Site Address	
36 & 38 Chester Road Northwood	
Planning Application Ref:	Scale
50613/APP/2011/397	1:1,250
Planning Committee	Date
North Page 333	March 2011

**LONDON BOROUGH
OF HILLINGDON**

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

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



HILLINGDON

LONDON

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Plans for North Planning Committee

25th October 2011



HILLINGDON
LONDON



INVESTOR IN PEOPLE

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Page 335

Report of the Head of Planning & Enforcement Services

Address HIGHGROVE HOUSE EASTCOTE ROAD RUISLIP

Development: Variation of Condition 3 - Minor material amendment to planning permission ref: 10622/APP/2009/2504 dated 11/02/2010: Refurbishment and conversion of listed building to 12 residential units and erection of 4 two-bedroom mews dwellinghouses and associated works (time extension of planning permission ref: 10622/APP/ 2006/2490 dated 11/01/2007) to allow alterations to the siting and design of the two blocks of mews housing (Retrospective application).

LBH Ref Nos: 10622/APP/2010/1822

Date Plans Received:	03/08/2010	Date(s) of Amendment(s):	18/11/2009
Date Application Valid:	20/09/2010		18/03/2010
			19/04/2010
			25/06/2010
			14/07/2010
			28/07/2010
			03/08/2010
			20/09/2010
			14/10/2010
			21/10/2010
			08/11/2010
			26/11/2010
			24/02/2011
			14/03/2011
			16/03/2011
			03/05/2011
			12/05/2011
			25/06/2011
			27/06/2011
			28/06/2011

NOTES:

- EXISTING LEVELS TO BE GENERALLY MAINTAINED. NEW LEVELS ARE INDICATED BY [Symbol]
- THE GRADING IS TO BE BASED IN CONJUNCTION WITH A LIAISON ARCHITECT'S DRAWING (KINCAID/07/01), PATRICK STEWART ARCHITECTURAL PARTNERSHIP, AND THE ENVIRONMENTAL AND CONSTRUCTION MANAGEMENT PLAN.

LEGEND:

- Existing Level
- Proposed Level
- Spot Elevation
- Spot Elevation
- Spot Elevation

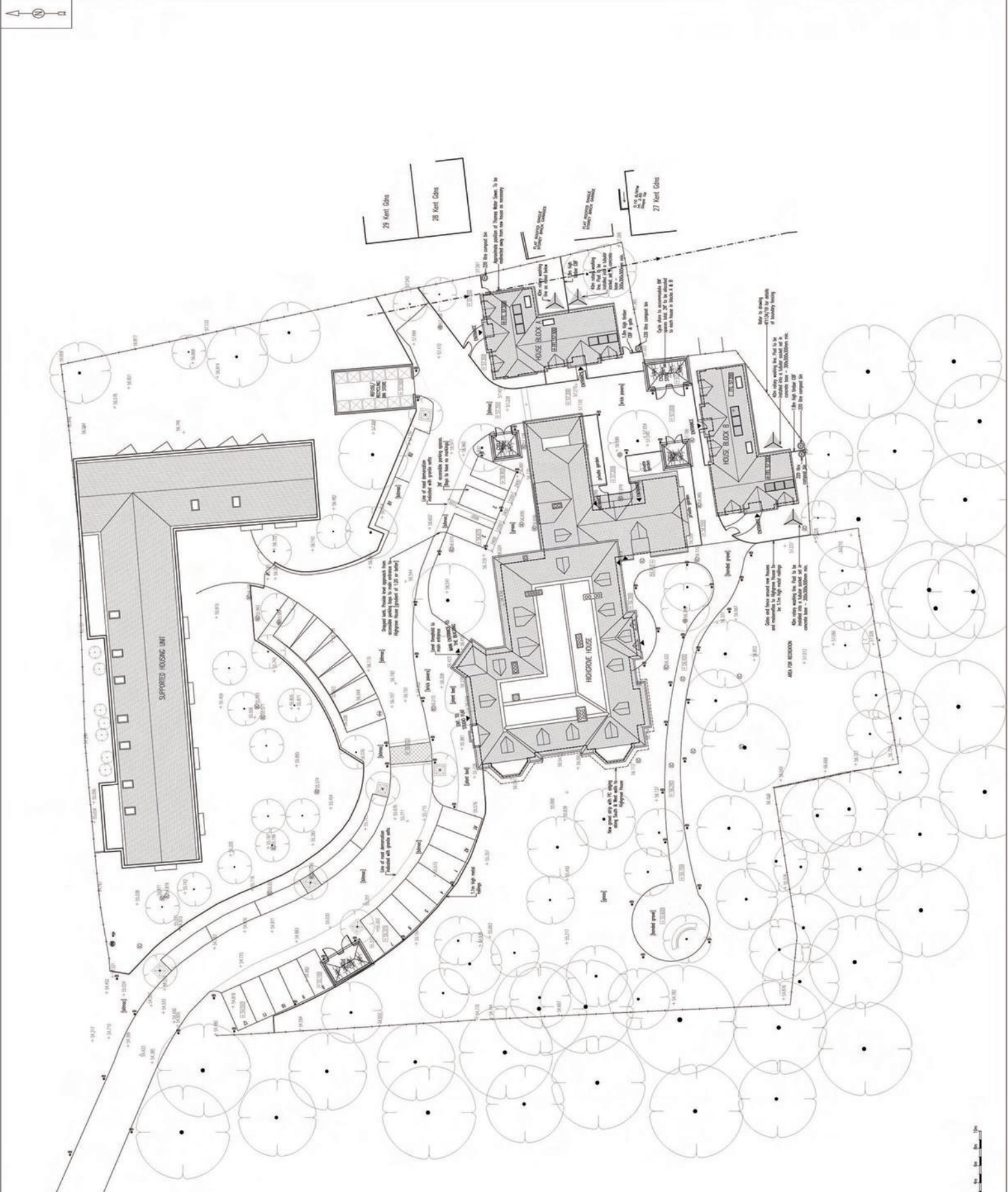
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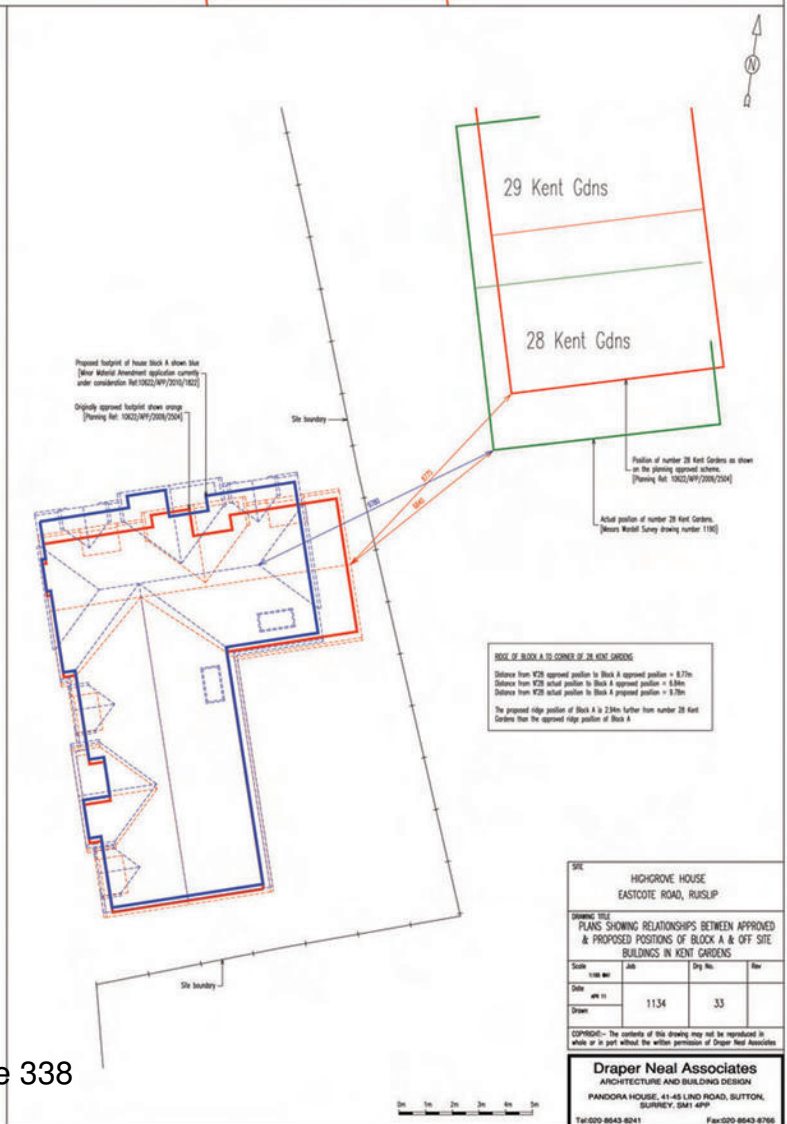
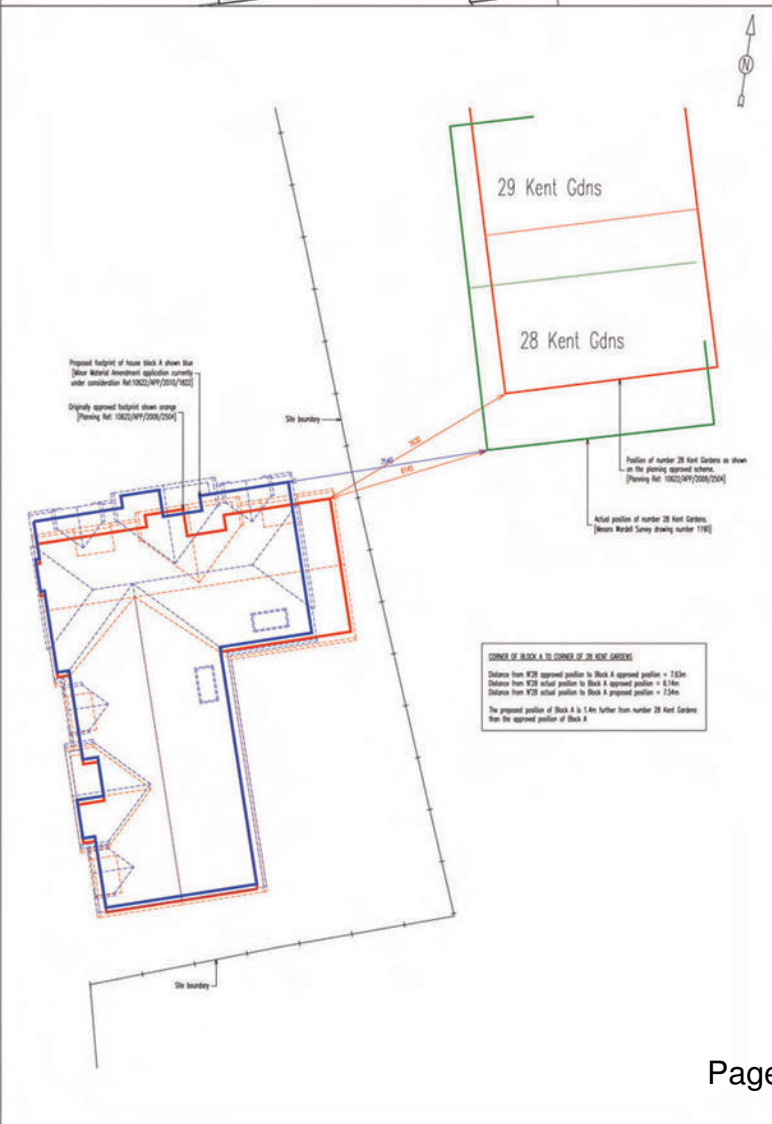
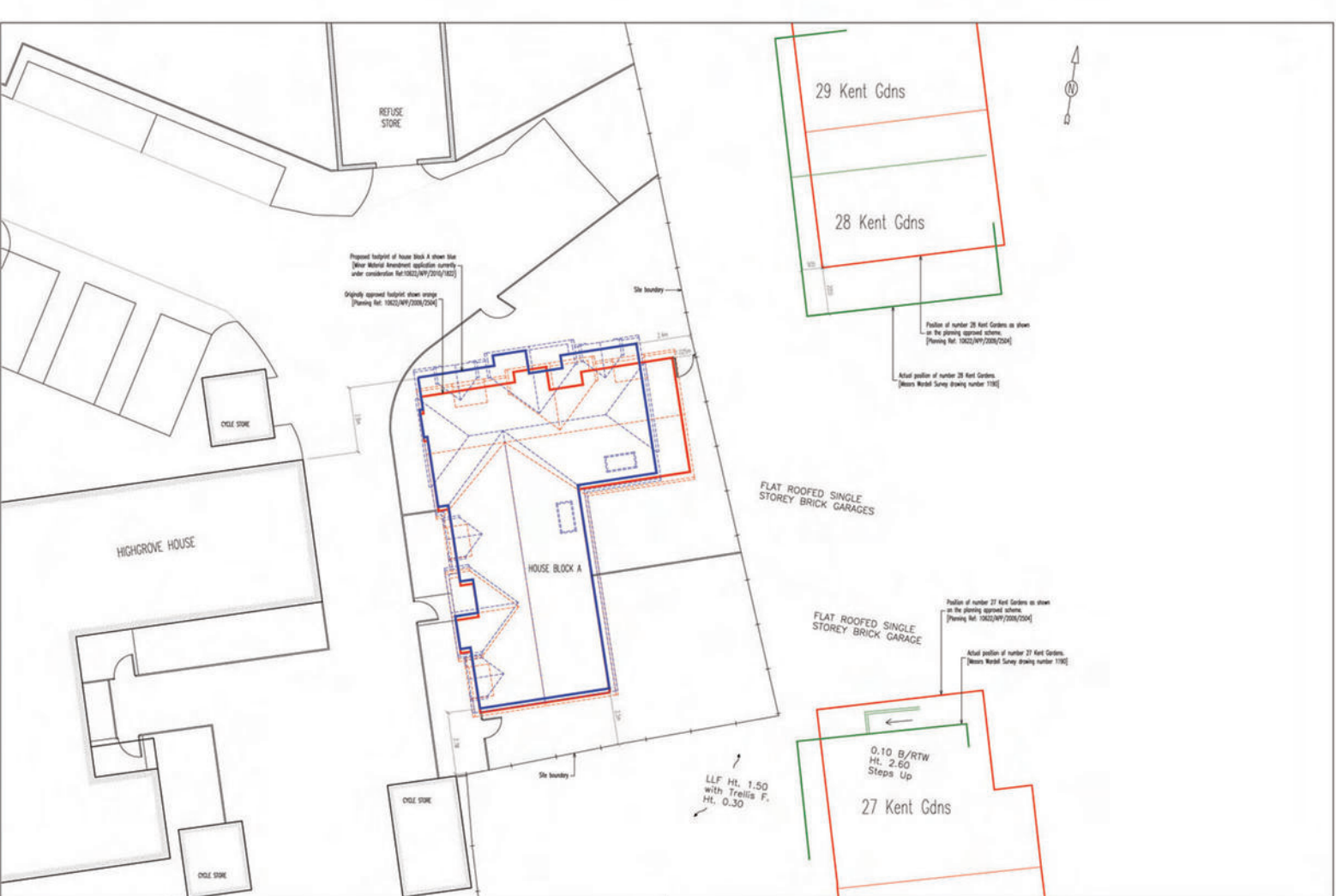
PROJECT: HICKROCK HOUSE, EASTCOTE ROAD, ROSELIP

DRAWING TITLE: PROPOSED SITE LAYOUT

Scale	1:1250
Date	11/24/11
Drawn	09
Checked	N

DRAPER NEAL ASSOCIATES
ARCHITECTURE AND LANDSCAPE DESIGN
PANDORA HOUSE, 41-45 LIND ROAD, BUTTON, SURREY, SMT 4P9
TEL: 604-885-8888





SITE: HIGHGROVE HOUSE
EASTCOTE ROAD, RUSLIP

DRAWING TITLE: PLANS SHOWING RELATIONSHIPS BETWEEN APPROVED & PROPOSED POSITIONS OF BLOCK A & OFF SITE BUILDINGS IN KENT GARDENS

Scale	Job	Day No.	Rev
1:100			
Drawn	1134	33	

DATE: 09/11

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Draper Neal Associates
ARCHITECTURE AND BUILDING DESIGN
PANDORA HOUSE, 41-45 LIND ROAD, BUTTON, SURREY, SM1 4PP
Tel:020 8643 8241 Fax:020 8643 8766

DRAWING EXTRACT OF PLANNING APPROVED SITE LAYOUT
 [APPROVAL REF: 10622/APP/2009/2504]
 OVERLAID WITH SURVEYED POSITION OF 28/29 KENT
 GARDENS [SHOWN IN RED]



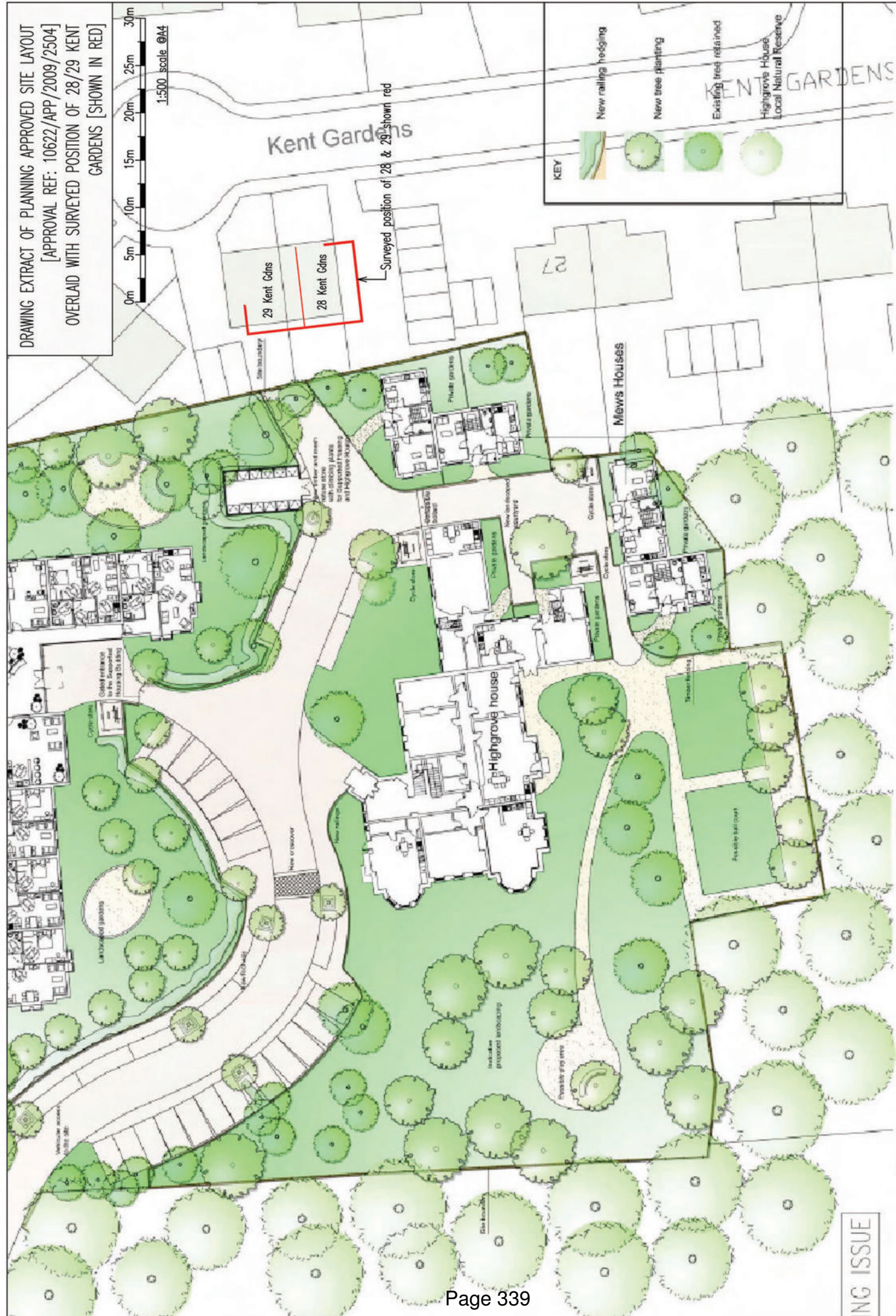
Kent Gardens

29 Kent Gdns
 28 Kent Gdns

Surveyed position of 28 & 29 shown red

KEY

- New railing hedging
- New tree planting
- Existing trees retained
- Highgrove House Local Natural Reserve



Client:	Augustus	Client:	London Borough of Hillingdon
Drawn:	LD	Project:	Highgrove House
Check:		No.:	Proposed Site Plan
Scale:	1:200	Issue:	J25-055-1 09/01/06
Revision:	rev B		

Drawn:	LD	Scale:	1:200
Check:		Issue:	J25-055-1 09/01/06
Scale:	1:200		

Notes:

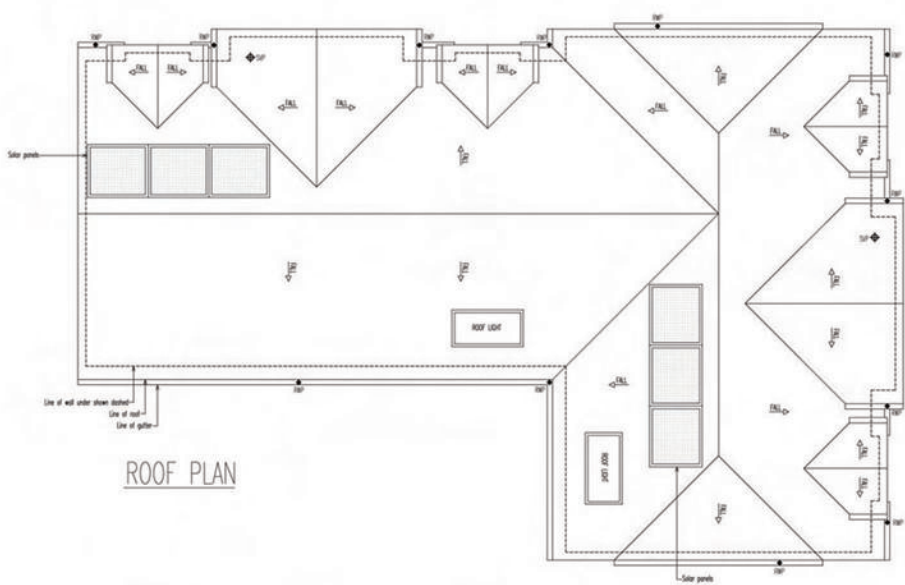
1. Please refer to the site plan and master plan for details of the site.
2. All new planting shall be planted in accordance with the planting schedule.
3. All new planting shall be planted in accordance with the planting schedule.

Notes:

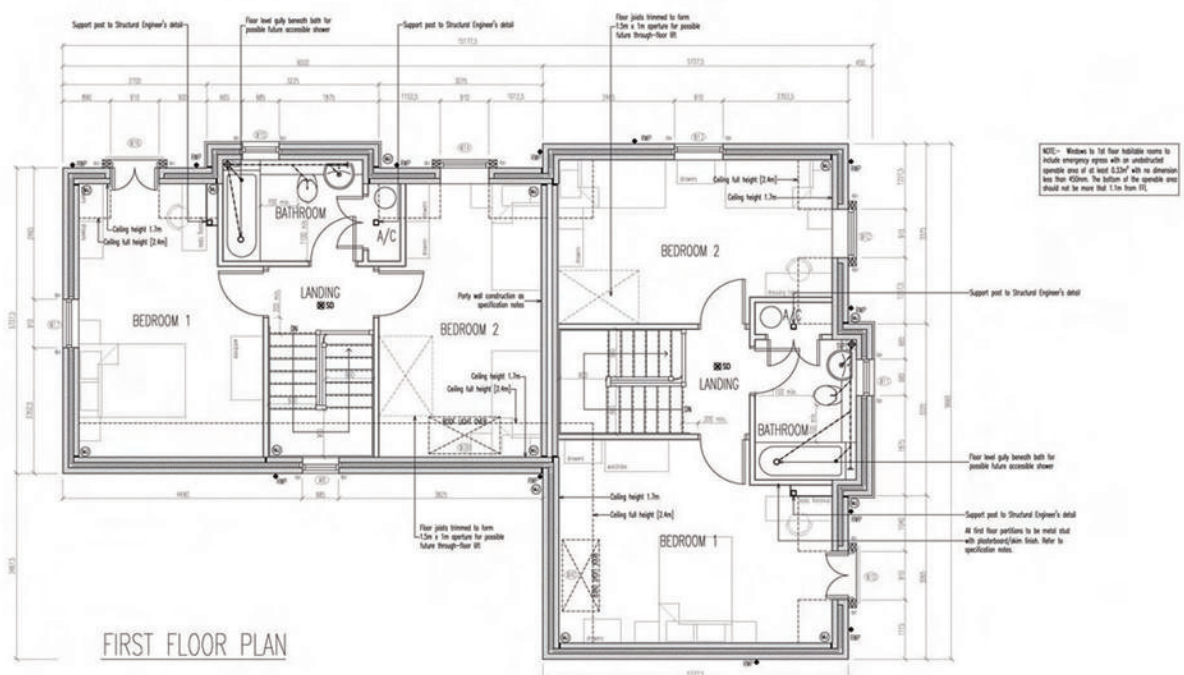
All new works shall be checked in situ. This drawing is copyright of Augustus Planning Ltd.

ING ISSUE

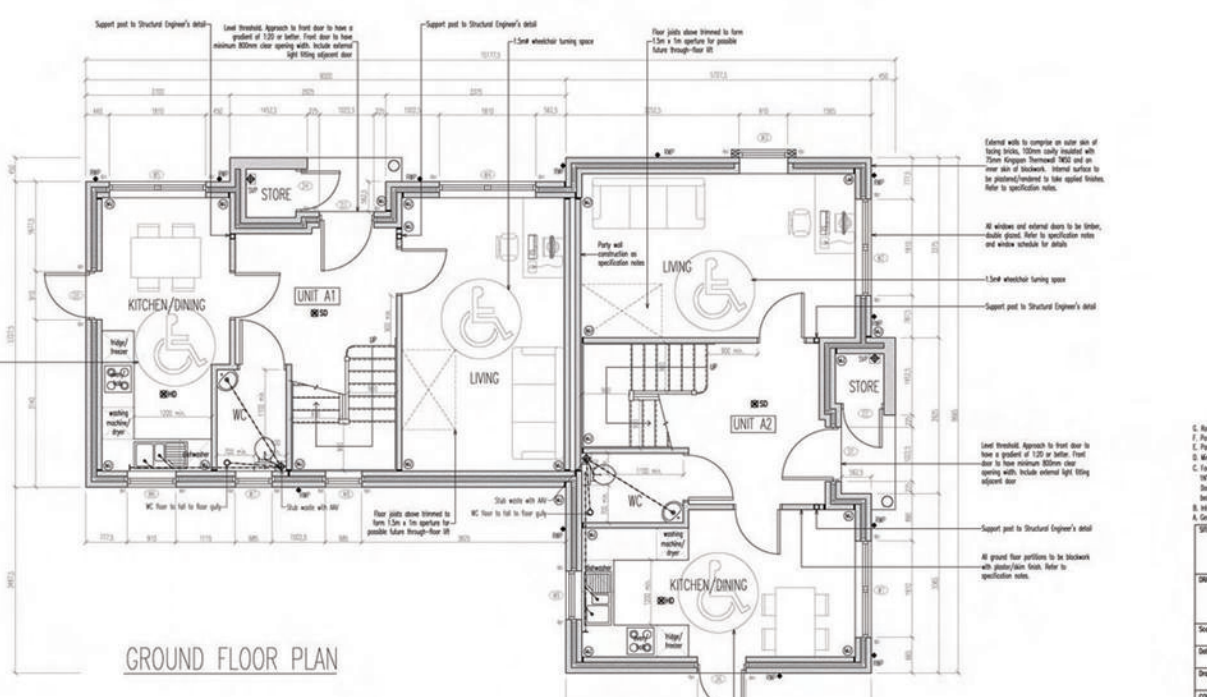
101 HALL DETECTOR
 102 HALL DETECTOR
 103 HALL DETECTOR



ROOF PLAN



FIRST FLOOR PLAN



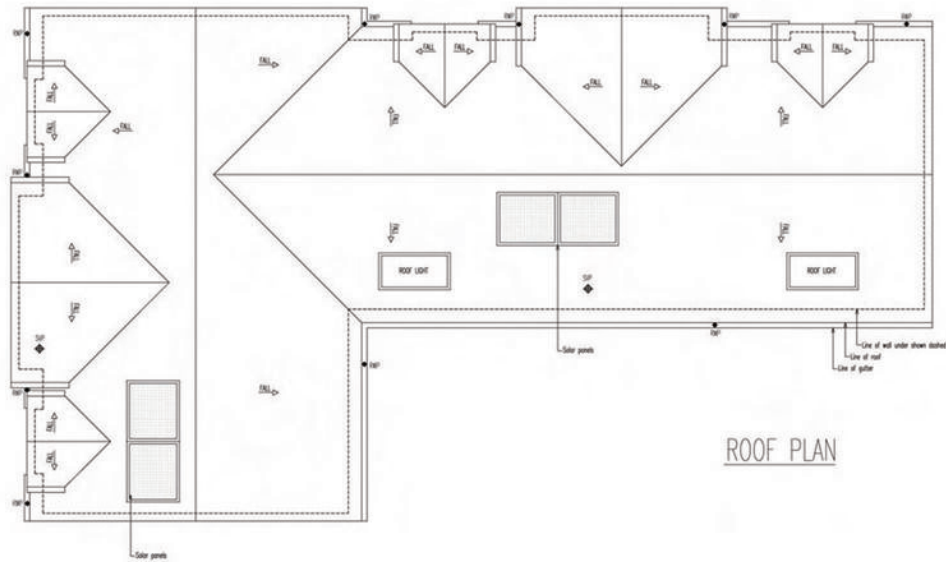
GROUND FLOOR PLAN

NOTE: Windows to full floor habitable rooms to include emergency egress with an unobstructed opening area of at least 0.33m² with no dimension less than 420mm. The bottom of the opening area should not be more than 1.1m from RL.

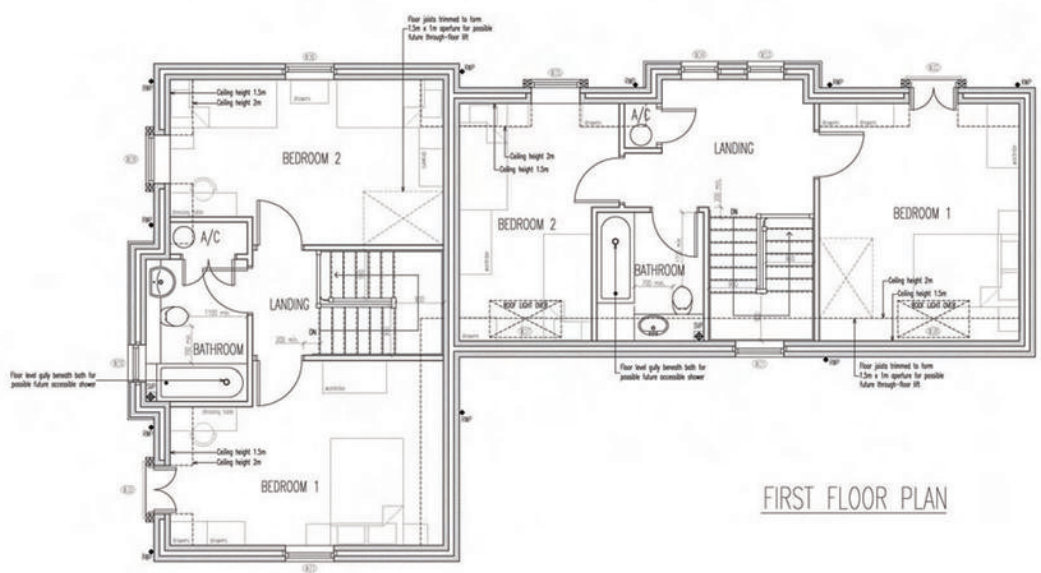
External walls to comprise an outer skin of facing bricks, 100mm cavity insulated with Stone Angoon Thermal WSI and an inner skin of blockwork. Internal surface to be plastered/rendered to like applied finishes. Refer to specification notes.
 All windows and external doors to be timber, double glazed. Refer to specification notes and window schedule for details.
 1.5m wheelchair turning space.
 Support post to Structural Engineer's detail.
 All ground floor partitions to be blockwork with plaster/floor finish. Refer to specification notes.

E. Roof to unit A2 changed to full top 18/09/11
 F. Position of kitchen cupboard added. Party wall changed 21/09/10
 G. Party wall change to be solid brick. Dimensions General revisions 22/09/10
 H. Minor revisions to suit Structural Engineer's details 21/09/10
 I. Disabled to unit A2 amended with associated internal layout changes 21/09/10
 J. Bathroom window to unit A2 amended and window added to unit 1 20/09/10
 K. Internal revisions following advice from LA Access Officer 20/09/10
 L. General revisions 20/09/10

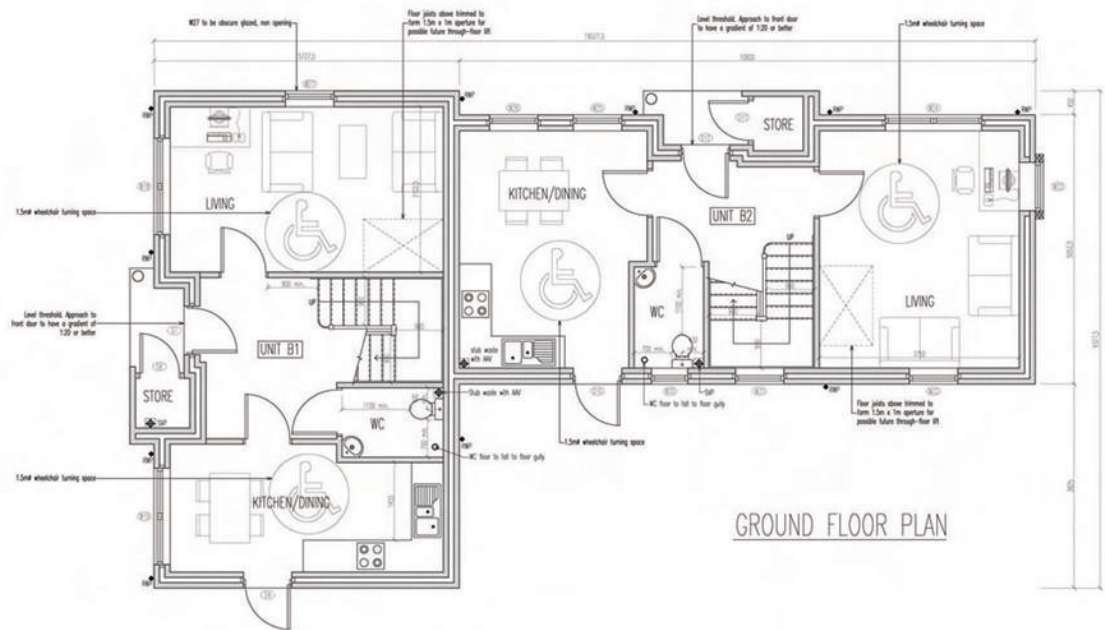
HIGHGROVE HOUSE EASTCOTE ROAD, RUSLIP			
DRAWING TITLE HOUSE BLOCK A PLANS AS PROPOSED			
Scale	1:50	Job No.	1134
Date	14/11/14	Drawn by	14
Drawn by	1134	Check by	G
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Draper Neal Associates ARCHITECTURE AND BUILDING DESIGN PANDORA HOUSE, 41-45 LIND ROAD, SUTTON, SURREY, SM1 4PP Tel: 020 8643 8241 Fax: 020 8643 8766			



ROOF PLAN



FIRST FLOOR PLAN



GROUND FLOOR PLAN

C. Surveys changed from flat to pitched roofs. Roof lights added to bedrooms in unit B2
 B. Staircase modified following advice from LA Access Officer
 A. General revisions

27/07/10
 26/08/10
 20/09/10

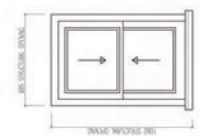
SRL			
HIGHGROVE HOUSE EASTCOTE ROAD, RUSELP			
DRAWING TITLE			
HOUSE BLOCK B PLANS AS PROPOSED			
Scale	1:50	1:50	1:50
Date	11/34	15	C
Drawn			

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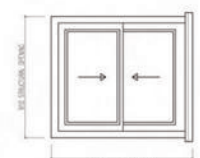
Draper Neal Associates
 ARCHITECTURE AND BUILDING DESIGN
 PANDORA HOUSE, 41-45 LIND ROAD, BUTTON,
 SURREY, SM1 4PP
 Tel: 020 8643 8241 Fax: 020 8643 8766

1. WINDOWS & DOORS
WINDOWS AND DOORS TO BE MANUFACTURED USING ALUMINUM CLAD GLASS (TYPE 1 GLASS) ACCORDING TO THE MANUFACTURER'S SPECIFICATIONS AND TO BE FINISHED WITH AN ANTI-REFLECTIVE COATING TO GIVE A FINISH OF NOT LESS THAN 1.000.
2. GLAZING IN DOORS
GLAZING IN DOORS SHALL BE MANUFACTURED WITH TYPE 1 GLASS SHALL BE TOLERANCE CLASS 1 TO THE EDGE AND FINISH ACCORDING TO IS 9000.
3. GLAZING ADJACENT TO DOORS
GLAZING IN DOORS WHICH IS ADJACENT TO WALLS OR PARTIALLY WALLS, SHALL BE MANUFACTURED WITH TYPE 1 GLASS AND FINISH ACCORDING TO IS 9000.
4. LOW LEVEL GLAZING
GLAZING IN DOORS WHICH IS ADJACENT TO WALLS OR PARTIALLY WALLS, SHALL BE MANUFACTURED WITH TYPE 1 GLASS AND FINISH ACCORDING TO IS 9000.
5. VENTILATION
DOORS AND WINDOWS SHALL BE MANUFACTURED WITH A VENTILATION SYSTEM OF NOT LESS THAN 100MM FROM THE FINISH SURFACE OF THE WALL OR PARTIALLY WALL.
6. FIRST FLOOR WINDOWS
ALL WINDOWS TO FIRST FLOOR SHALL BE MANUFACTURED WITH TYPE 1 GLASS AND FINISH ACCORDING TO IS 9000.
7. FINISHES
ALL FINISHES SHALL BE MANUFACTURED WITH TYPE 1 GLASS AND FINISH ACCORDING TO IS 9000.

FORMERS TO BE MANUFACTURED TO THESE STRUCTURAL SIZES.
WINDOWS TO BE GIVEN 12MM TOLERANCE IN WIDTH AND 10MM TOLERANCE TO BE GIVEN IN HEIGHT FROM THESE DIMENSIONS
-ALL CALLS TO CHECK OUT AND FOLLOW AROUND JAMBS
MULLIONS AND CORNER POSTS
-ALL WINDOWS VIEWED FROM OUTSIDE



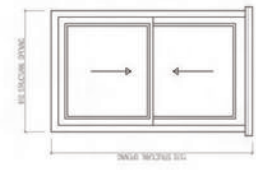
TYPE 4 - 7W
Window W5, W7, W8, W11, W12, W15, W20, W25



TYPE 3 - 3W
Window W5, W6, W8, W11

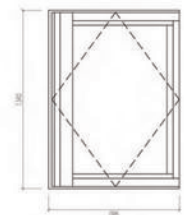


TYPE 2 - 7W
Window W5, W7, W8, W9, W10, W13, W14



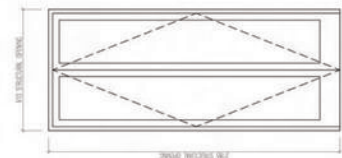
TYPE 1 - 7W
Window W5, W6, W7, W8, W9, W10, W11, W12, W13, W14, W15, W16, W17, W18, W19, W20, W21, W22, W23, W24, W25, W26, W27, W28, W29, W30, W31, W32, W33, W34, W35, W36, W37, W38, W39, W40, W41, W42, W43, W44, W45, W46, W47, W48, W49, W50, W51, W52, W53, W54, W55, W56, W57, W58, W59, W60, W61, W62, W63, W64, W65, W66, W67, W68, W69, W70, W71, W72, W73, W74, W75, W76, W77, W78, W79, W80, W81, W82, W83, W84, W85, W86, W87, W88, W89, W90, W91, W92, W93, W94, W95, W96, W97, W98, W99, W100

[NOTE:- W27 to be double glazed, non opening]

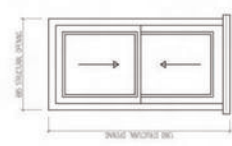


TYPE 8 - 4W
Window W5, W7, W8, W9, W10, W11, W12, W13, W14, W15, W16, W17, W18, W19, W20, W21, W22, W23, W24, W25, W26, W27, W28, W29, W30, W31, W32, W33, W34, W35, W36, W37, W38, W39, W40, W41, W42, W43, W44, W45, W46, W47, W48, W49, W50, W51, W52, W53, W54, W55, W56, W57, W58, W59, W60, W61, W62, W63, W64, W65, W66, W67, W68, W69, W70, W71, W72, W73, W74, W75, W76, W77, W78, W79, W80, W81, W82, W83, W84, W85, W86, W87, W88, W89, W90, W91, W92, W93, W94, W95, W96, W97, W98, W99, W100

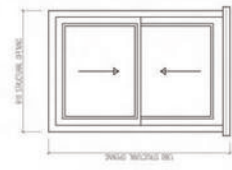
[Note: roof light not: G4, G4A, Timber frame, Centre pane]



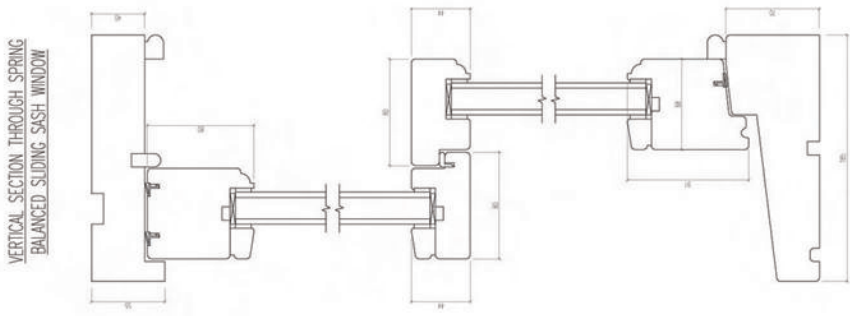
TYPE 7 - 4W
Window W5, W10, W15, W16, W20, W22



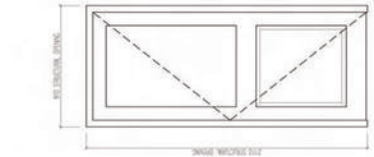
TYPE 6 - 2W
Window W5, W6, W8, W14



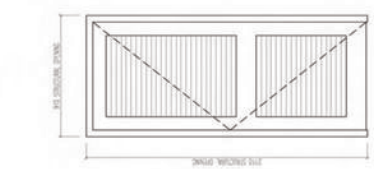
TYPE 5 - 7W
Window W5, W12, W13, W14, W17, W18, W21, W25



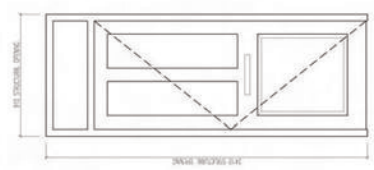
NOTE:- ALL FABRICATION DIMENSIONS TO BE GIVEN BY THE MANUFACTURER TO SUIT THE DIMENSIONS OF STRUCTURAL OPENINGS



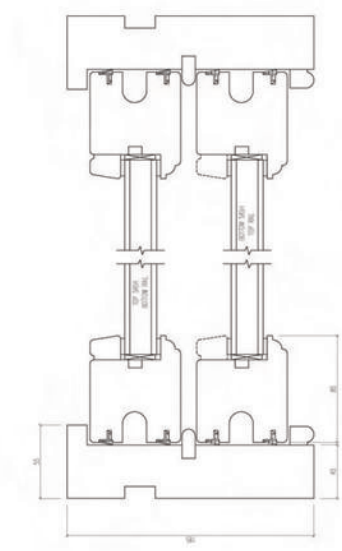
TYPE 10 - 4D
Door W5, W6, W8, W9, W10, W11, W12, W13, W14, W15, W16, W17, W18, W19, W20, W21, W22, W23, W24, W25, W26, W27, W28, W29, W30, W31, W32, W33, W34, W35, W36, W37, W38, W39, W40, W41, W42, W43, W44, W45, W46, W47, W48, W49, W50, W51, W52, W53, W54, W55, W56, W57, W58, W59, W60, W61, W62, W63, W64, W65, W66, W67, W68, W69, W70, W71, W72, W73, W74, W75, W76, W77, W78, W79, W80, W81, W82, W83, W84, W85, W86, W87, W88, W89, W90, W91, W92, W93, W94, W95, W96, W97, W98, W99, W100



TYPE 9 - 4D
Door W5, W6, W8, W9, W10, W11, W12, W13, W14, W15, W16, W17, W18, W19, W20, W21, W22, W23, W24, W25, W26, W27, W28, W29, W30, W31, W32, W33, W34, W35, W36, W37, W38, W39, W40, W41, W42, W43, W44, W45, W46, W47, W48, W49, W50, W51, W52, W53, W54, W55, W56, W57, W58, W59, W60, W61, W62, W63, W64, W65, W66, W67, W68, W69, W70, W71, W72, W73, W74, W75, W76, W77, W78, W79, W80, W81, W82, W83, W84, W85, W86, W87, W88, W89, W90, W91, W92, W93, W94, W95, W96, W97, W98, W99, W100



TYPE 8 - 4D
Door W5, W6, W8, W9, W10, W11, W12, W13, W14, W15, W16, W17, W18, W19, W20, W21, W22, W23, W24, W25, W26, W27, W28, W29, W30, W31, W32, W33, W34, W35, W36, W37, W38, W39, W40, W41, W42, W43, W44, W45, W46, W47, W48, W49, W50, W51, W52, W53, W54, W55, W56, W57, W58, W59, W60, W61, W62, W63, W64, W65, W66, W67, W68, W69, W70, W71, W72, W73, W74, W75, W76, W77, W78, W79, W80, W81, W82, W83, W84, W85, W86, W87, W88, W89, W90, W91, W92, W93, W94, W95, W96, W97, W98, W99, W100



HORIZONTAL SECTION THROUGH SPRING BALANCED SLIDING SASH WINDOW
NOTE:- ALL FABRICATION DIMENSIONS TO BE GIVEN BY THE MANUFACTURER TO SUIT THE DIMENSIONS OF STRUCTURAL OPENINGS

It is hereby recommended that the following specifications be used for the construction of the building.

DATE: 20/07/20
20/07/20

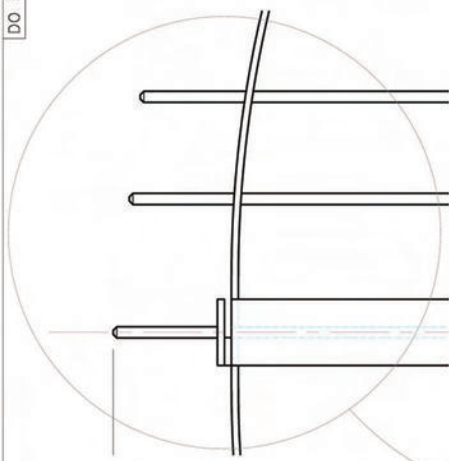
PROJECT: HIGGINS HOUSE
ESTIMATE NO. 1000000

CLIENT: HOUSE BLOCKS A & B
WINDOW & EXTERNAL DOOR DETAILS

Scale	As per drawing	Page No.	18
Date	11/14	Rev.	0

PROJECT: HIGGINS HOUSE
ARCHITECTURE AND BUILDING DESIGN
PANDORA HOUSE, 41-45 LIND ROAD, BUTTON,
SURREY, SM1 4PP
TEL: 01883 800000

DO NOT SCALE PRINT	REVISION	NOTES	ENGINEERING APPROVAL
	A	01 JULY 2010	
	B	29 JULY 2010	
	C	10 AUG 2010	
	D	02 SEPT 2010	

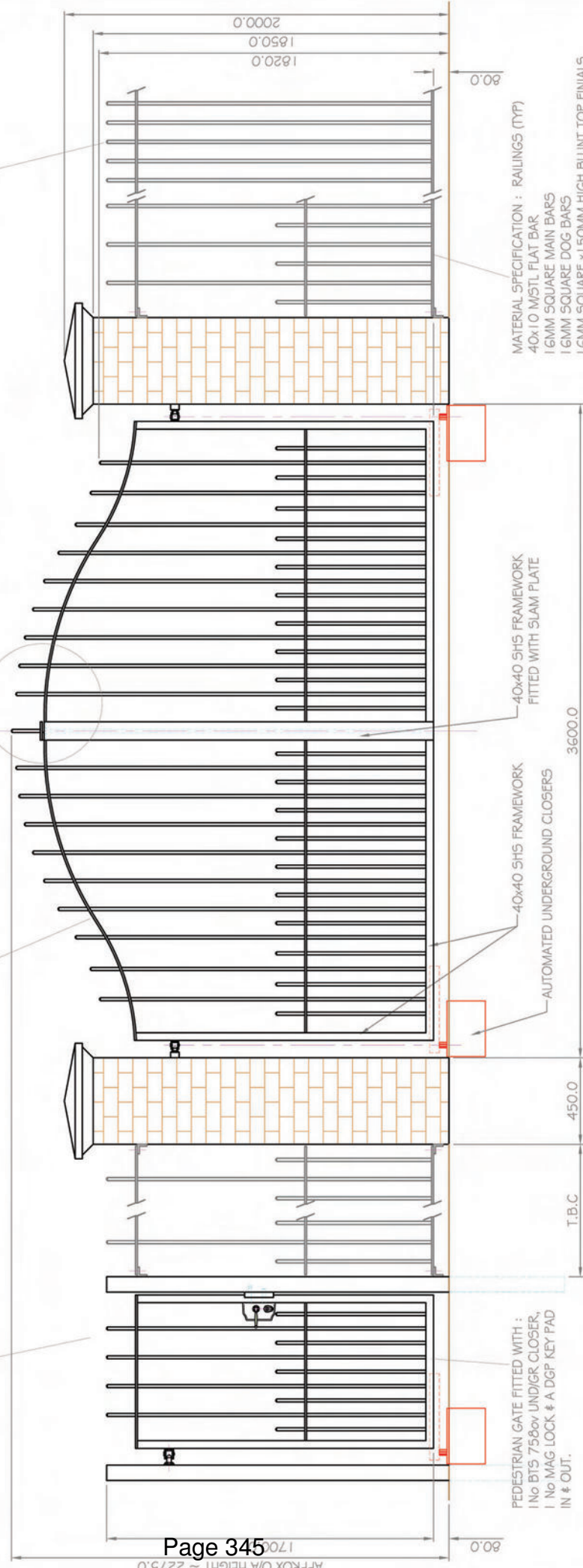


WHEN FENCE CHANGES DIRECTION STYLE CHANGES BY OMITTING DOG BARS AS SHOWN BELOW :

MATERIAL SPECIFICATION : RAILINGS (TYP)
 40x10 M5TL FLAT BAR
 16MM SQUARE MAIN BARS
 16MM SQUARE x150MM HIGH BLUNT TOP FINIALS

MATERIAL SPECIFICATION : AUTO DRIVEWAY GATES
 40x40 M5TL SH5 FRAMEWORK
 40x10 M5TL FLAT BAR
 16MM SQUARE MAIN BARS
 16MM SQUARE DOG BARS
 16MM SQUARE x150MM HIGH BLUNT TOP FINIALS

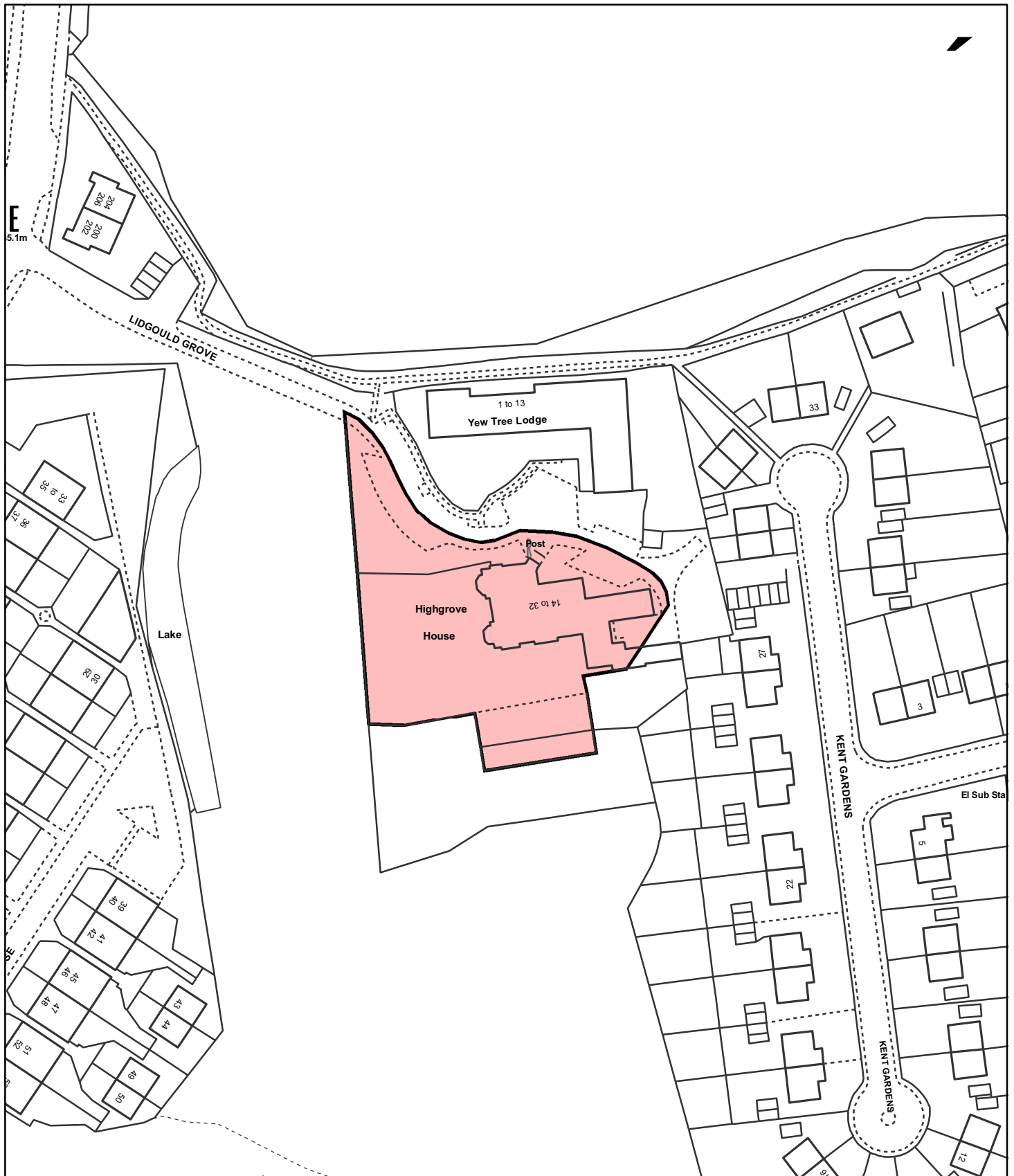
MATERIAL SPECIFICATION : PEDESTRIAN GATE
 80x80 M5TL SH5 SUPPORT & LATCHING P0515
 40x40 M5TL SH5 FRAMEWORK
 40x10 M5TL FLAT BAR
 16MM SQUARE MAIN BARS
 16MM SQUARE DOG BARS
 16MM SQUARE x150MM HIGH BLUNT TOP FINIALS




SIGNED APPROVAL FOR MANUFACTURE :
 MR SUNIL PANKHANIA of WESTCOMBE HOMES
 SIGNATURE : _____ DATE : _____
 CUSTOMER DETAILS : MR S. PANKHANIA
 TEL : 07968 859680

FINISH	MATERIAL	TOLERANCES	C.R.M	DRAMA	SCALE
HOT DIP GALVANISED TO EN ISO 1461 (85 MICRONS) THEN PPC BLACK GLOSS	MILD STEEL SECTIONS AS SPECIFIED ON DRAWING. SEE ABOVE FOR DETAILS	GENERAL ± 1.0 HOLE DIMENSIONS ± 0.50 HOLE POSING ± 0.50 CONCENTRICITY ± 0.50 ANGULAR ± 0.50	NT5	GATES	NT5
			01/07/10	DATE	MM
				TIME IN	SCALE

TITLE DETAILS		PROJECT		SHEET	
PROPOSED DESIGN LAYOUT OF AUTOMATED SPIKE TOP STYLE GATES FOR HIGHGROVE HOUSE EASTCOTE ROAD RUISLIP HA4 8BP (REF ~ SUNIL @ WESTCOMBE HOMES)		GATES -- WESTCOMBE HOMES		491 - 01	
DRG.No. 491 - 01				SHEET 1 OF 1	



Notes

 Site boundary

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Site Address

**Highgrove House
Eastcote Road
Ruislip**

**LONDON BOROUGH
OF HILLINGDON**

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

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

Planning Application Ref:
10622/APP/2010/1822

Planning Committee
North Page 347

Scale
1:1,250

Date
July 2011



Report of the Head of Planning & Enforcement Services

Address FORMER R A F EASTCOTE LIME GROVE RUISLIP

Development: Replacement of one 5 Bedroom dwelling (type 2000 D) with an alternative 5 bedroom dwelling at plot 314. (Amendment to reserved matters approval ref: 10189/APP/2007/3046 dated 31/03/2008)

LBH Ref Nos: 10189/APP/2011/1724

Date Plans Received:	14/07/2011	Date(s) of Amendment(s):	14/07/2011
Date Application Valid:	14/07/2011		06/09/2011
			06/10/2011

LEGEND

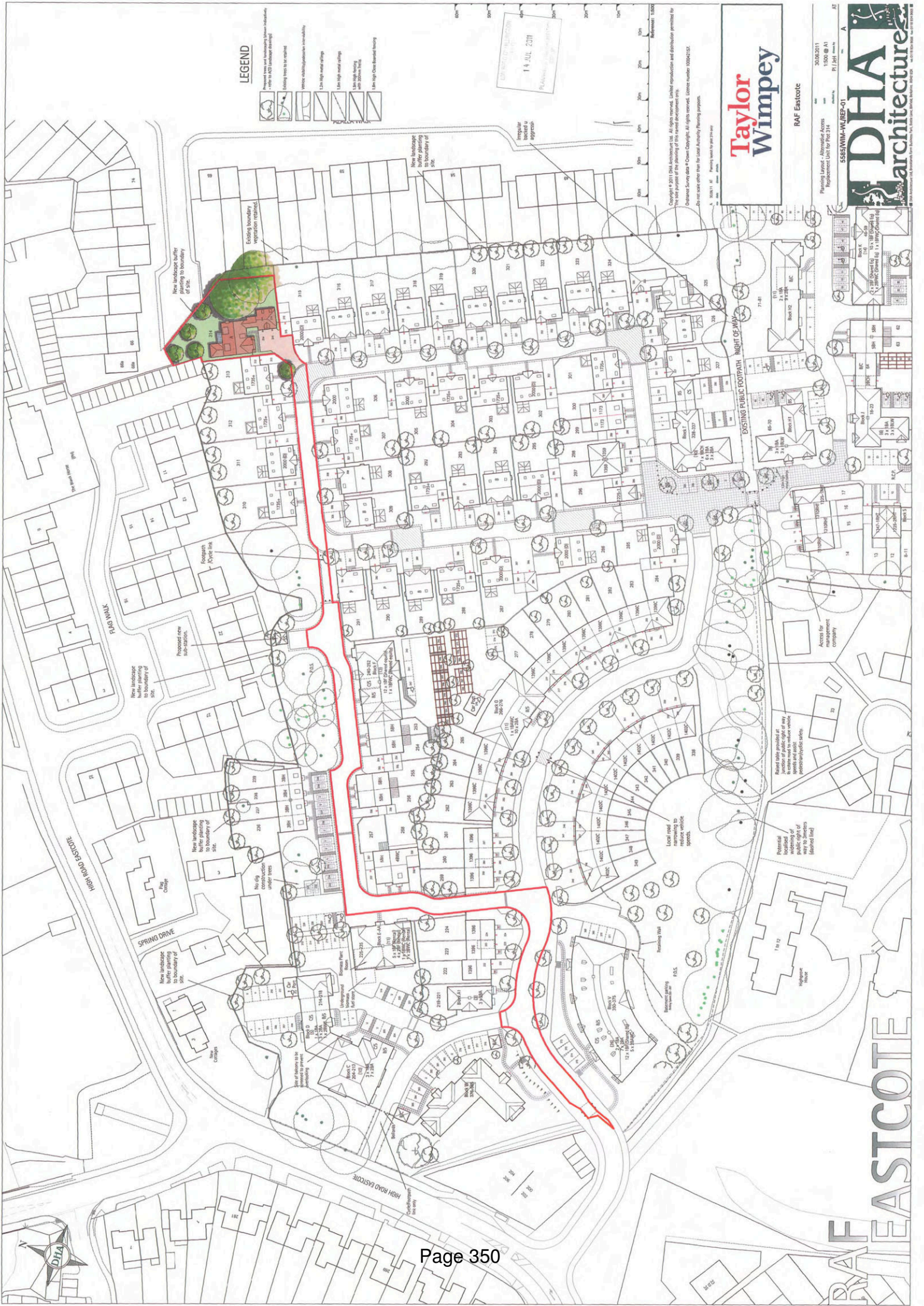
- Proposed trees and landscaping between individual units to AFD landscaped drainage
- Existing trees to be retained
- Vertical landscaping connectivity
- 1.2m high metal cladding
- 1.4m high metal cladding
- 1.4m high fencing with 200mm voids
- 1.4m High One Sided Fencing

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 Reference Survey data © Coperni Copyright © 2010. Licence number 10002512.
 All site lines shown are for State Authority Planning purposes.
 A 1:500 N of Planning needs page 214

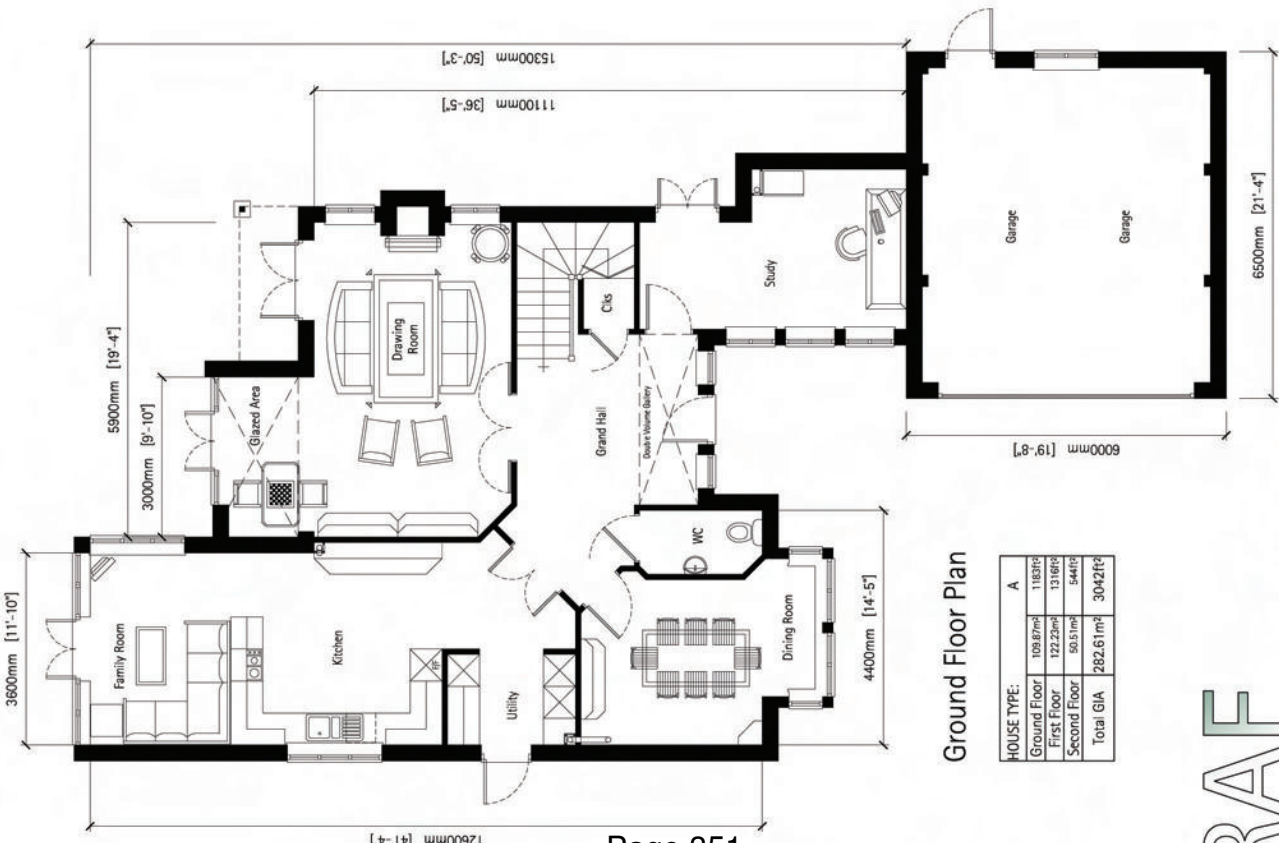
Taylor Wimpey
 RAFC Eastcote

30/06/2011
 1:500 @ A1
 P1 | JH1
 5685WIM-WREP-01

DHA
 architecture

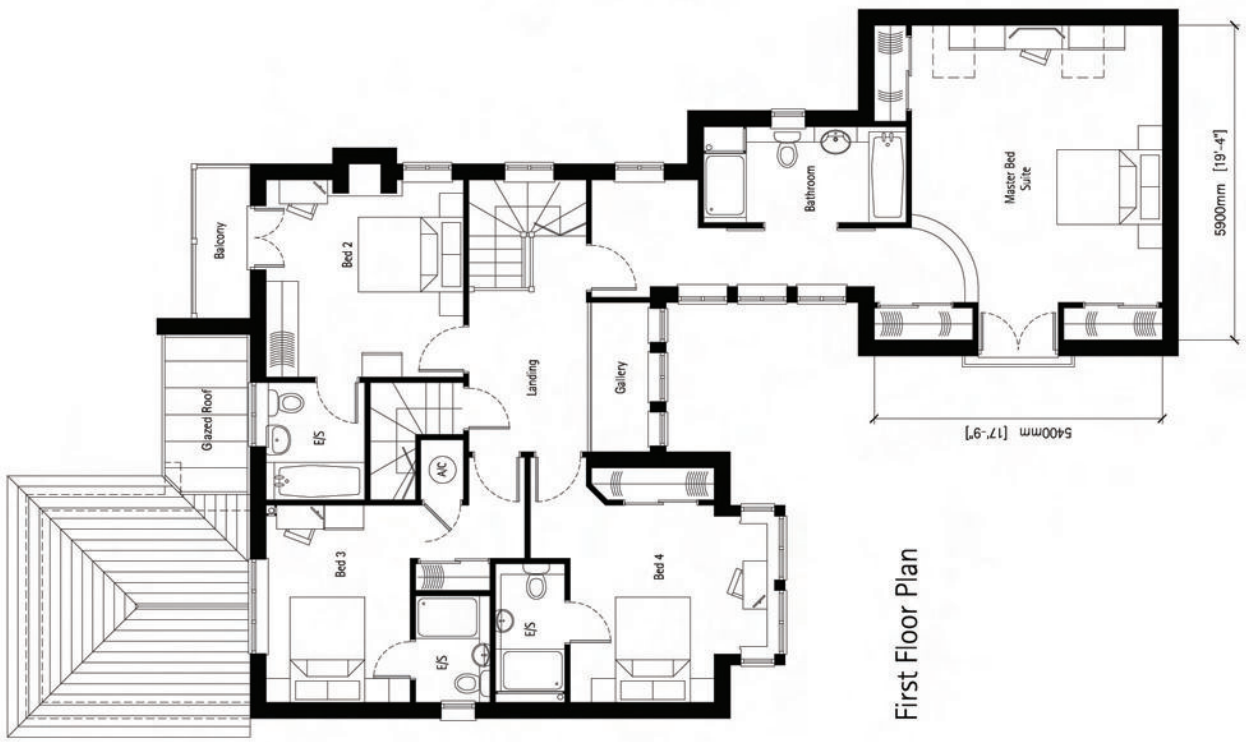


RAFC EASTCOTE



HOUSE TYPE:	A
Ground Floor	108.87m ² [1183ft ²]
First Floor	122.23m ² [1316ft ²]
Second Floor	50.51m ² [544ft ²]
Total GIA	282.61m ² [3042ft ²]

Ground Floor Plan



First Floor Plan

6m 4m 2m
2m 4m 6m
Reference: 1:100

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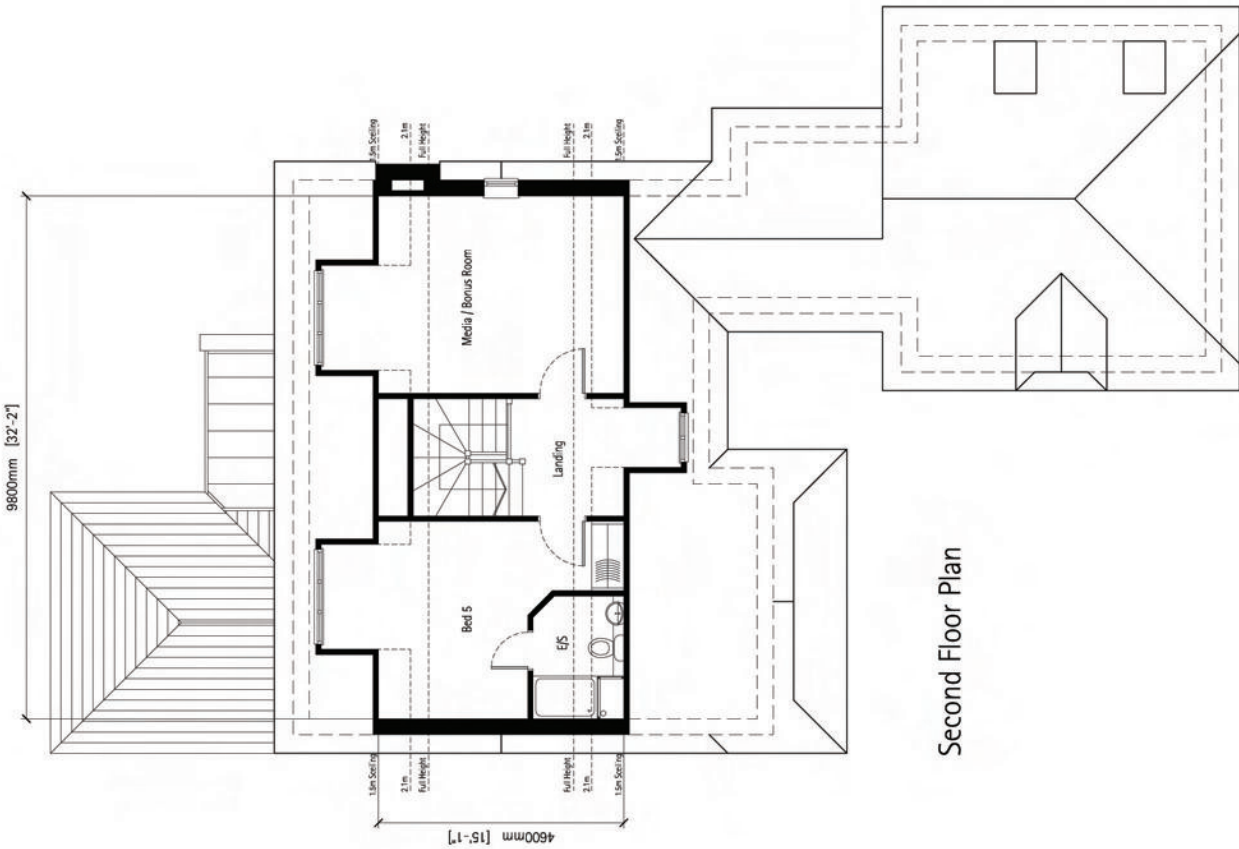
A 02.09.11 AT
 Blowny removed on East Fairs - windows added - glazed roof amended
 rev date by status



RAF Eastcote

Planning Drawings
 Replacement Unit A
 for plot 314
 Floor Plans
 5565/WIM/WJ/REP/314/P1
 02.09.2011
 1:100 @ A3
 checked by PJ/SM
 drawn by AT





Second Floor Plan

6m 4m 2m
Reference: 1:100

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A. 02/2011 All Plans and/or amended
rev date by details

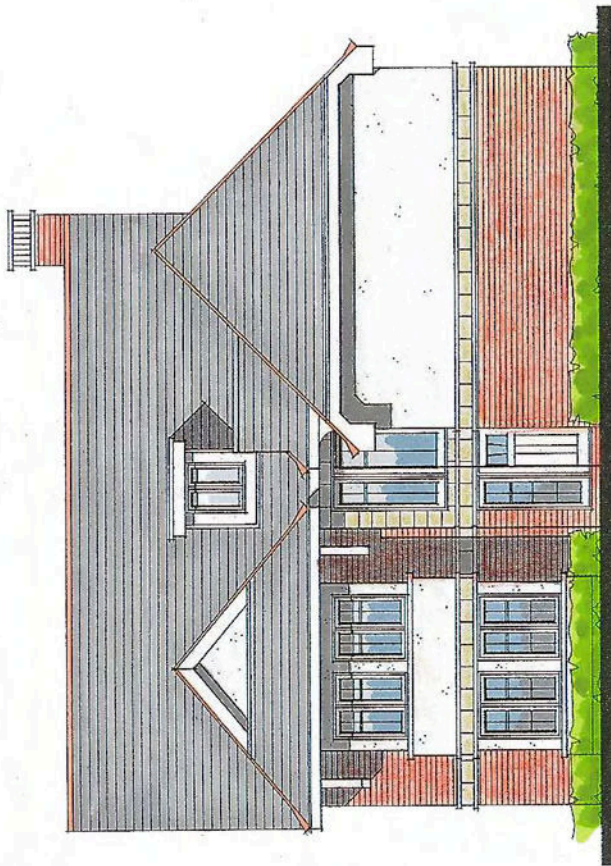


RAF Eastcote

Planning Drawings 02.09.2011
Replacement Unit A 1:100 @ A3
for plot 314
Floor Plan checked by PJ/SM drawn by MI

5565/WIM/WJ/REP/314/P2 A





FRONT ELEVATION
PLOT 314



SIDE ELEVATION

RAF EASTCOTE



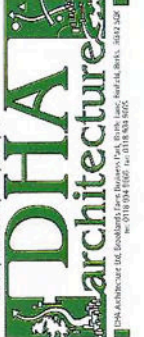
Reference: 1:100

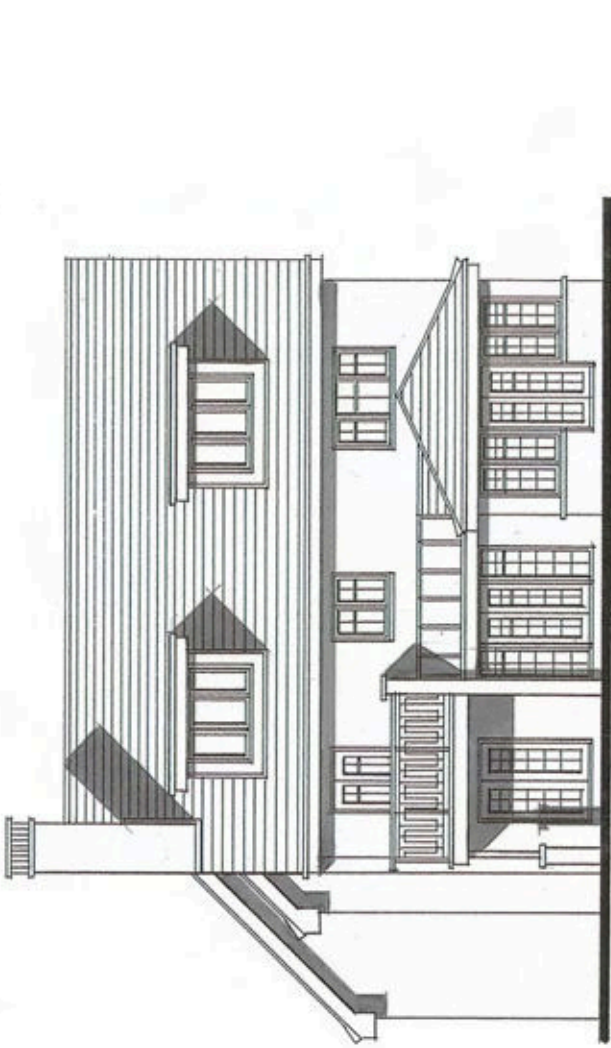
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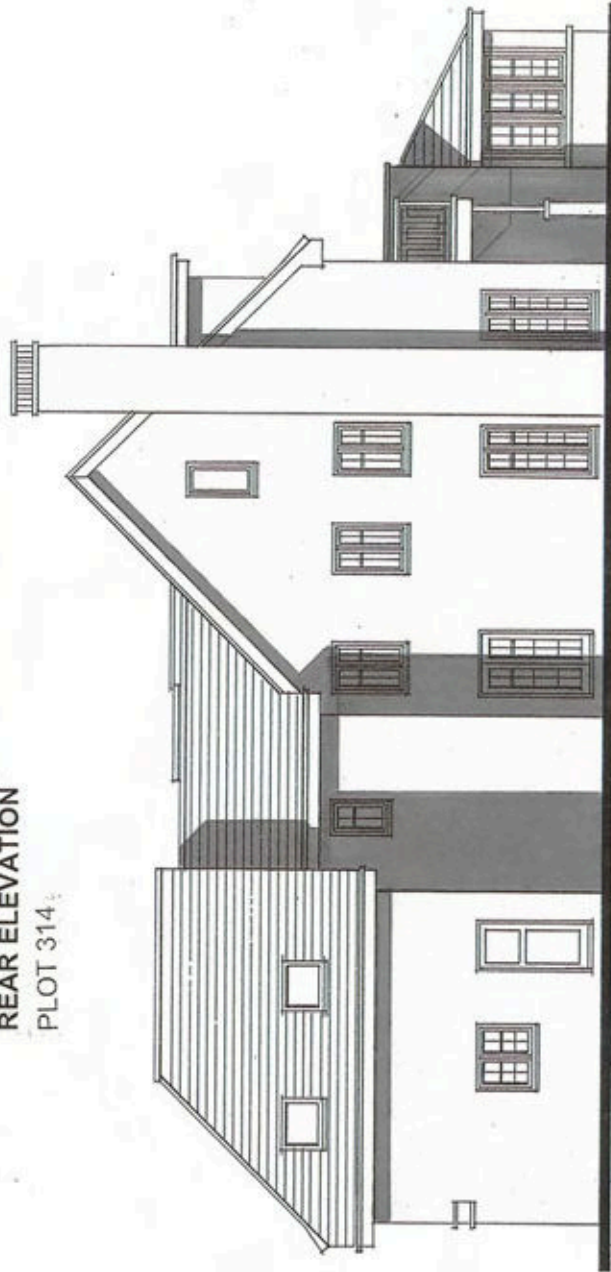
RAF Eastcote

Planning Drawings
 Replacement Unit A
 for plot 314
 Elevations
 drawn by PJ/SM
 checked by M
 5585/WIM/WJ/REP/314/E1
 April 2011
 1:100 @ A3





REAR ELEVATION
PLOT 314



SIDE ELEVATION



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 Drawing: Elevation, Plot 314, 02/09/2011
 Version: 01/01/2011
 Do not scale other than for Local Authority Planning purposes.

A 02/09/2011 A1 - Check your email for a drawing update - update labels
 1:100 A3
 1:100 A3
 1:100 A3

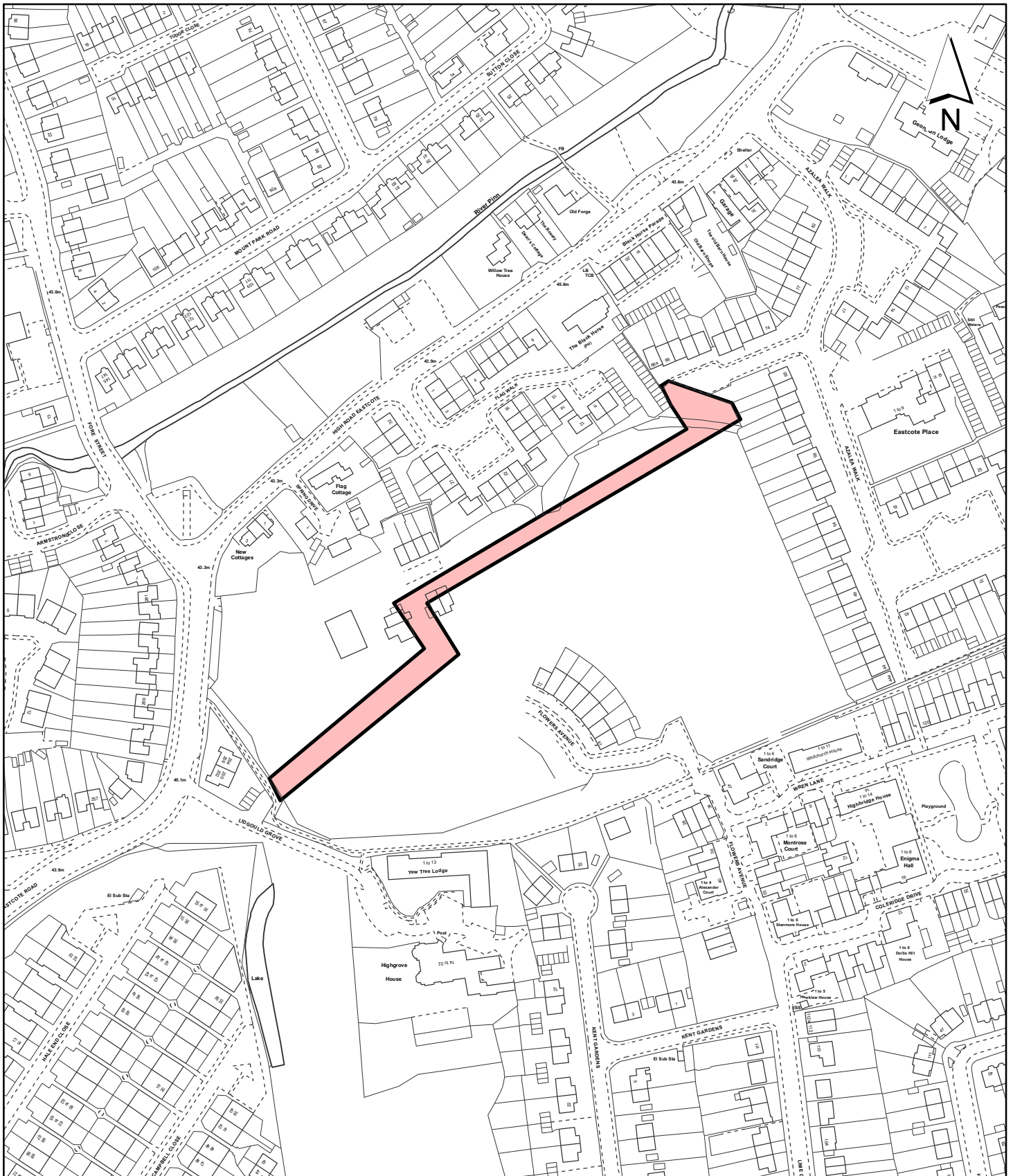


RAF Eastcote


Planning Drawings: 02/09/2011
 Replacement List A: 02/09/2011
 for plot 314: 02/09/2011
 Elevations: 02/09/2011
 5585/WIM/W/REP/314/E2
 A



RAF EASTCOTE



Notes

 Site boundary

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Site Address

**Former RAF Eastcote
Lime Grove
Eastcote**

Planning Application Ref:

10189/APP/2011/1724

Planning Committee

North Page 355

Scale

1:2,500

Date

**October
2011**

**LONDON BOROUGH
OF HILLINGDON**
Planning,
Environment, Education
& Community Services

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



HILLINGDON
LONDON

Report of the Head of Planning & Enforcement Services

Address PYLON FARM NEWYEARS GREEN LANE HAREFIELD

Development: Variation of condition 1 of planning permission ref: 12579/APP/2006/673 dated 18/08/2006 to allow continued use of the land as an organic composting site. (Section 73 application)

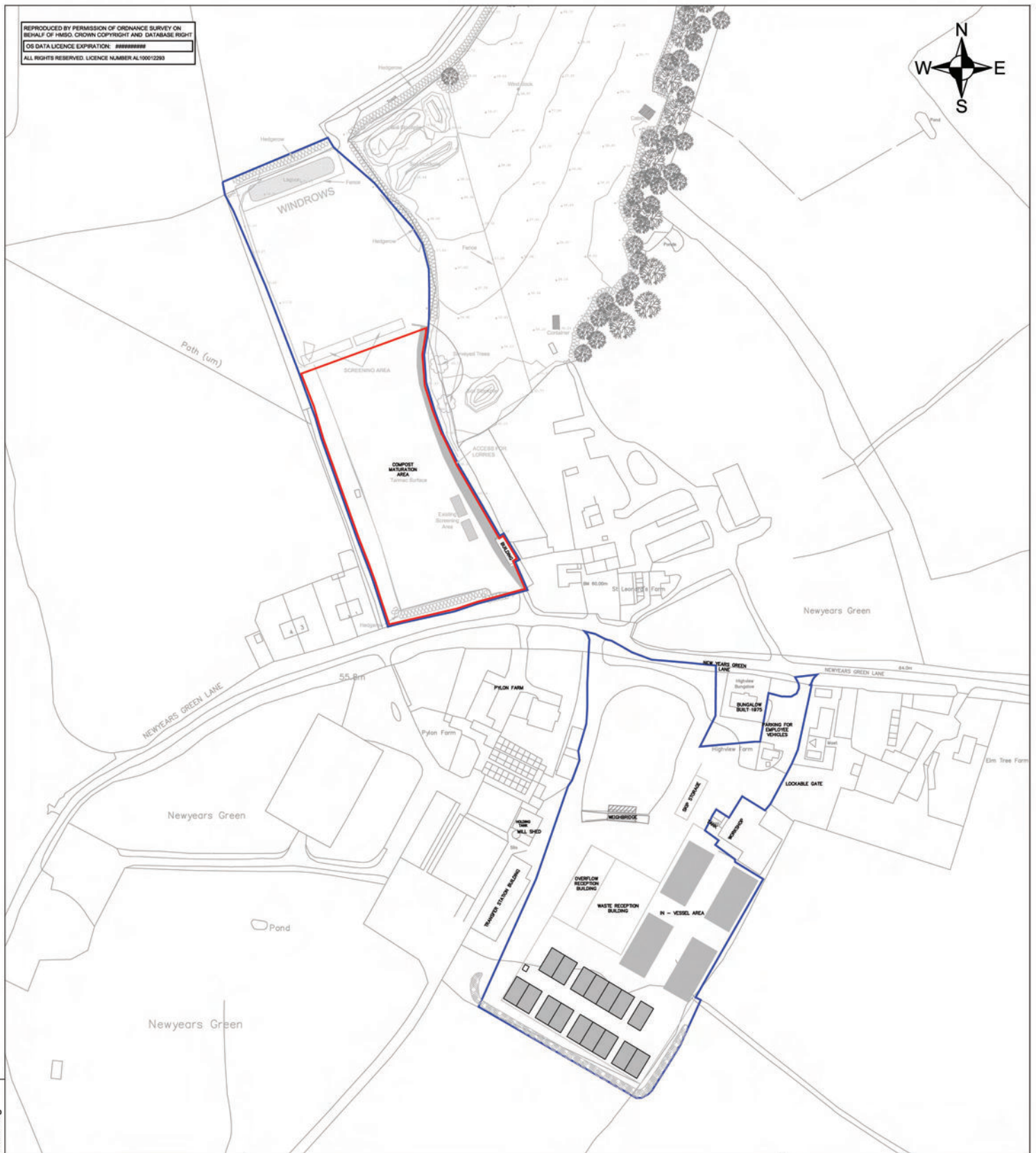
LBH Ref Nos: 12579/APP/2011/1991

Date Plans Received: 15/08/2011



Date(s) of Amendment(s):

Date Application Valid: 24/08/2011

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LEGEND

-  PLANNING APPLICATION BOUNDARY (9,799m²)
-  LAND UNDER CONTROL OF THE APPLICANT



LANGFORD LODGE
 109 PEMBROKE ROAD
 CLIFTON, BRISTOL
 BS8 3EU
 T: 01179 064280
 F: 01173 179535
 www.slrconsulting.com

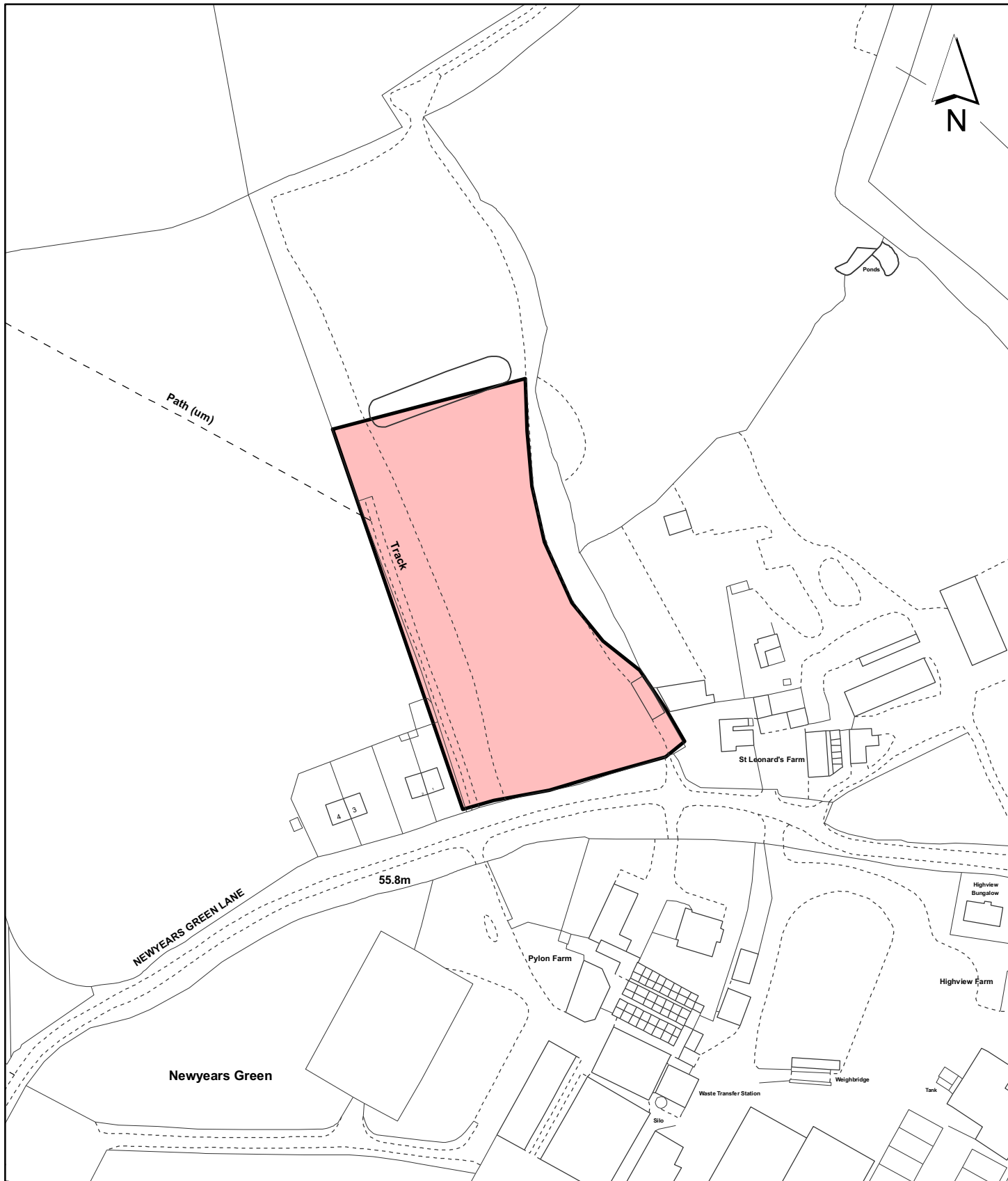
NEW YEARS GREEN LANE, HAREFIELD
SECTION 73 VARIATION OF
CONDITION 1
PLANNING APPLICATION BOUNDARY
APPLICATION REF 12579/APP/2006/673

002


Scale 1:2,000 @ A3

Date AUGUST 2011

00996.00001.18.002.0_Planning Application Boundary 12579-APP-2006-673.dwg



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Site Address

**Pylon Farm
Newyears Green Lane
Harefield**

Planning Application Ref:

12579/APP/2011/1991

Planning Committee

North Page 358

Scale

1:2,000

Date

**October
2011**

**LONDON BOROUGH
OF HILLINGDON**
Planning,
Environment, Education
& Community Services

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



HILLINGDON
LONDON

Report of the Head of Planning & Enforcement Services

Address LAND ADJACENT TO COMPOST MATURATION SITE AT PYLON FARM
NEWYEARS GREEN LANE HAREFIELD

Development: Variation of condition 2 of planning permission ref: 12579/APP/2006/1524
dated 18/08/2006 to allow the continued use of the land as an organic
composting site for a period of 12 months. (Section 73)

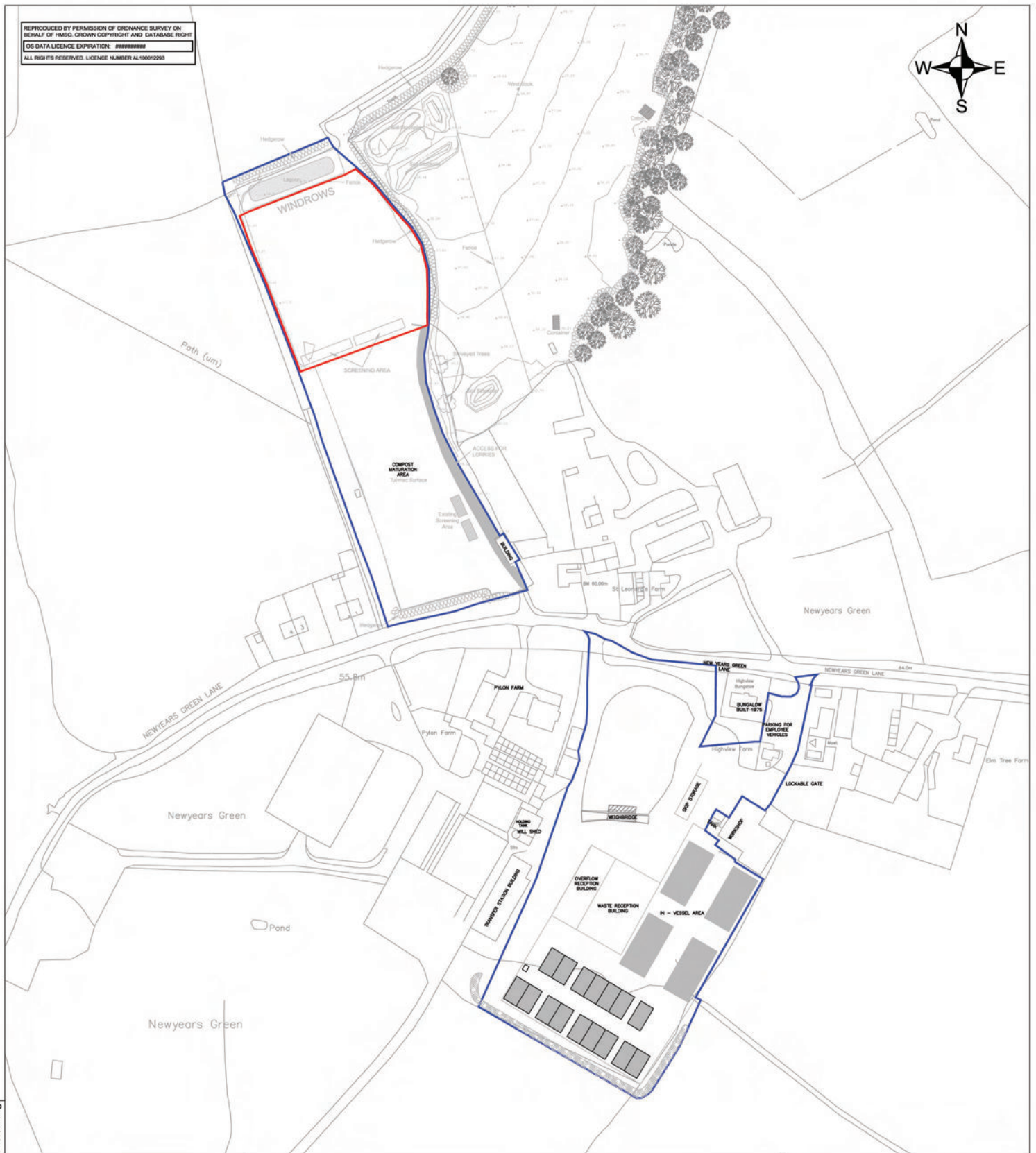
LBH Ref Nos: 12579/APP/2011/1992

Date Plans Received: 15/08/2011



Date(s) of Amendment(s):

Date Application Valid: 24/08/2011

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LEGEND

-  PLANNING APPLICATION BOUNDARY (7,247m²)
-  LAND UNDER CONTROL OF THE APPLICANT



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 109 PEMBROKE ROAD
 CLIFTON, BRISTOL
 BS8 3EU
 T: 01179 064280
 F: 01173 179535
 www.slrconsulting.com

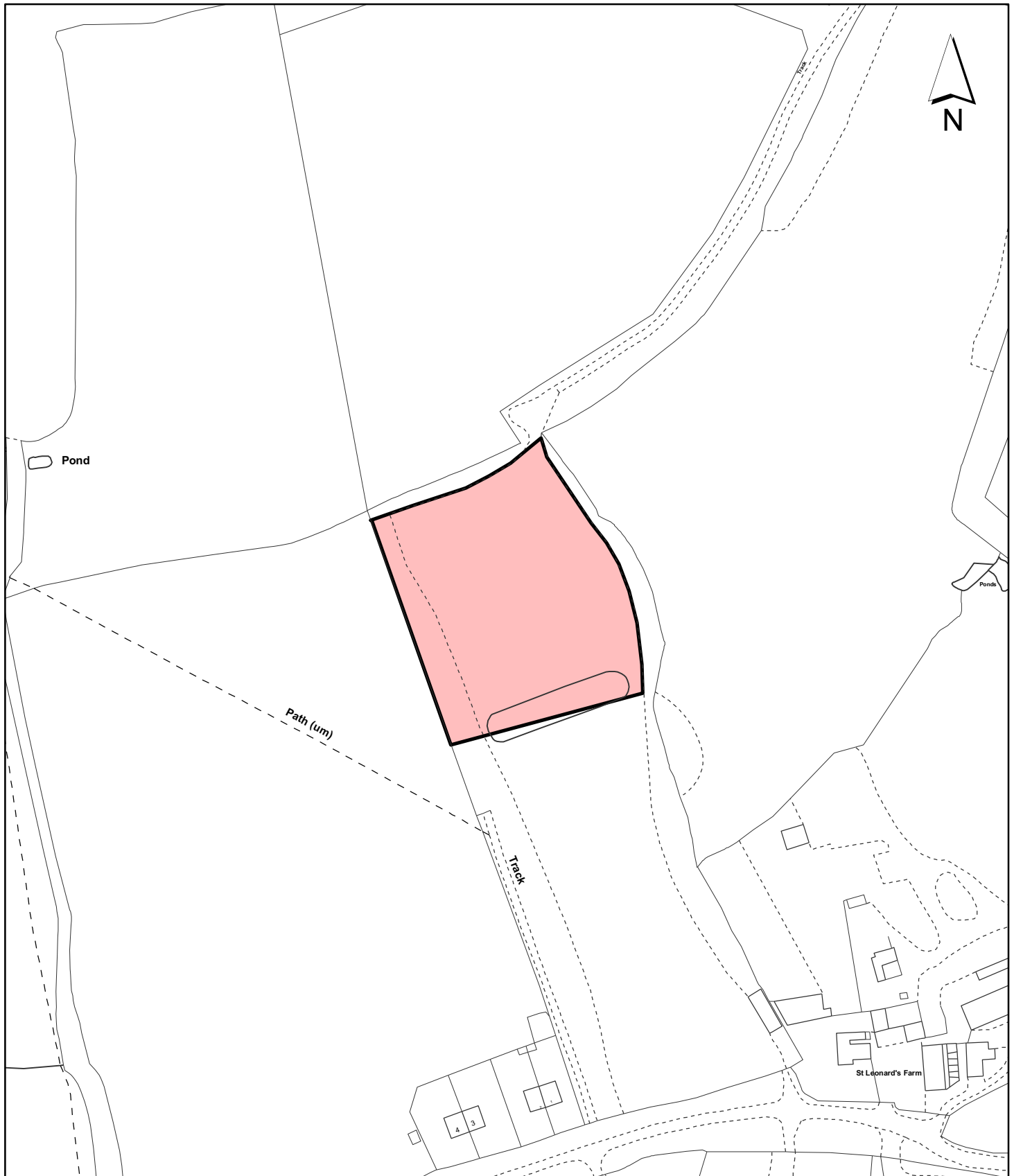
NEW YEARS GREEN LANE, HAREFIELD
SECTION 73 VARIATION OF
CONDITION 1
PLANNING APPLICATION BOUNDARY
APPLICATION REF 12579/APP/2006/1524

002


Scale 1:2,000 @ A3

Date AUGUST 2011

00996.00001.18.002.0_Planning Application Boundary 12579-APP-2006-1524.dwg



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Site Address

**Land adjacent to Compost
Maturation Site at Pylon Farm
Newyears Green Lane, Harefield**

Planning Application Ref:

12579/APP/2011/1992

Planning Committee

North Page 361

Scale

1:2,000

Date

**October
2011**

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& Community Services

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Telephone No.: Uxbridge 250111

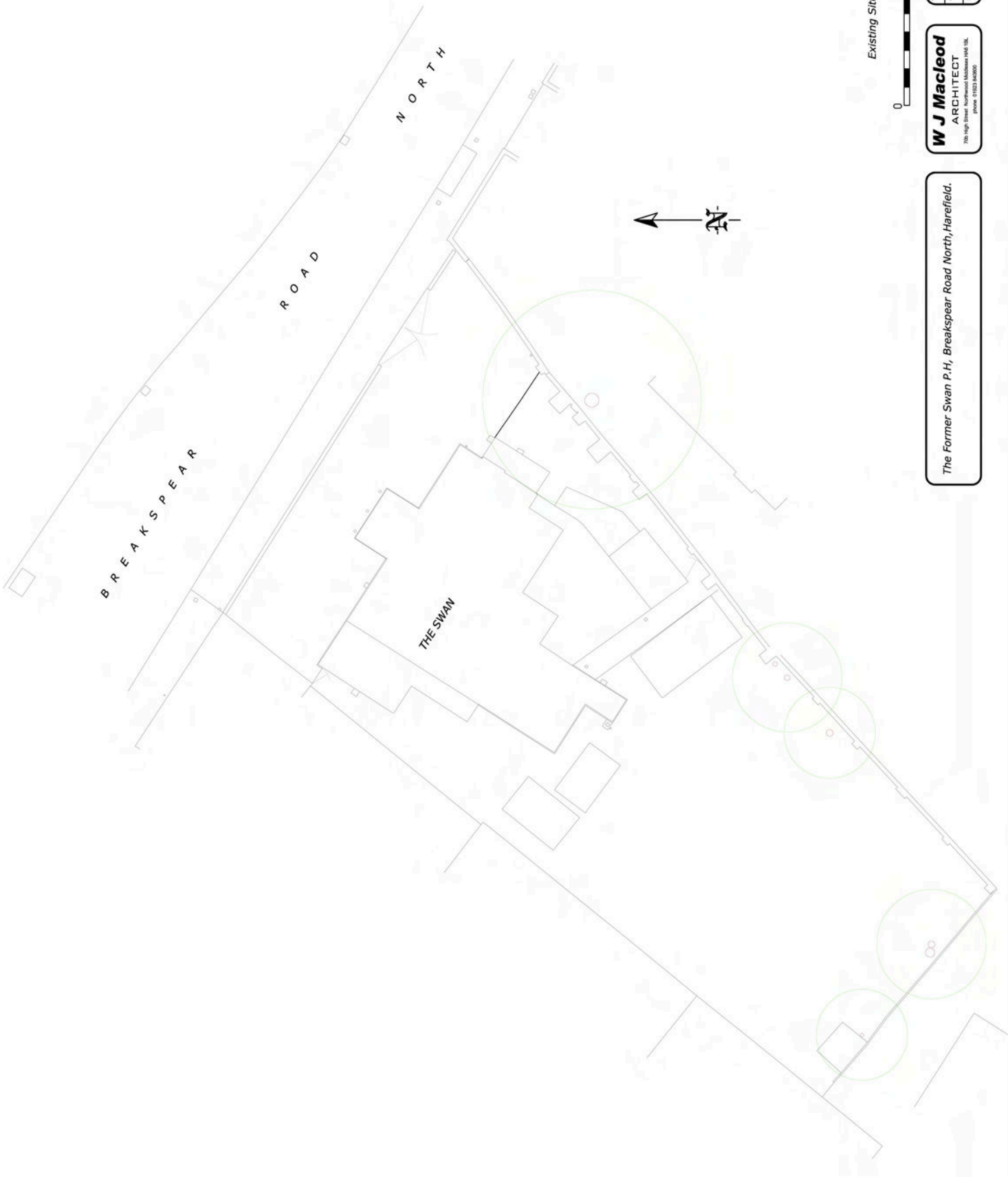


HILLINGDON
LONDON

Report of the Head of Planning & Enforcement Services

Address THE SWAN PH BREAKSPEAR ROAD NORTH HAREFIELD
Development: Demolition of existing two-storey detached building (Application for Conservation Area Consent).
LBH Ref Nos: 18239/APP/2011/1586

Date Plans Received: 28/06/2011 **Date(s) of Amendment(s):**
Date Application Valid: 08/07/2011



Existing Site Plan

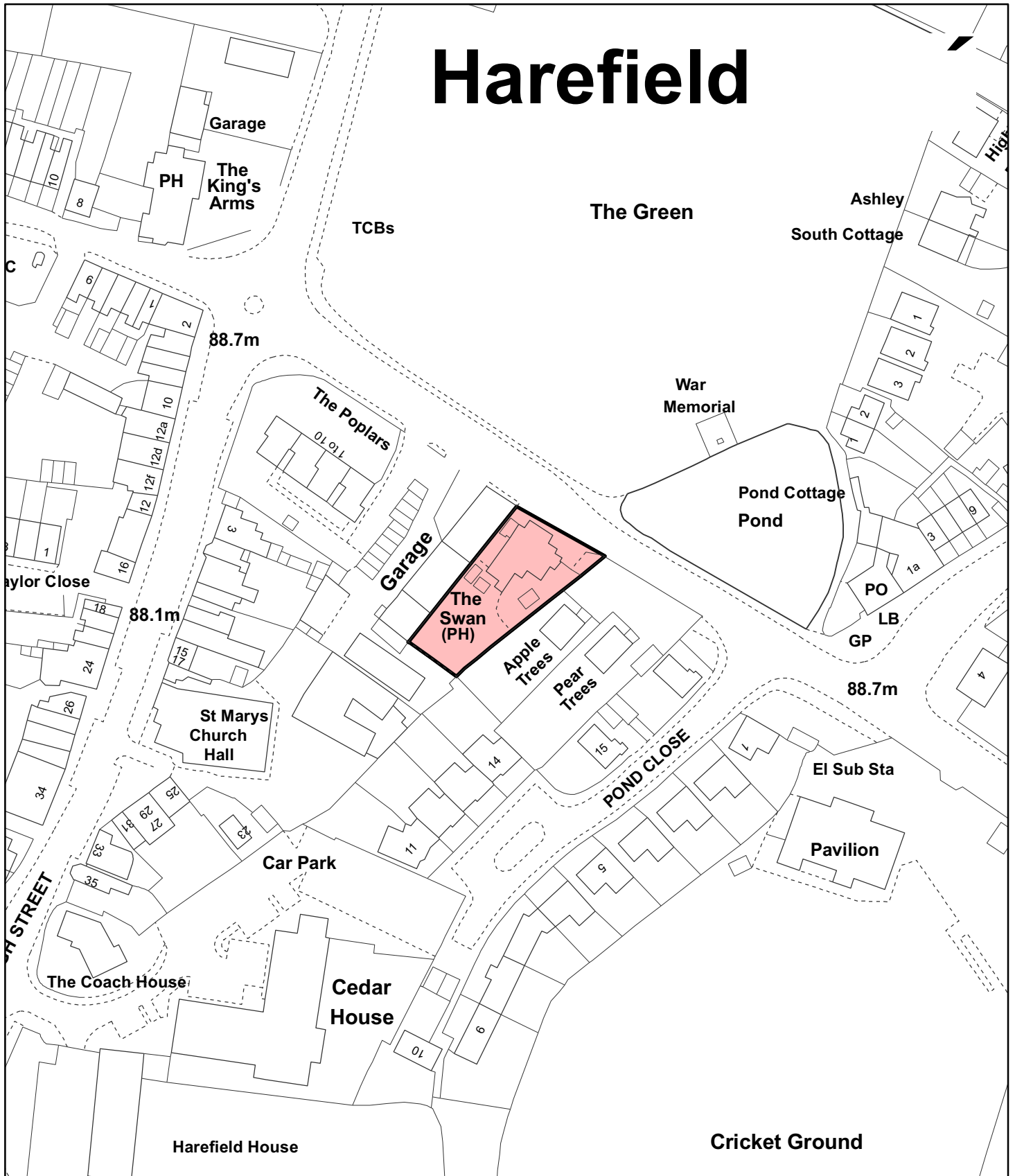


Drawing Number	Revision
11 / 3252 / 5	
Date	Drawn By
8 / 7 / 11	
Scale	Drawn By
1:200 @ A3	

W J Macleod
ARCHITECT
770 High Street
Harefield, Bucks HP8 5JG
Phone 01895 84002

The Former Swan P.H, Breakspear Road North, Harefield.

Harefield



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Site Address

**The Swan PH.
Breakspear Road North,
Harefield**

Planning Application Ref:

18239/APP/2011/1586

Planning Committee

North Page 364

Scale

1:1,250

Date

**September
2011**

**LONDON BOROUGH
OF HILLINGDON**
Planning,
Environment, Education
& Community Services

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



HILLINGDON
LONDON

Report of the Head of Planning & Enforcement Services

Address THE SWAN PH BREAKSPEAR ROAD NORTH HAREFIELD

Development: Two storey detached building to contain 6, two-bedroom, self contained flats with associated parking and amenity space and alterations to existing vehicle crossover to front, (involving demolition of existing building).

LBH Ref Nos: 18239/APP/2011/1588

Date Plans Received: 28/06/2011

Date(s) of Amendment(s):

Date Application Valid: 12/07/2011



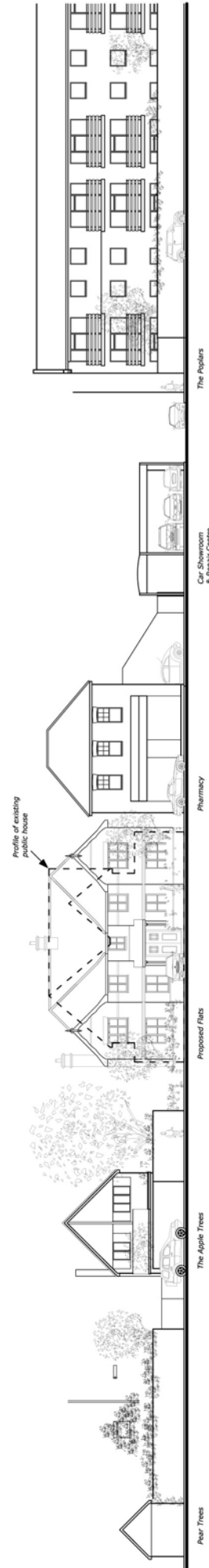
Rev. A - Crossover details added 8/7/11



Project Number	11 / 3252 / 1
Revision	A
Date	6 / 6 / 11
Scale	1:200 @ A2
Drawn By	
Drawn No.	

W J Macleod
ARCHITECT
70a High Street, Harefield, Bucks.
HP85 9JG
Phone: 01895 84000

LAND AT THE SWAN P. H.,
BREAKSPEAR ROAD NORTH, HAREFIELD.



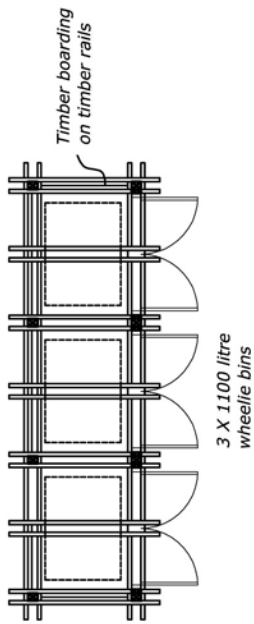
STREET SCENE / SITE SECTION

LAND AT THE SWAN P. H.,
BREAKSPEAR ROAD NORTH, HAREFIELD.

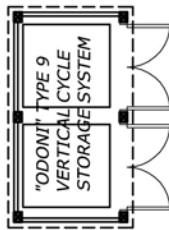
W J Macleod
ARCHITECT
750 High Street, Harefield, Bucks.
Phone: 01895 840020

Planning Number	11 / 3252 / 3	Revised	
Date	8 / 6 / 11	Drawn By	
Scale	1:200 @ A2	Drawn No.	

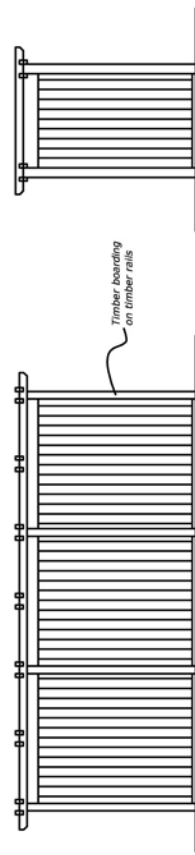
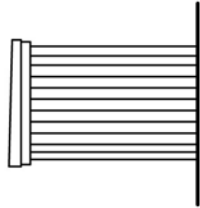
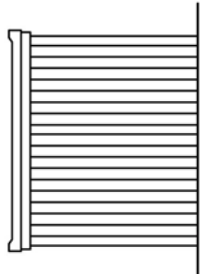
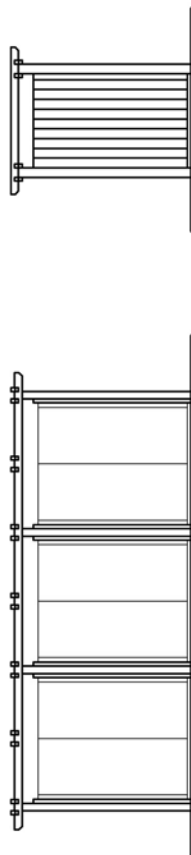
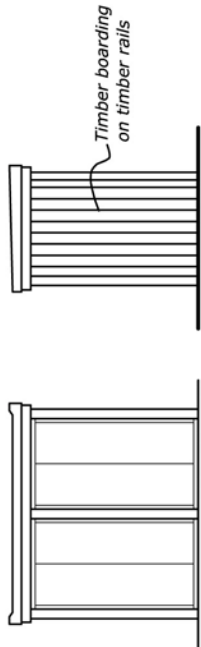
BIN / RECYCLE



CYCLE STORE



PLAN FOR 6 No. CYCLES



Existing Plans and Elevations

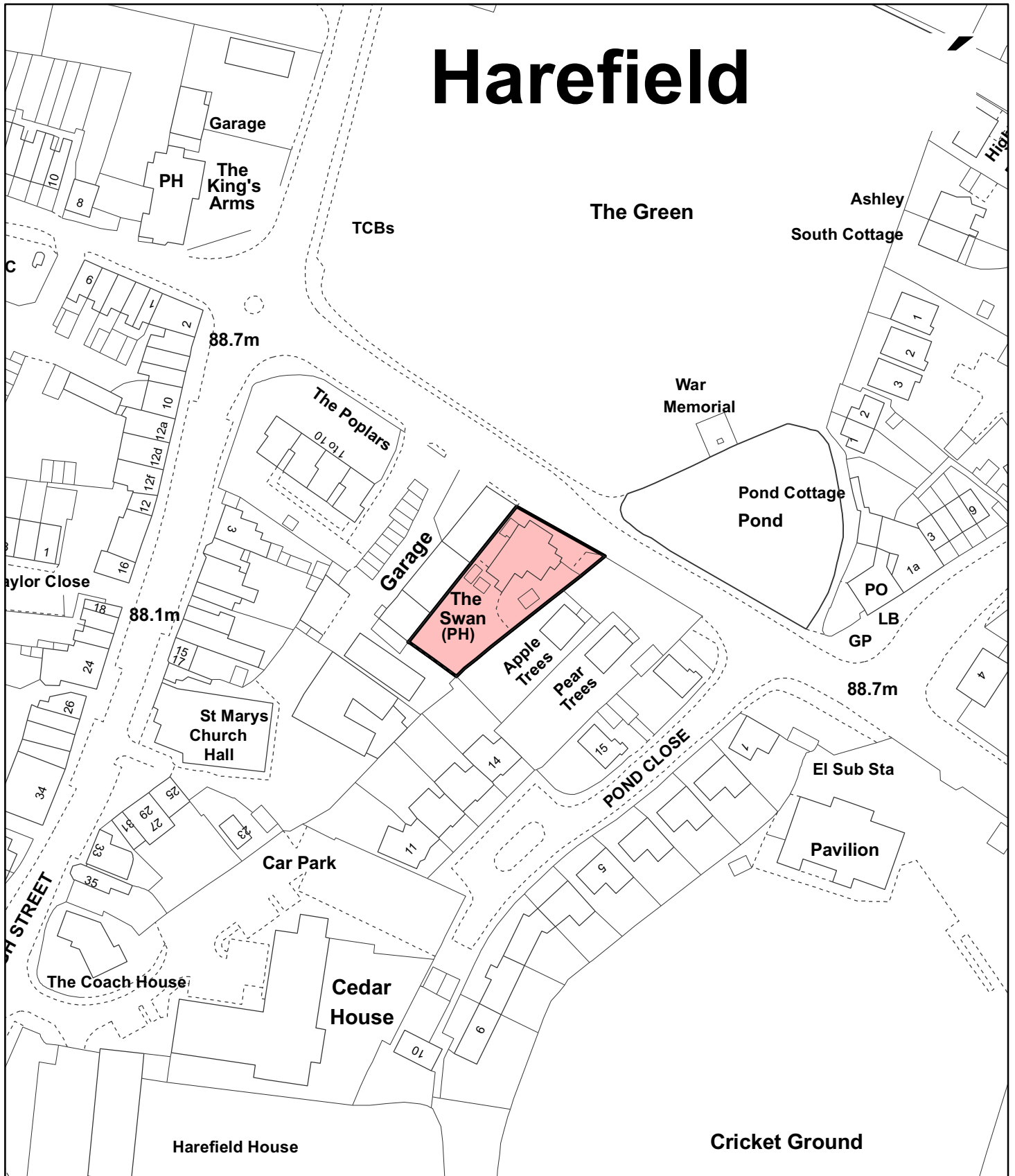


LAND AT THE SWAN P. H.,
BREAKSPEAR ROAD NORTH, HAREFIELD.

W J Macleod
ARCHITECT
700 High Street, Harefield, Bucks. HP13 8JQ
Tel: 01494 440000

Project No.	11 / 3252 / 4
Date	23 / 6 / 11
Scale	1:100@A4

Harefield



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Site Address

**The Swan PH.
Breakspear Road North,
Harefield**

Planning Application Ref:

18239/APP/2011/1588

Planning Committee

North Page 370

Scale

1:1,250

Date

**September
2011**

**LONDON BOROUGH
OF HILLINGDON**
Planning,
Environment, Education
& Community Services

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



HILLINGDON
LONDON

Report of the Head of Planning & Enforcement Services

Address 130 PINNER ROAD NORTHWOOD

Development: Change of use from retail (Use Class A1) to Hot Food Take-away(Use Class A5) involving the installation of extractor duct to side and refuse store to rear

LBH Ref Nos: 6149/APP/2011/1742

Date Plans Received: 19/07/2011

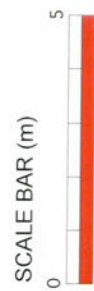
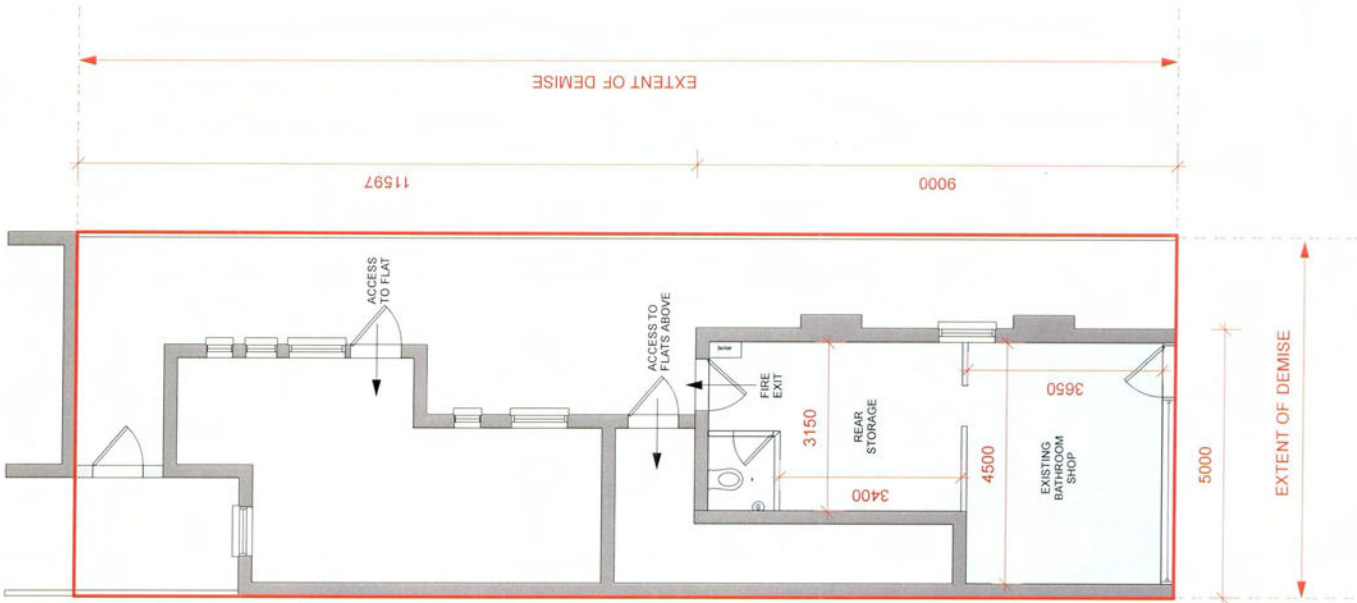
Date(s) of Amendment(s):

Date Application Valid: 26/07/2011

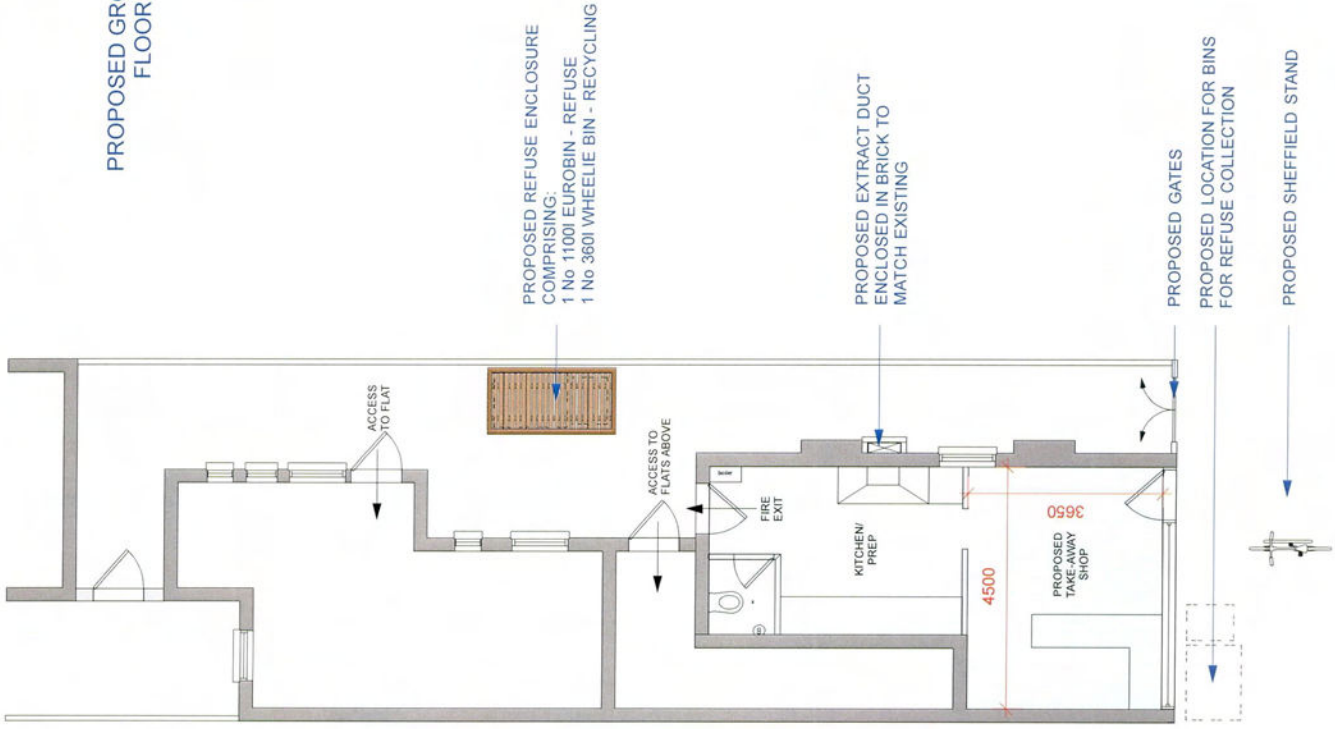


PINNERS ROAD

EXISTING GROUND FLOOR PLAN



PROPOSED GROUND FLOOR PLAN



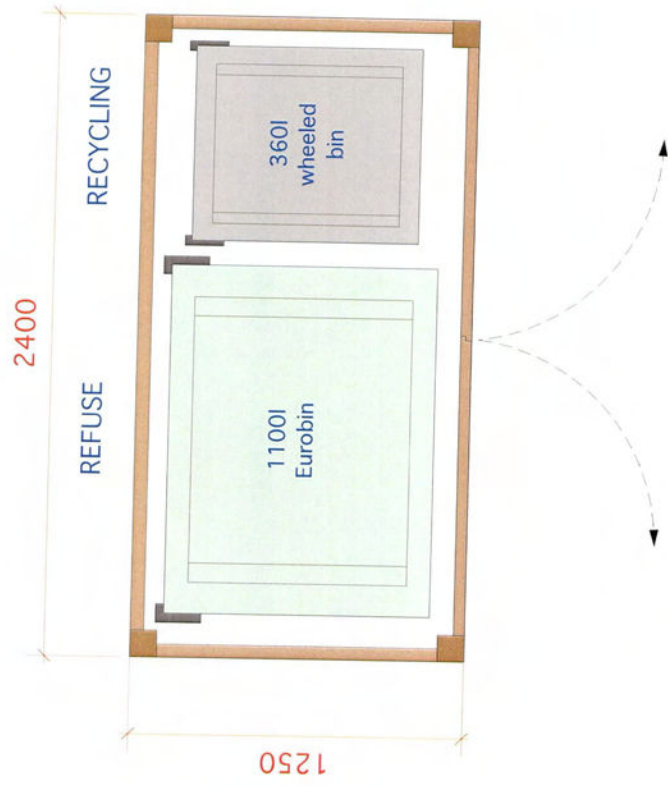


ELEVATION

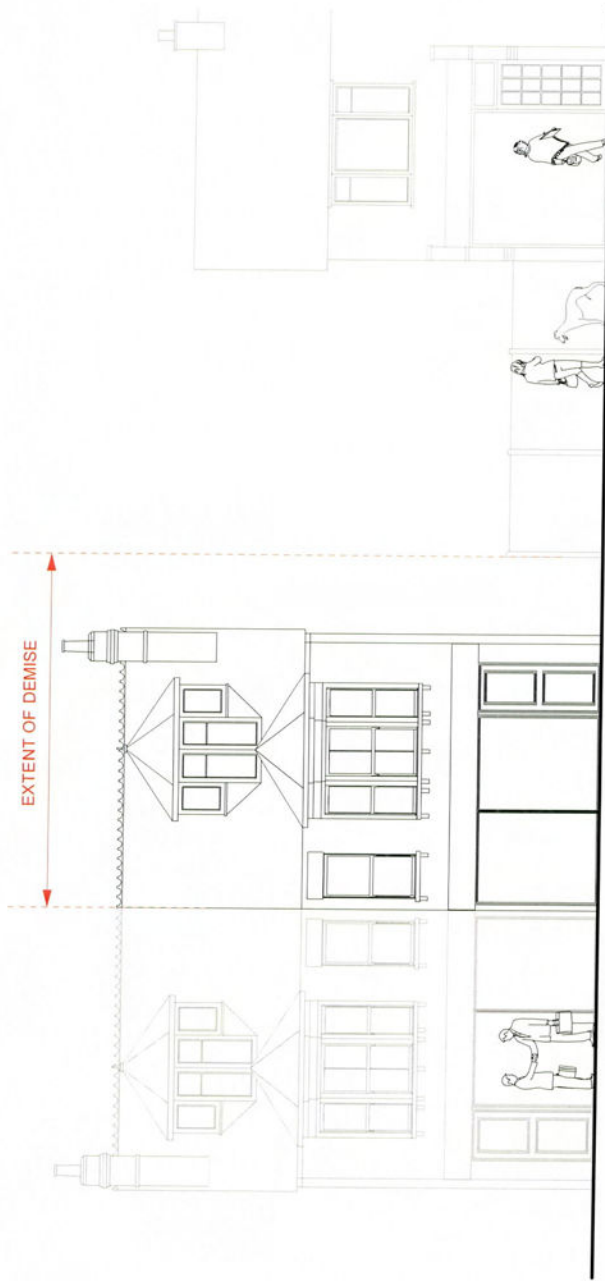
SLATTED TIMBER FOR VENTILATION



ROOF PLAN



INTERNAL PLAN



EXISTING FRONT ELEVATION



PROPOSED FRONT ELEVATION

PROPOSED BRICK
ENCLOSURE TO DUCT

PROPOSED GATES



EXISTING REAR ELEVATION



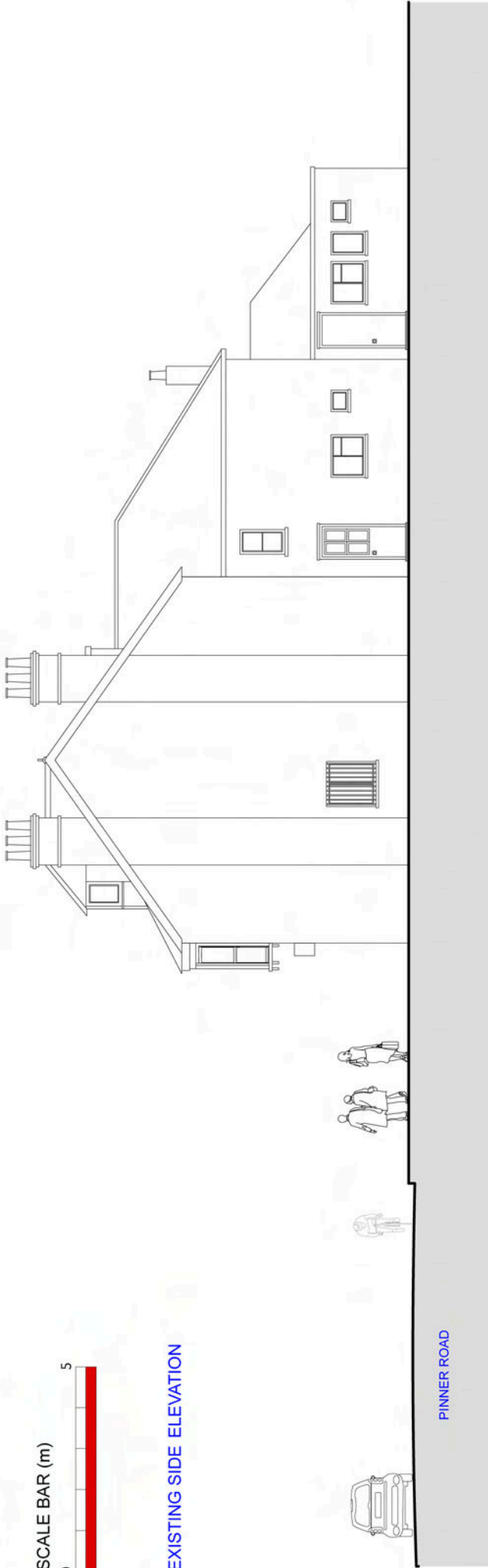
PROPOSED REAR ELEVATION



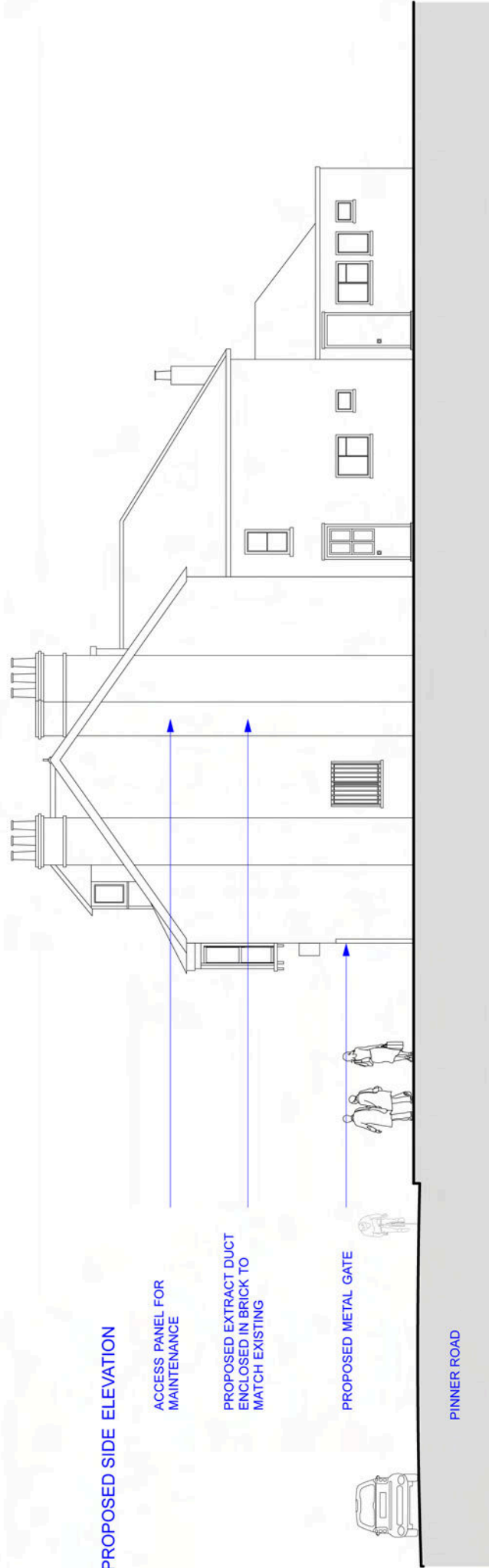
SCALE BAR (m)

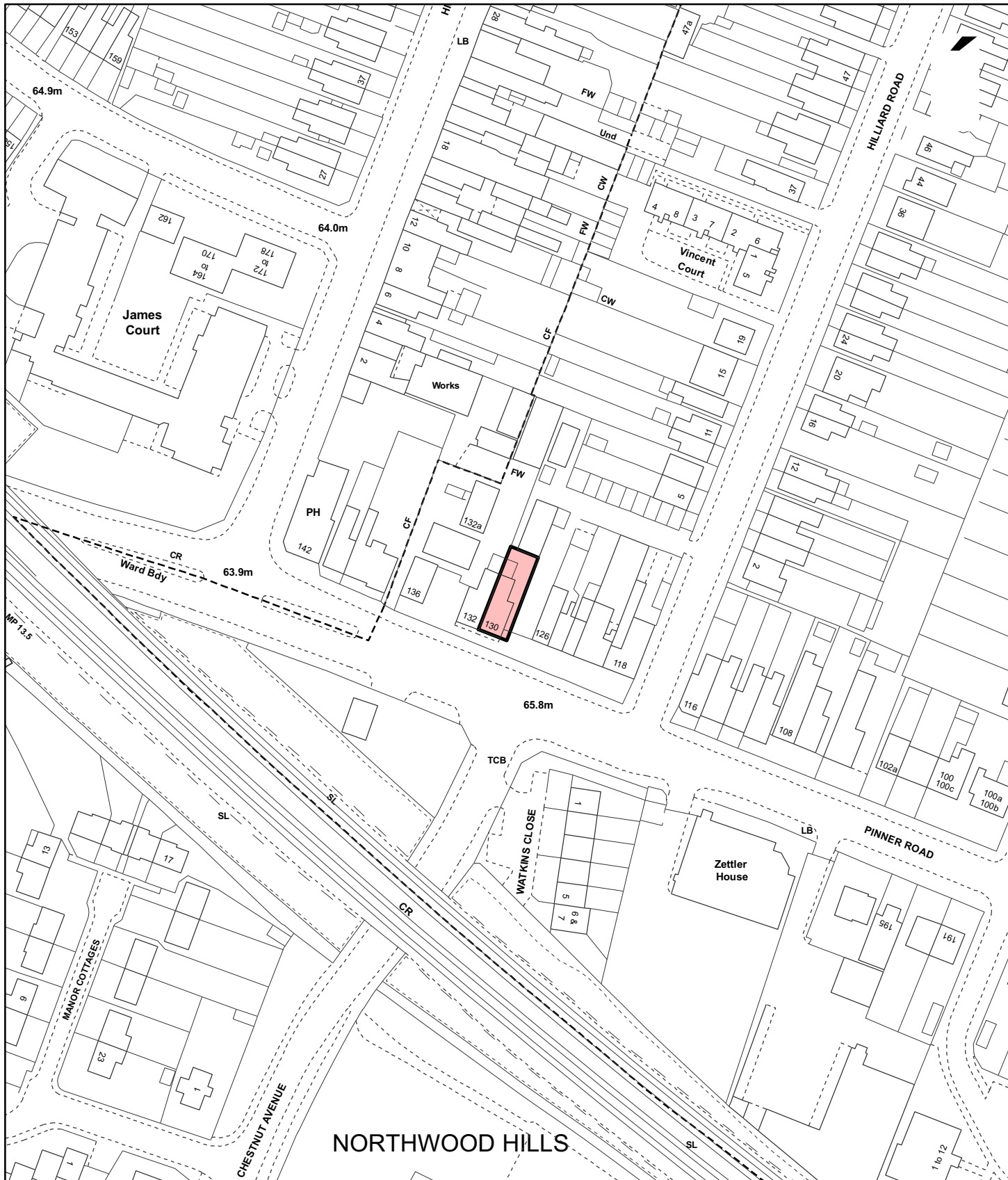


EXISTING SIDE ELEVATION



PROPOSED SIDE ELEVATION





Notes

 Site boundary

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Site Address

**130 Pinner Road,
Northwood**

Planning Application Ref:

6149/APP/2011/1742

Planning Committee

North Page 378

Scale

1:1,250

Date

**September
2011**

**LONDON BOROUGH
OF HILLINGDON**
Planning,
Environment, Education
& Community Services

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



HILLINGDON
LONDON

Report of the Head of Planning & Enforcement Services

Address 24 EASTBURY ROAD NORTHWOOD

Development: Erection of part ground floor, part first floor, part two storey side/rear extensions and extension and alteration of the roof, including a new rear gable, enlarged rear dormer, installation of new window on existing rear gable and five front and one rear rooflights and internal and external alterations, including the re-location of the front entrance to allow change of use of property from day care centre (Class D1) to provide 2 three-bedroom and 3 two-bedroom flats (Class C3), including alteration of rear terraces, front ramp, bin and cycle stores and associated parking, access and landscaping (involving demolition of existing extensions, external side staircase and front ramp)

LBH Ref Nos: 19305/APP/2011/1584

Date Plans Received:	28/06/2011	Date(s) of Amendment(s):	13/07/2011
Date Application Valid:	13/07/2011		03/10/2011
			10/10/2011

NOTES

The Contractor must verify all dimensions at the site before starting out. Any errors in the drawing are the responsibility of the Contractor. Any dimensions must be checked in the field. The Contractor must verify all dimensions at the site before starting out. Any errors in the drawing are the responsibility of the Contractor. Any dimensions must be checked in the field.

DO NOT SCALE FROM THIS DRAWING

PINES CLOSE

KILN WAY

EASTBURY ROAD



MALCOLM CONSTRUCTION PROJECTS
48/712, CIVIC CENTRE, WARRINGTON, MIDDLESEX, W9R 1JW
TEL: 01885 200 111
FAX: 01885 277 224

PROJECION
24 EASTBURY ROAD
NORTHWOOD

EXISTING SITE PLAN &
TOPOGRAPHICAL SURVEY

DATE	NO.	BY
30/09/2011	SV	SV
1:250 @ A3	SP	SV

2010/D84/1/07



NOTE

The Contractor must verify all dimensions at the site before starting. All dimensions are given in millimetres unless otherwise stated. Any discrepancy between the dimensions shown on this drawing and the actual dimensions must be reported to the Consultant immediately. The Contractor is responsible for ensuring that the dimensions are correct. DO NOT SCALE FROM THIS DRAWING.

Revisions	Revision notes	Issue	Date
D	Final drawings to include new access & kitchen window removal, as detailed.	pl	10.10.11
C	Drawings & notes revised, as detailed.	pl	07.10.11
B	Setting out revised as detailed.	pl	03.10.11
A	Generally prepared	pl	20.09.11

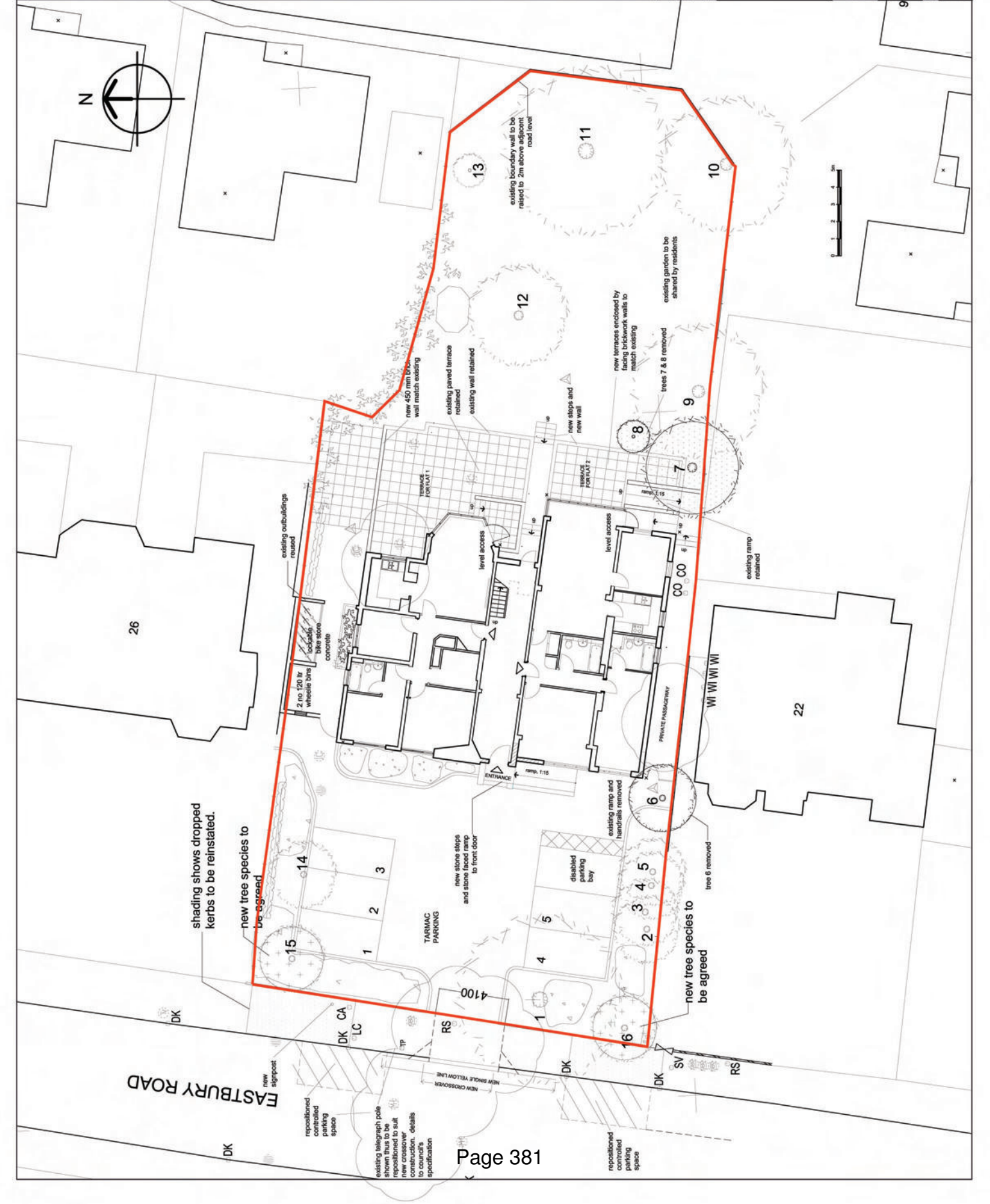
HILLINGDON
LONDON

CORPORATE LANDLORD GROUP
4th/11, CIVIC CENTRE, WARRAGE, WOODLEIGH, URB L1W
Tel: 01895 255 111
Fax: 01895 277 224

PROJECT
REFURBISHMENT & EXTENSION OF
24 EASTBURY ROAD
LONDON HA8

PROPOSAL
SITE PLAN AS PROPOSED

Scale	1:200 @ A3	Drawn by	NOT	Checked by	NOT	Date	27 JUN 11
Author		Drawn by		Checked by		Date	
Project No	2010/D84/1/05	Revision		Date			



NOTES

The Contractor must verify all dimensions at the site before setting out. All dimensions must be checked and confirmed to be correct before construction commences. All dimensions must be reported to the Contract Administrator before proceeding.

DO NOT SCALE FROM THIS DRAWING

location plan scale 1:1250

A	Location as recorded	Sheet	1 of 1
	Revision	Date	

HILLINGDON
LONDON

COMBATE LANSBRO GROUP
4N/11, CIVIC CENTRE, WINDROSE, WINDROSE, WINDROSE, WINDROSE
Tel: 01893 250 111
Fax: 01893 277 224

**24, EASTBURY ROAD,
NORTHWOOD, HERTS HA6**

DESCRIPTION:
**SURVEY AS EXISTING
SHEET 1**

SCALE
1:200 @ A3

CHECKED BY
nt

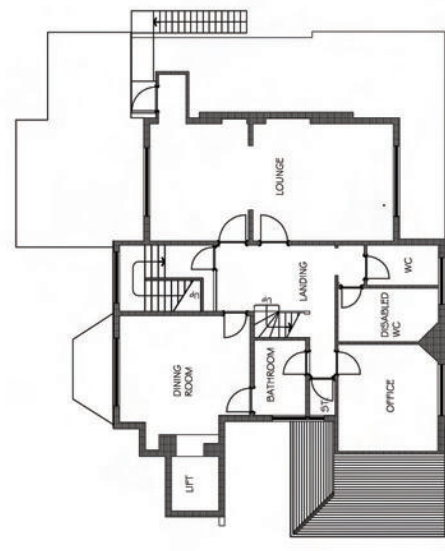
DATE
13 May 2011

DRAWING NO.
2010/D84/1/01

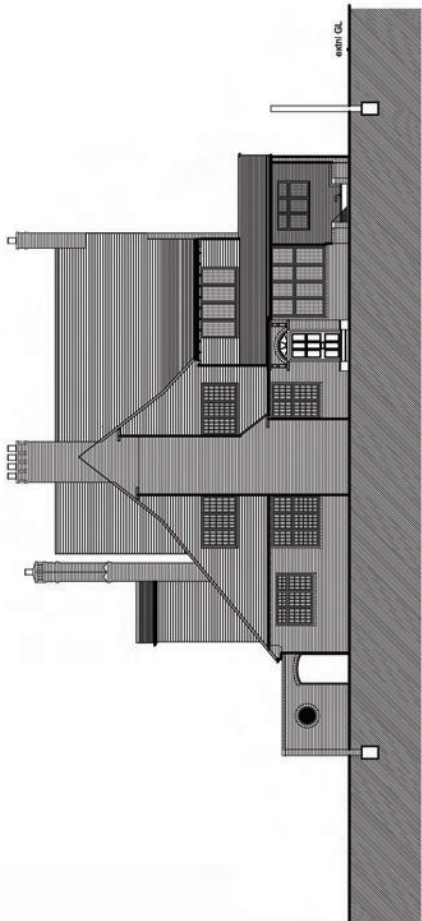
REV.
A



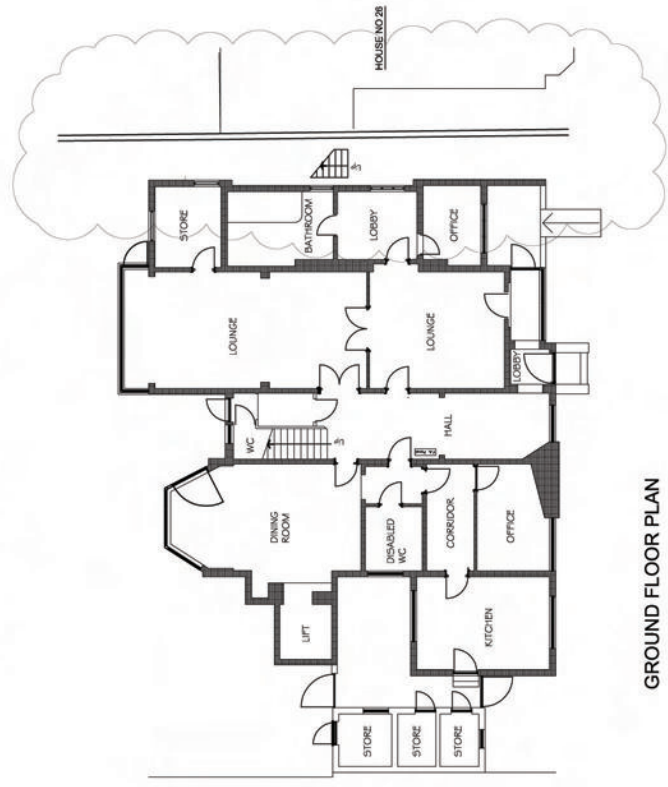
REAR ELEVATION



FIRST FLOOR PLAN



ELEVATION TO EASTBURY ROAD, FRONT



GROUND FLOOR PLAN

NOTES

The Contractor shall be responsible for obtaining all necessary planning permissions for the proposed works, including any floor coverings. Any documents must be reported to the Contract Administrator before proceeding.

DO NOT SCALE FROM THIS DRAWING

location plan scale 1:1250

SCHEDULE OF AREAS

GROUND FLOOR	FLAT 1	3 bed flat	87.3
FIRST FLOOR	FLAT 2	3 bed flat	108.0
SECOND FLOOR	FLAT 3	2 bed flat	90.0
TOTAL	FLAT 4	2 bed flat	73.3
	FLAT 5	2 bed flat	65.1
	TOTAL		421.7
EXTERNAL AMENITY SPACE			443.6
TOTAL SITE AREA			1136.0

E	Kitchen window moved & bathroom removed	04	16 Oct 11
F	Roofing	05	17 Oct 11
D	Roofing rooflight removed, as needed	06	17 Oct 11
C	Flooring added & removed, as needed	07	16 Oct 11
B	Generalty removed	08	30 Sep 11
A	Form and south east extension removed	09	22 Jun 11
Site	Revision notes		

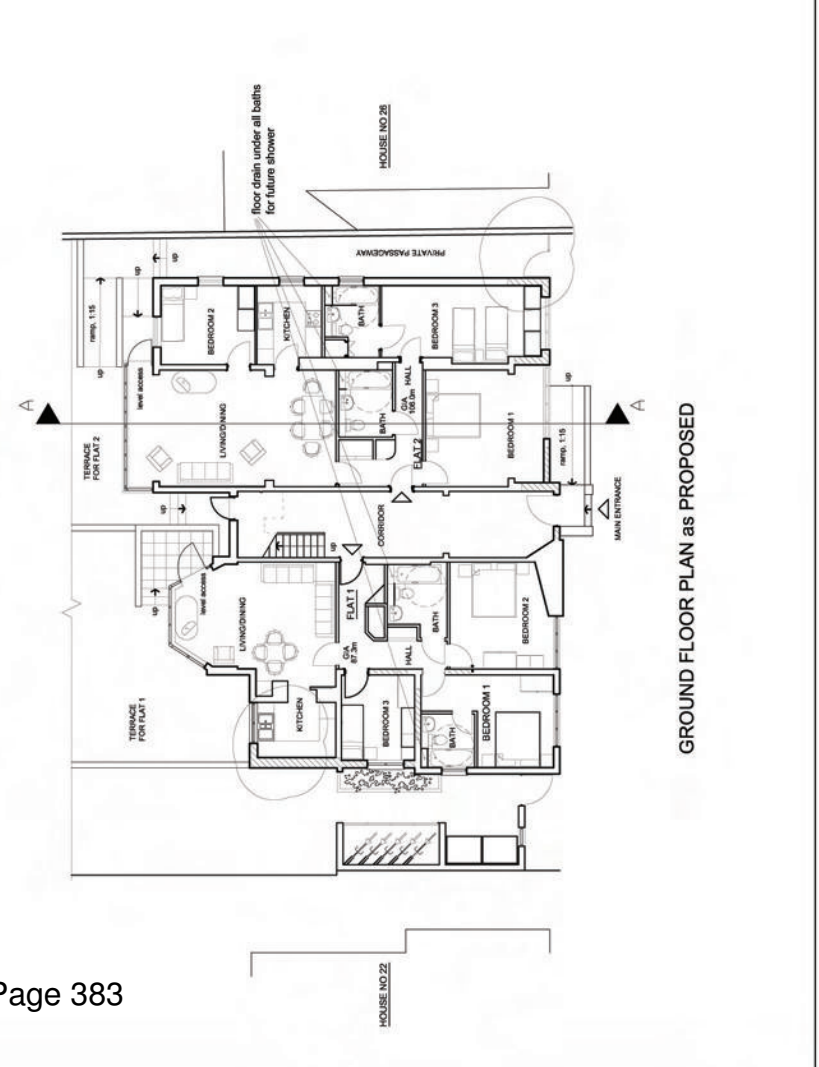
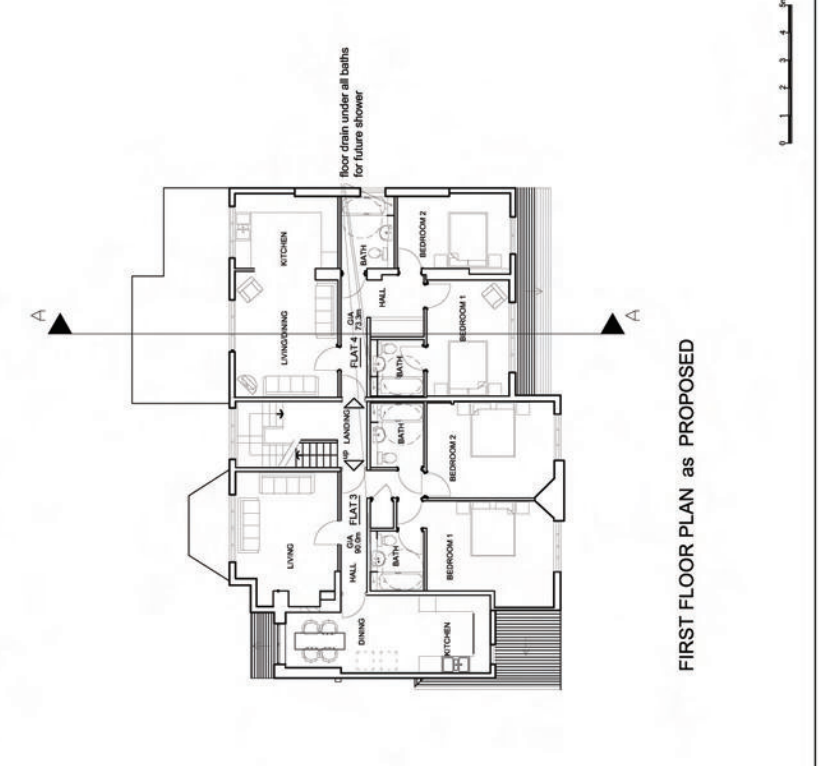
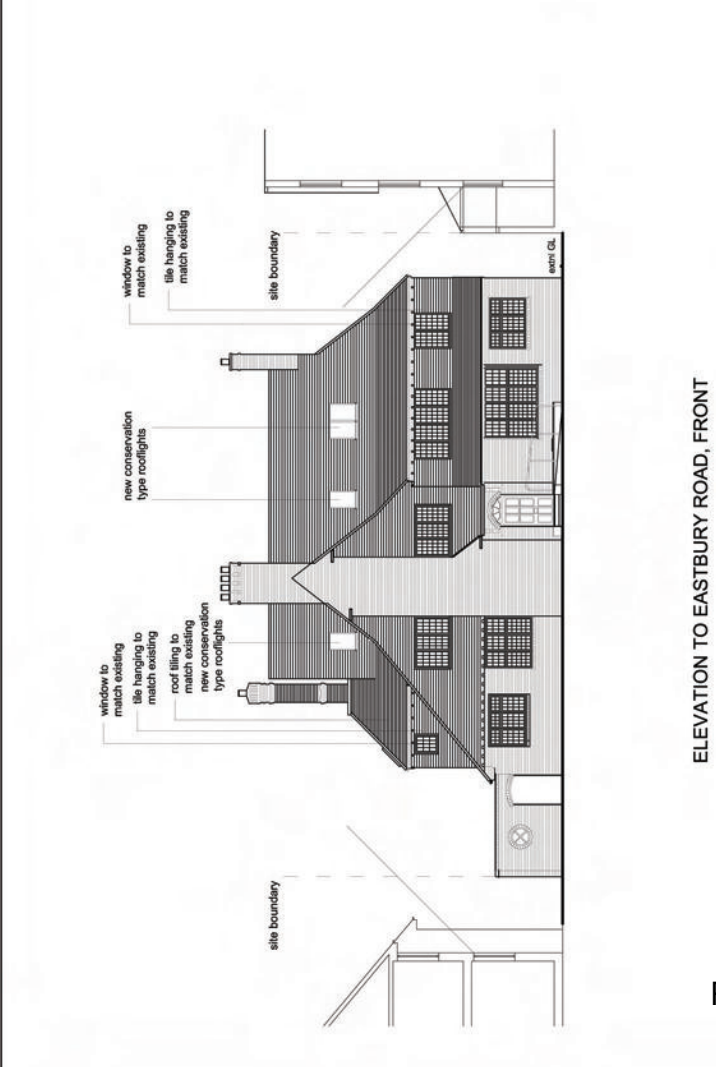
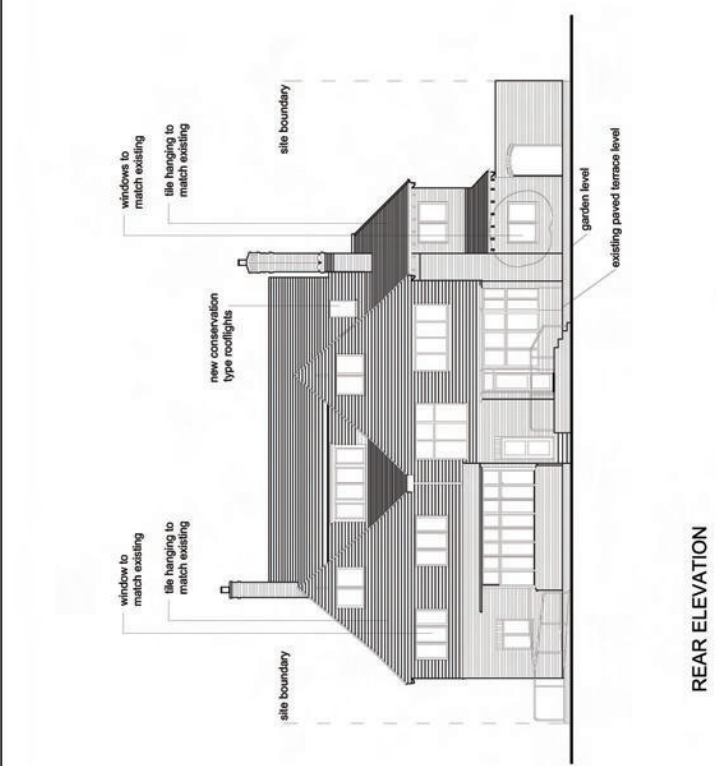
HILLINGDON
LONDON

CORPORATE LANDROUD GROUP
45/11, CIVIC CENTRE, UMBROSE, MIDDLESEX, UB8 3UR
Tel: 01895 250 111
Fax: 01895 277 224

PROJECT
REURBISHMENT OF
24, EASTBURY ROAD
NORTHWOOD, LONDON HA6

DESCRIPTION
GENERAL ARRANGEMENT
AS PROPOSED

SCALE	1:200 @ A3	DRAWN BY	NDT	CHECKED BY		DATE	16 JUN 11
DRAWING NO.						REV.	E



NOTES

The Contractor shall verify the dimensions of the building and all other existing work, including any roof structure. Any discrepancies must be reported to the Contract Administrator before proceeding.

DO NOT SCALE FROM THIS DRAWING

location plan scale 1:1250

A	Revised as issued:	pl	30 Sep 11
	Date	Revision number	Issue

HILLINGDON
LONDON

CORPORATE LANDROUD GROUP
44/11, CIVIC CENTRE, UMBROSE, WOODLEIGH, URB LUM
Tel: 01895 250 111
Fax: 01895 277 224

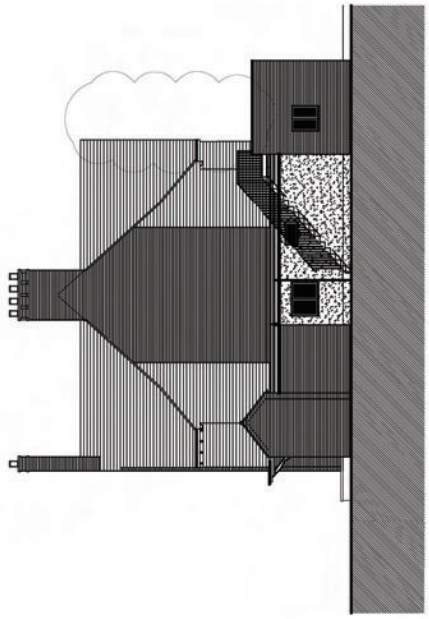
PROJECT
REFURBISHMENT OF
24, EASTBURY ROAD
NORTHWOOD, LONDON HA6

DESCRIPTION
SURVEY AS EXISTING
SHEET 2

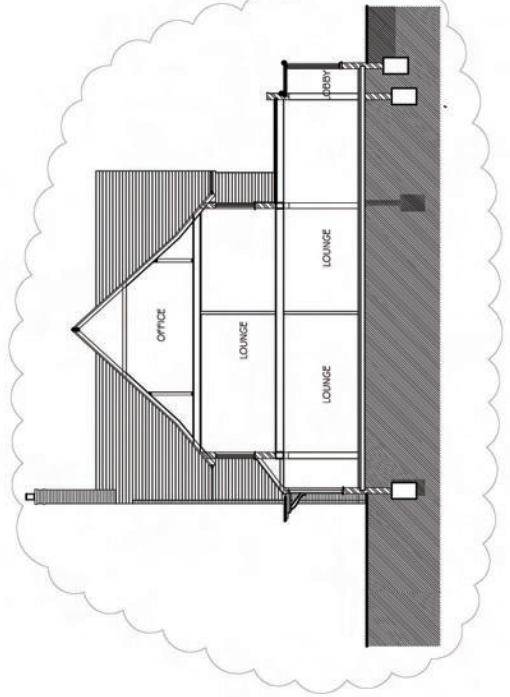
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DRAWING NO. **2010-D84-1-02**

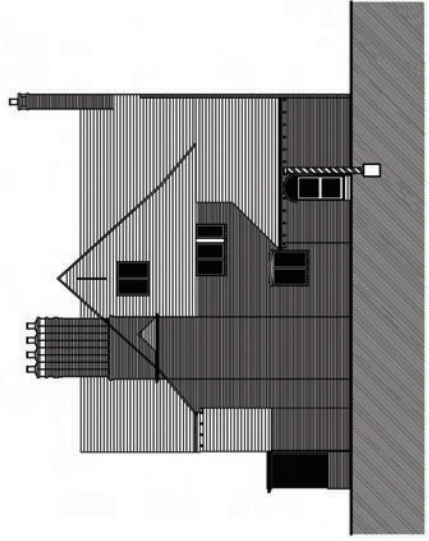
REV. **A**



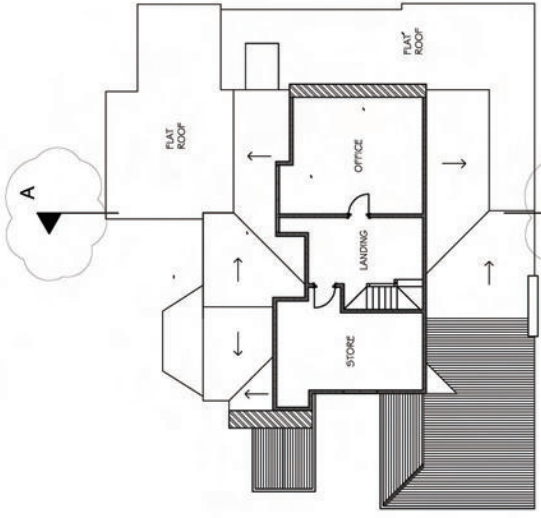
SOUTH ELEVATION



SECTION AA



NORTH ELEVATION



SECOND FLOOR PLAN AS EXISTING



NOTES

The Contractor shall be responsible for obtaining all necessary planning permissions, building regulations approval, and any other approvals required for the proposed works. Any obligations that may be imposed by the Contract Administrator shall be complied with. DO NOT SCALE FROM THIS DRAWING



location plan scale 1:1250

SCHEDULE OF AREAS

		Great Internal Floor Area m ²
GROUND FLOOR	FLAT 1 3 bed flat	87.3
	FLAT 2 3 bed flat	106.0
FIRST FLOOR	FLAT 3 2 bed flat	80.0
	FLAT 4 2 bed flat	73.3
SECOND FLOOR	FLAT 5 2 bed flat	65.1
TOTAL		421.7
EXTERNAL AMENITY SPACE		443.46
TOTAL SITE AREA		1136.0

E	Kitchen window enclosed & bedrooms revised	pl	16 Oct 11
D	Kitchen window revised as enclosed	pl	17 Oct 11
C	Floorplans revised & approved, as enclosed	pl	16 Oct 11
B	Generally revised	pl	30 Sep 11
A	North and SE elevation amended	not	23 Jun 11
Rev	Revision table	revise	date

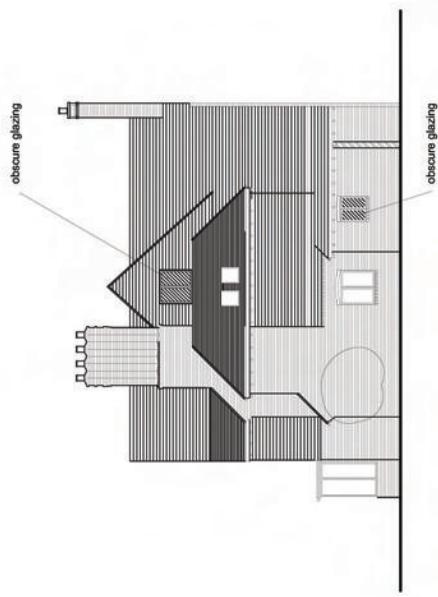
HILLINGDON
LONDON

CORPORATE LANDS GROUP
AV/11, CIVIC CENTRE, URBROOK, MIDDLESEX, UB8 3UR
Tel: 01895 250 111
Fax: 01895 277 224

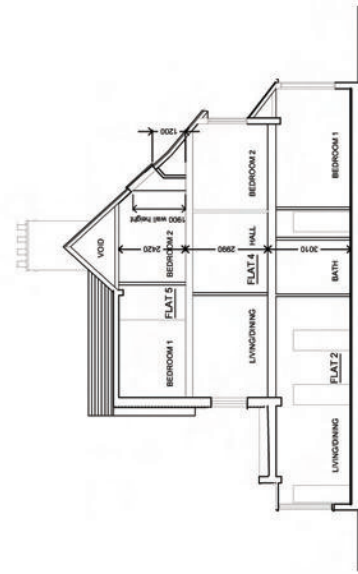
PROJECT
REFURBISHMENT OF
24, EASTBURY ROAD
NORTHWOOD, LONDON HA6

DESCRIPTION
GENERAL ARRANGEMENT DRAWING 2
AS PROPOSED

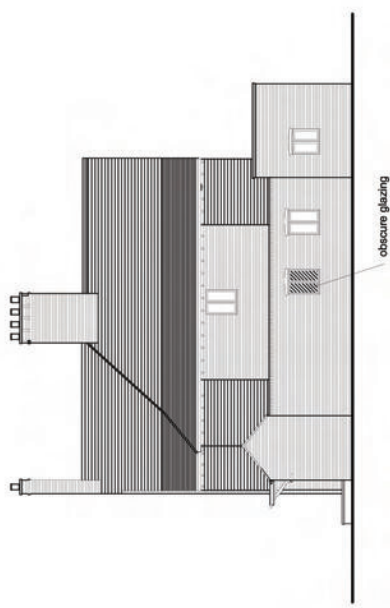
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DRAWING NO.	2010/D84/1/04							REV.	E



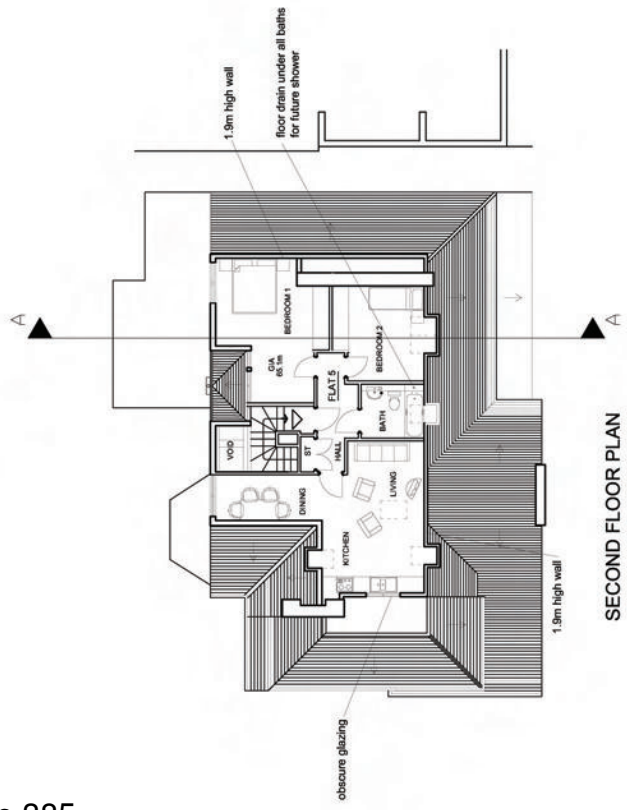
NORTH ELEVATION



SECTION A-A



SOUTH ELEVATION



SECOND FLOOR PLAN



NOTE:

This survey is of a preliminary nature. The trees were inspected from the ground only and no detailed analysis was undertaken. No decay detection equipment was employed. The survey does not cover the arrangements that may be required in connection with the laying or removal of underground services.

Branch spread in metres is taken at the four cardinal points to derive an accurate representation of the crown.

Root Protection Areas (RPA) are derived from stem diameter measured at 1.5 m above adjacent ground level (taken on sloping ground on the upslope side of the tree base) or immediately above the root flare for multi-stemmed trees.

Landmark Trees
 20 Broadwick Street, W1F 8HT, London
 Tel: 0207 851 4544 Mobile: 079 12 369628
 Landmark Trees e-mail: info@landmarktrees.co.uk Web: www.landmarktrees.co.uk

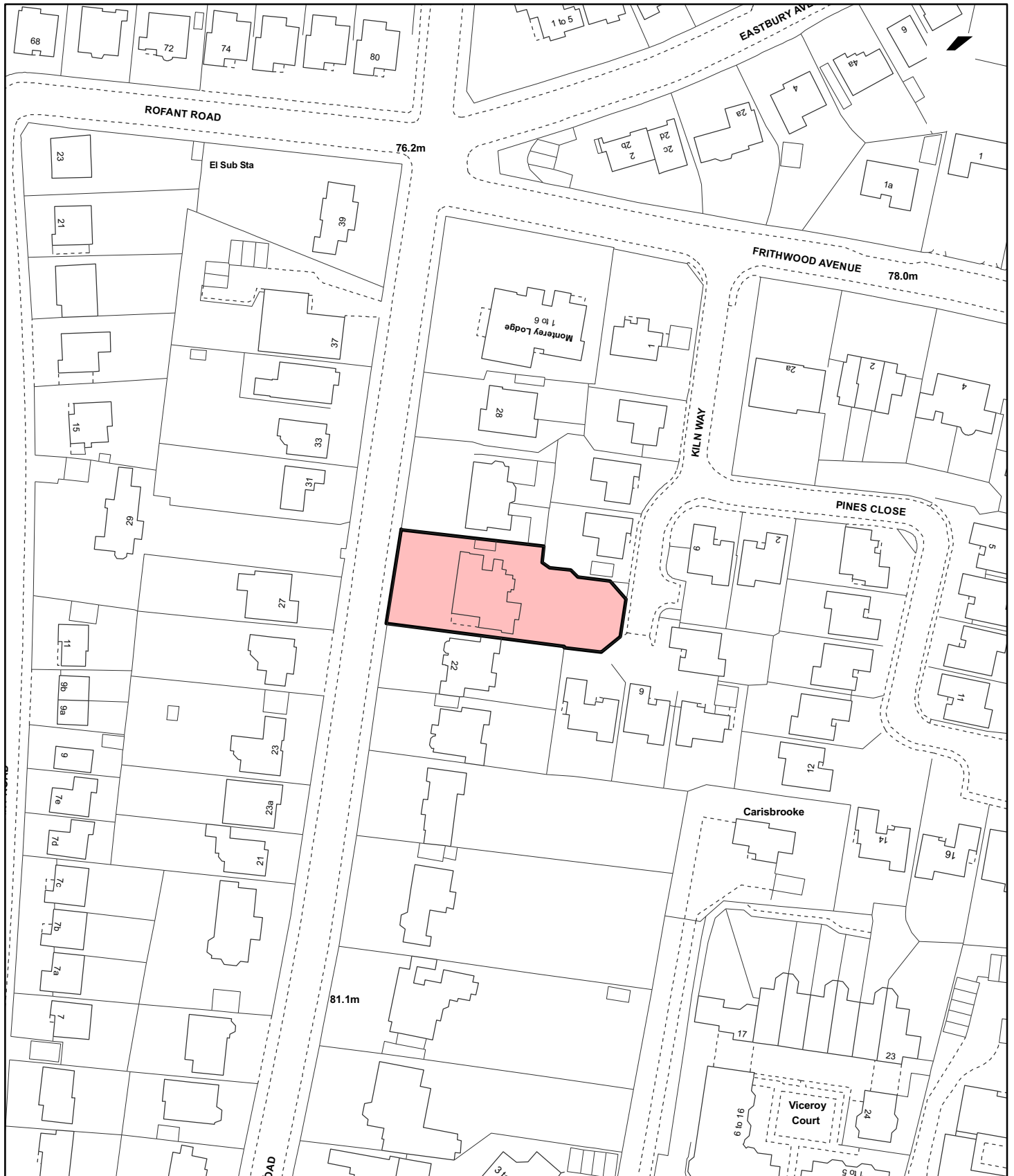
Site: 24 Eastbury Road, Northwood
 Drawing Title: Arboricultural Impact Assessment
 1-200@A2
 Jan 2011

Key:

- Category A High Quality
- Category B Moderate Quality
- Category C Low Quality
- Category R Poor Quality

- Crown Spread
- Tree Number
- Species
- Category
- Root Protection Area
- Tree Position Approximate (not shown on original survey)





Notes

 Site boundary

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Site Address

**24 Eastbury Road,
Northwood**

Planning Application Ref:

19305/APP/2011/1584

Planning Committee

North Page 387

Scale

1:1,250

Date

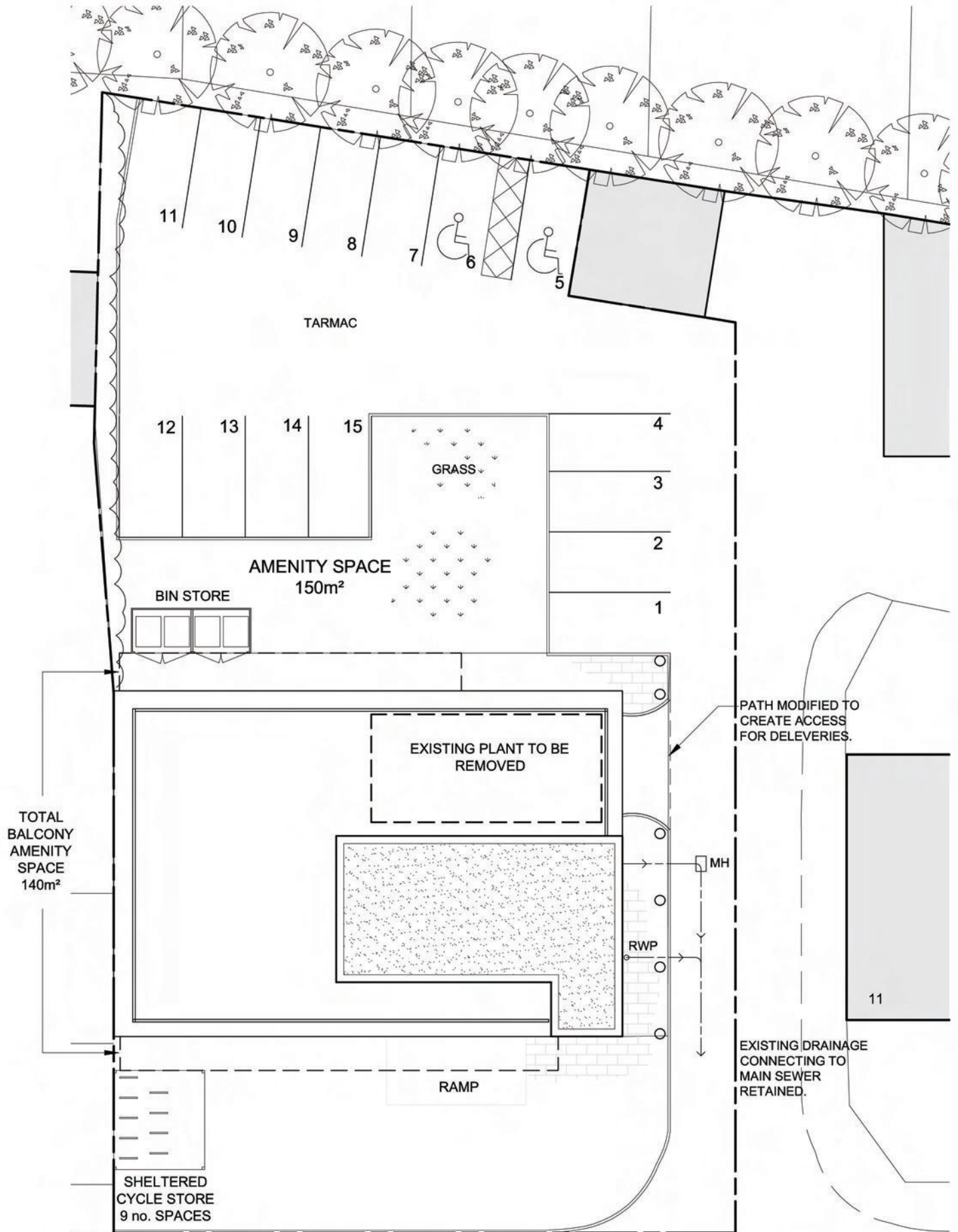
**September
2011**

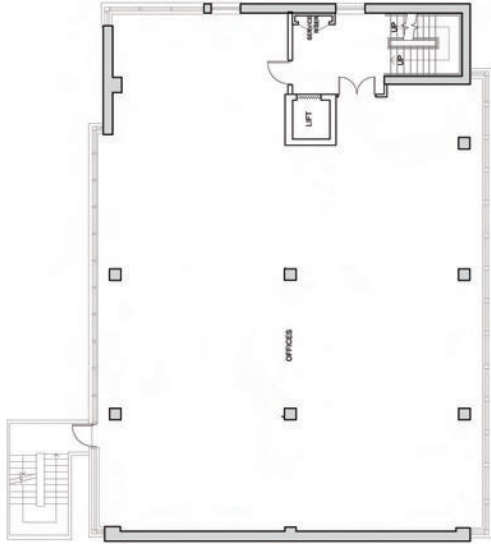
**LONDON BOROUGH
OF HILLINGDON**
Planning,
Environment, Education
& Community Services

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

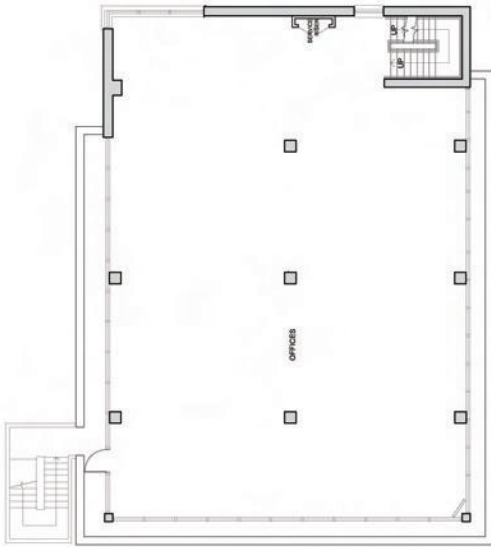


HILLINGDON
LONDON

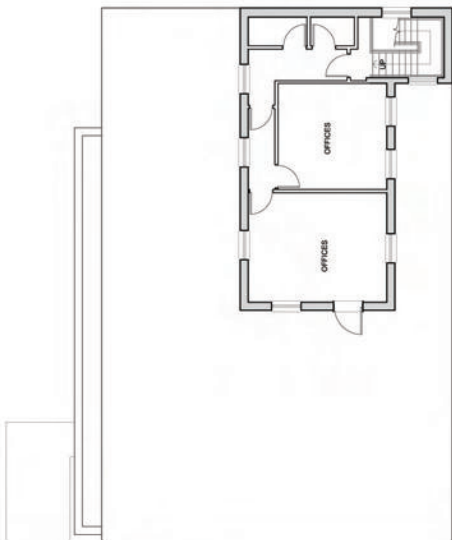




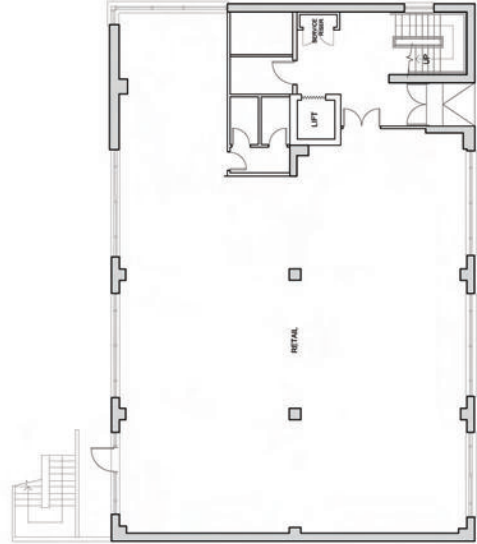
SECOND FLOOR



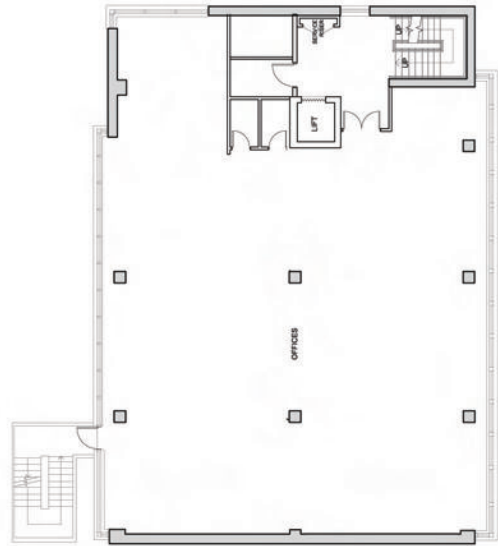
THIRD FLOOR



FOURTH FLOOR



GROUND FLOOR



FIRST FLOOR

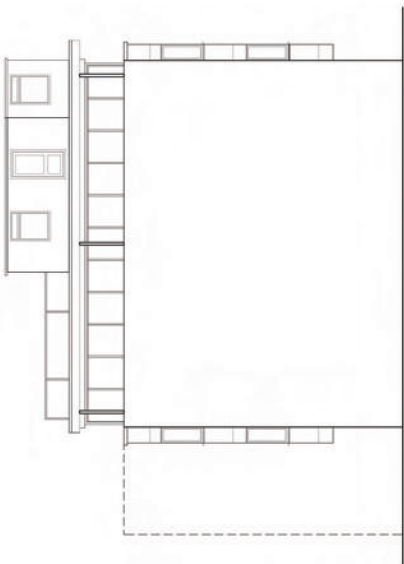
FLOOR USES ANTICIPATED	APPRENTI	A
ADJUSTMENTS	DATE	REV.

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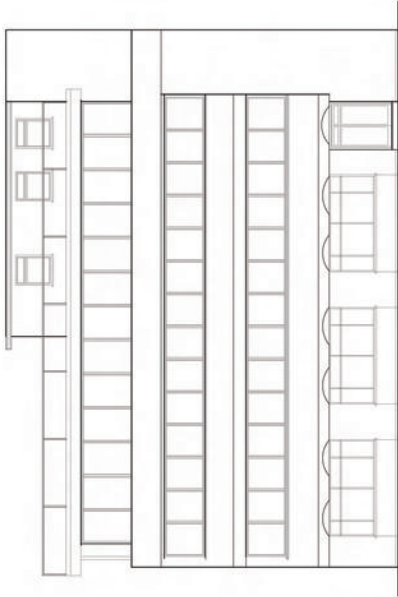
JOB PEMBROKE HOUSE 5-9 PEMBROKE ROAD RUJSLIP, MIDDLESEX, HA4 8NQ	CLIENT ANSLIP UK Ltd
DRAWING FLOOR PLANS AS EXISTING	

DALE VENN ARCHITECTS Architects, Planners & Surveyors HIGH HOUSE, HAWKINGTON ROAD, HILLINGDON, MIDDLESEX O1895-237345	
---	--

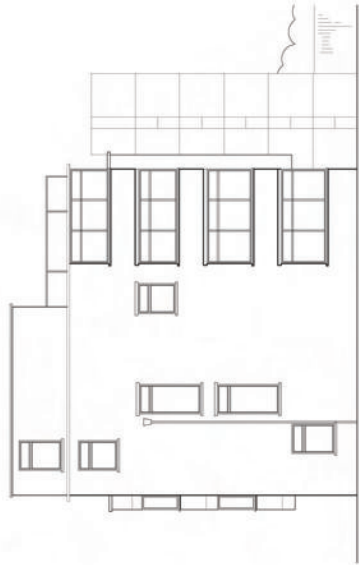
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DATE: MARCH '11	DRAWN: J.R.	4628-6
CHECKED: D.V.		A



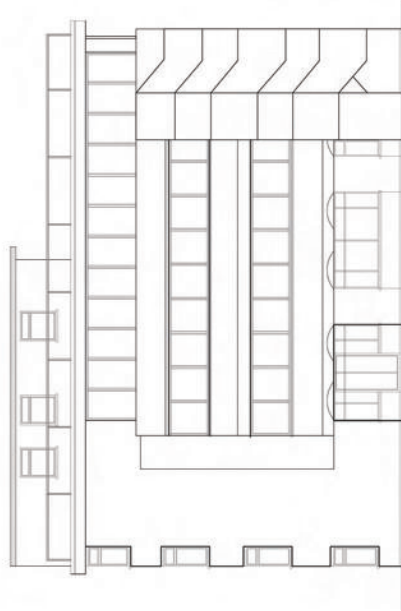
NORTH WEST ELEVATION



NORTH EAST ELEVATION



SOUTH WEST ELEVATION



SOUTH EAST ELEVATION

AMENDMENTS	DATE	REV.
COPYRIGHT RESERVED ALL SCALED DIMENSIONS MUST BE VERIFIED ON SITE		
JOB PEMBROKE HOUSE 5-9 PEMBROKE ROAD RUISLIP, MIDDLESEX, HA4 8NQ		
CLIENT ANSLIP UK Ltd		
DRAWING ELEVATIONS AS EXISTING		
DALE VENN ASSOCIATES Architects, Planners & Surveyors HIGH HOUSE, HAYLINGTON ROAD, HILLINGDON, MIDDLESEX 01895-237345		
SCALE 1:100	DRAWING No.	REV.
DATE MARCH '11	DRAWN: J.R.	4628-7
CHECKED: D.V.		



South Elevation



East Elevation

Dale Venn Associates
Chartered Architects, Planners & Surveyors
High House, Harlington Road,
Hillingdon, Middlesex, UB8 3HX

Tel:01895 237345 FAX:01895 237346

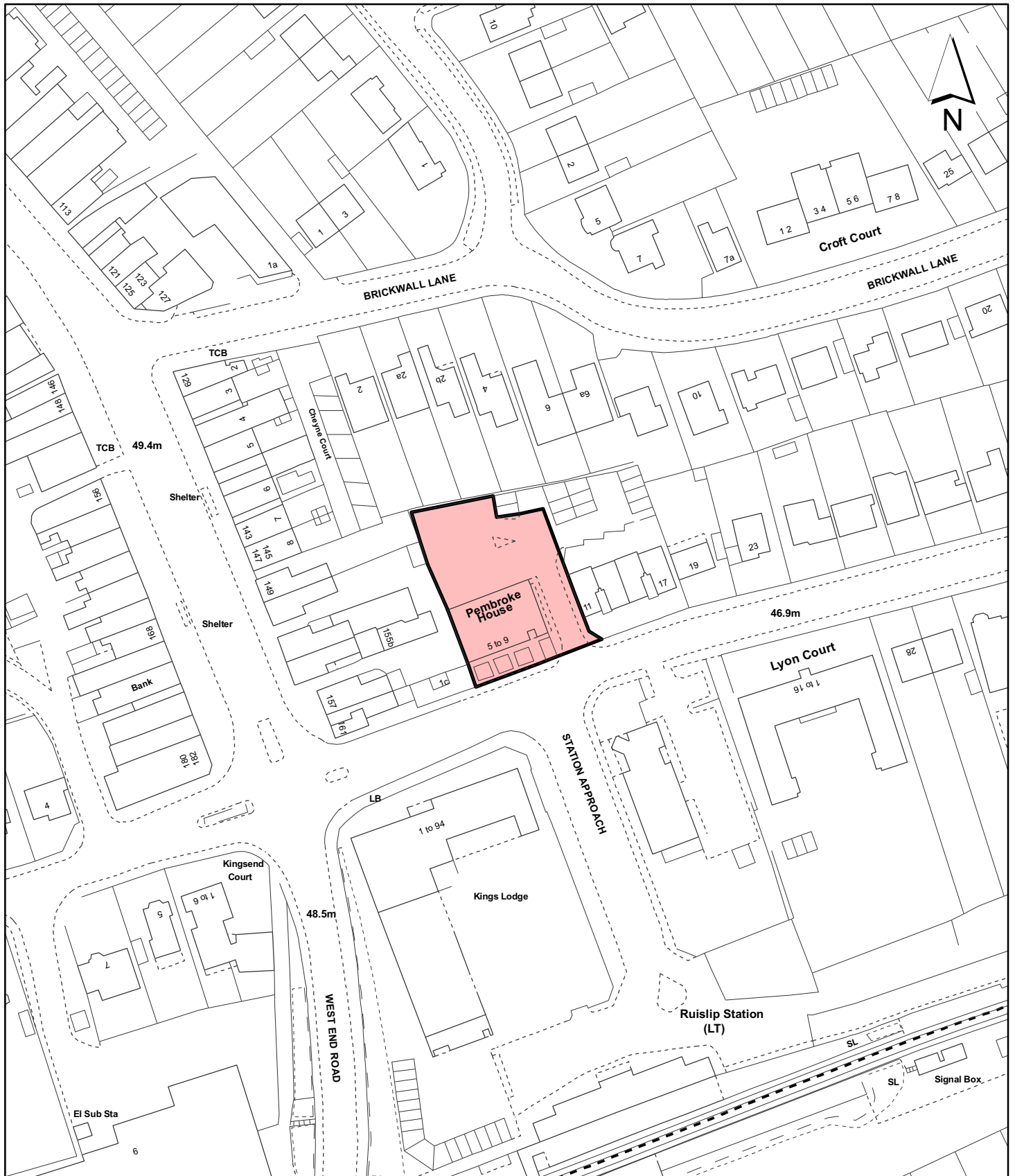


3D rendering of Pembroke House, Ruislip, London, United Kingdom
Address is approximate



Dale Venn Associates
Chartered Architects, Planners & Surveyors
High House, Harlington Road,
Hillingdon, Middlesex, UB8 3HX

Tel:01895 237345 FAX:01895 237346



Notes

 Site boundary

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Site Address

**Pembroke House
5 - 9 Pembroke Road
Ruislip**

Planning Application Ref:

38324/APP/2011/786

Planning Committee

North Page 396

Scale

1:1,250

Date

**October
2011**

**LONDON BOROUGH
OF HILLINGDON**
Planning,
Environment, Education
& Community Services

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



HILLINGDON
LONDON

Report of the Head of Planning & Enforcement Services

Address 67 EASTCOTE ROAD RUISLIP
Development: Part two storey, part single storey rear extension with 3 rooflights involving demolition of conservatory to rear
LBH Ref Nos: 32752/APP/2011/1685

Date Plans Received:	08/07/2011	Date(s) of Amendment(s):	08/07/2011
Date Application Valid:	19/07/2011		20/07/2011
			27/09/2011

CANOPY PLANNING
OFFICES:- MITCHAM & WIMBORLEY
TEL No. 020 8544 5166
Mobile:- 07956 311 277
Email:- canopyplanning@yahoo.co.uk

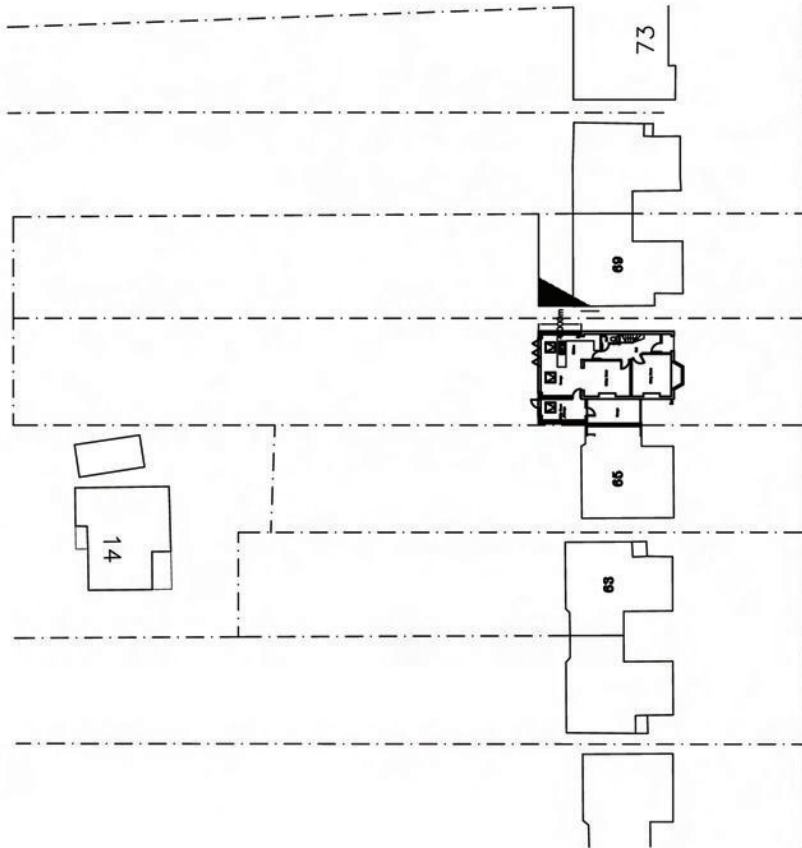
Client
Ms S Pomellis

Job Title
67 Eastcote Road
Ruislip
HA4 8BG

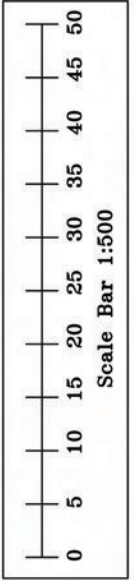
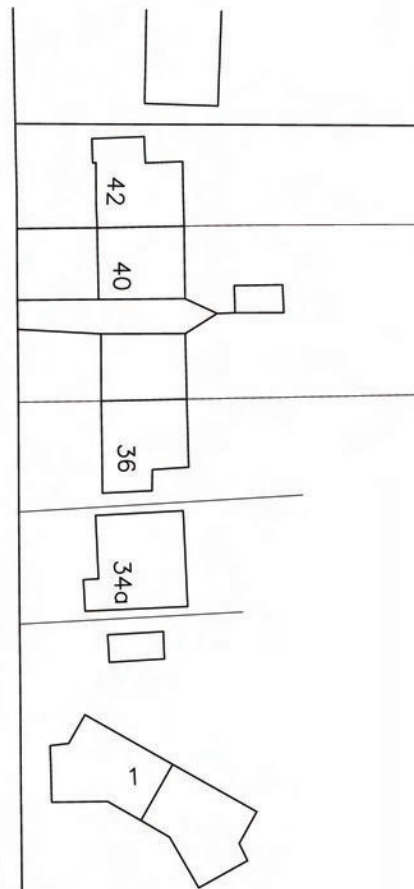
Drawing Title
BLOCK PLAN

Scale **A3, 1:500**
Date **Sept.11** Drawn by **O.A**

Dwg. No. **11101/07** Rev. **A**



EASTCOTE ROAD



CANOPY PLANNING
 OFFICES:- MITCHAM & WIMBORNE
 TEL No. 020 8544 5166
 Mobile:- 07956 311 277
 Email:- canopyplanning@yahoo.co.uk

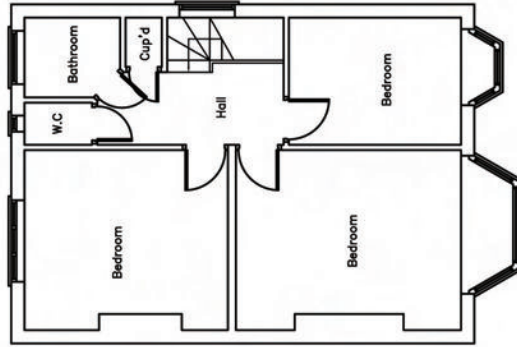
Client
Ms S Pomellis

Job Title
67 Eastcote Road
Ruislip
HA4 8BG

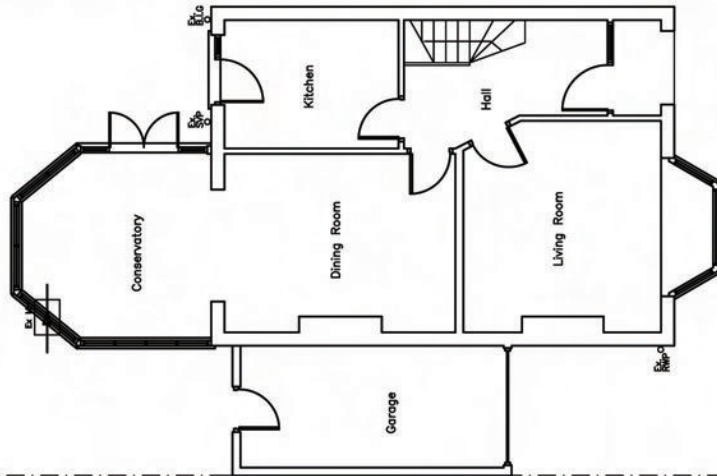
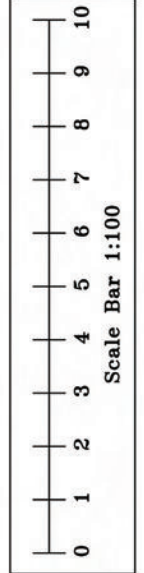
Drawing Title
Existing

Scale **A3, 1:100**
 Date **July 11** Drawn by **OA**

Draw. No. **11101/01**



Existing First Floor



Existing Ground Floor

CANOPY PLANNING
 OFFICES:- MITCHAM & WIMBORLEY
 TEL No. 020 8544 5166
 Mobile:- 07956 311 277
 Email:- canopyplanning@yahoo.co.uk

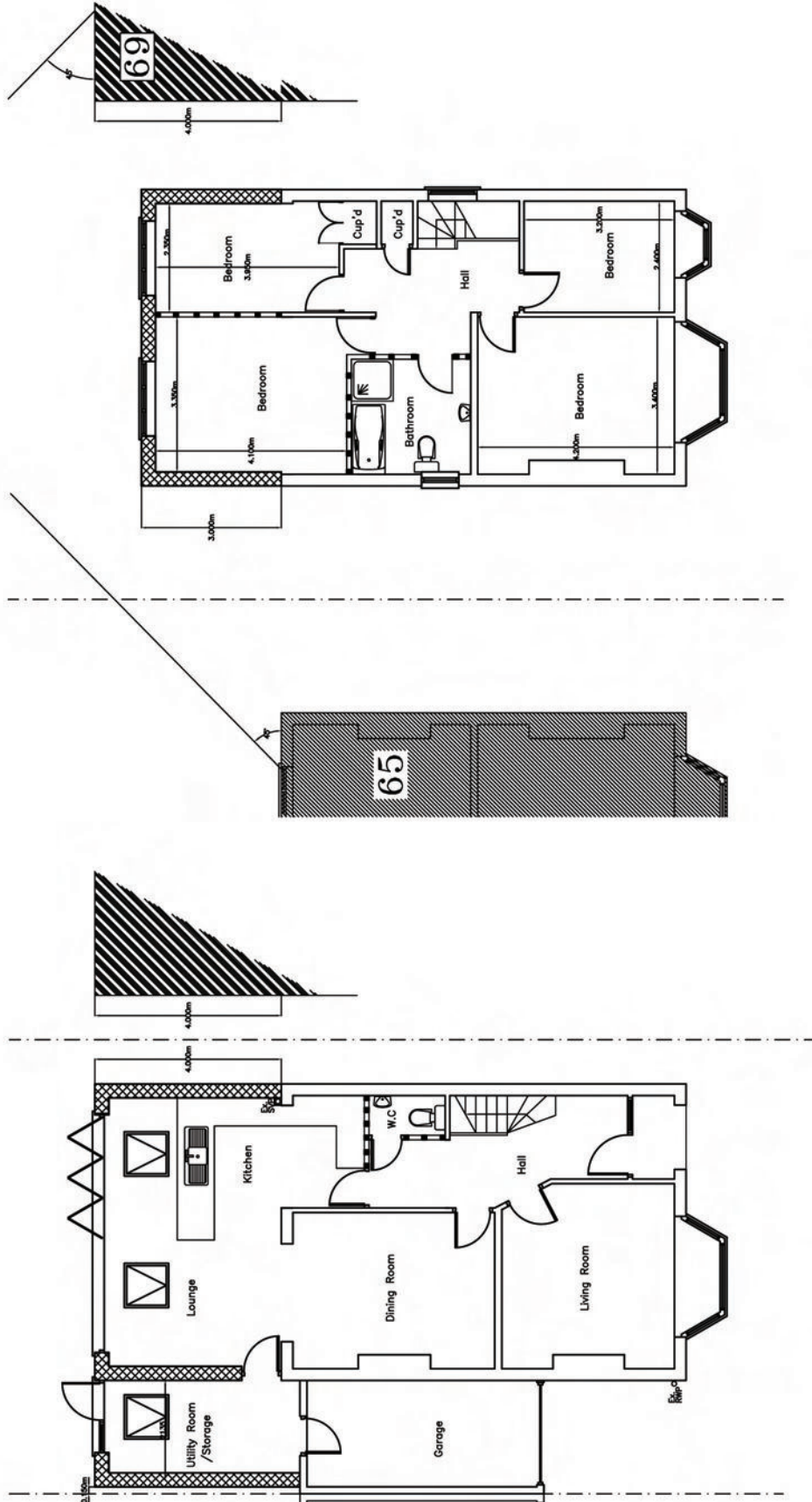
Client
Ms S Pomellis

Job Title
67 Eastcote Road
Ruislip
HA4 8BG

Drawing Title
Proposed Extension

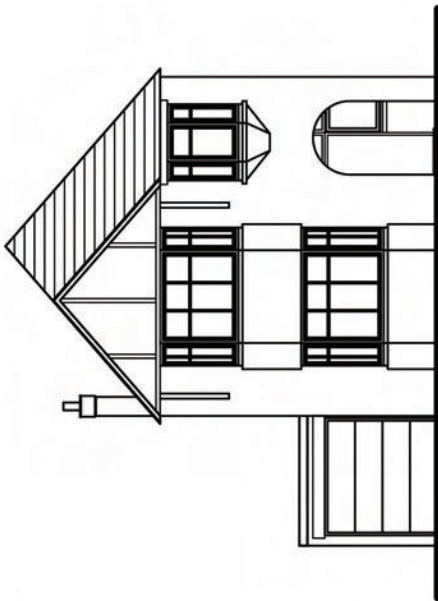
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 Date **Sept. 11** Drawn by **OA**

Draw. No. **11101/05** Rev. **B**

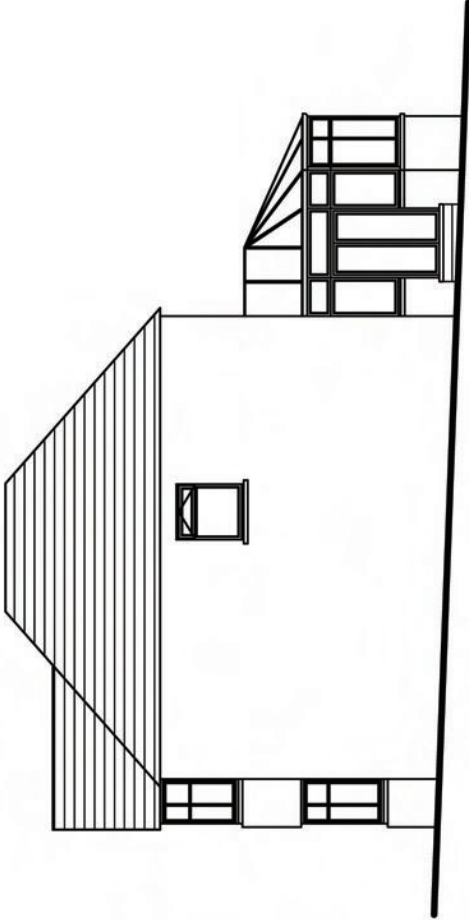


Proposed First Floor

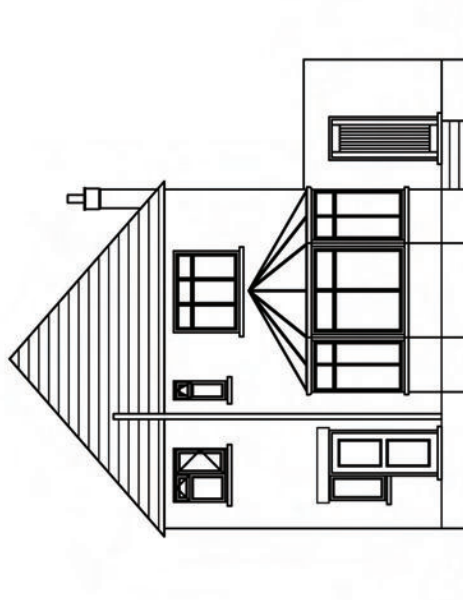
Proposed Ground Floor



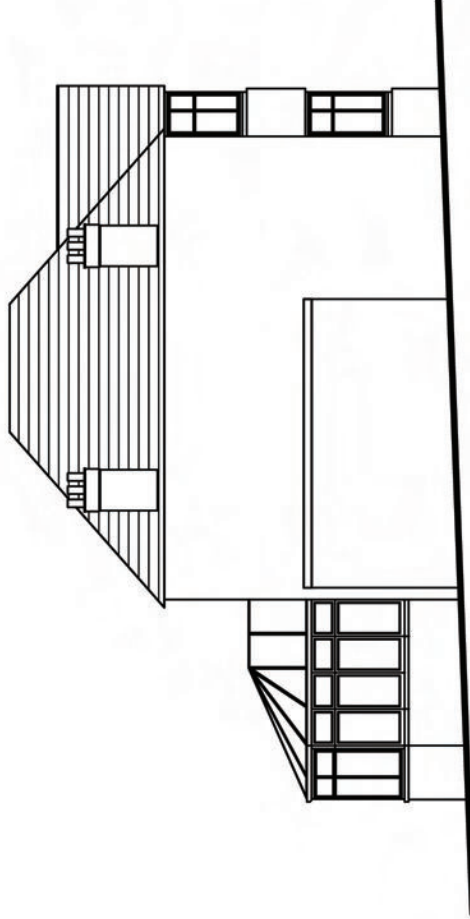
Existing Front Elevation



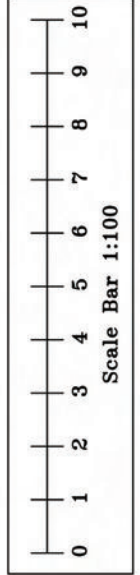
Existing Side Elevation



Existing Rear Elevation



Existing Side Elevation



CANOPY PLANNING
 OFFICES:- MITCHAM & WIMBORNE
 TEL No. 020 8544 5166
 Mobile:- 07956 311 277
 Email:- canopyplanning@yahoo.co.uk

Client

Ms S Pomells

Job Title

67 Eastcote Road

Ruislip

HA4 8BG

Drawing Title
 Existing

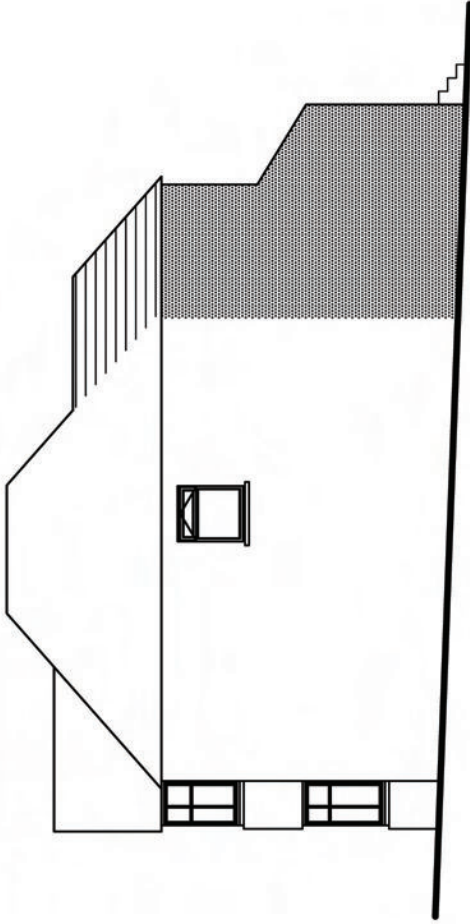
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Date July 11 Drawn by OA

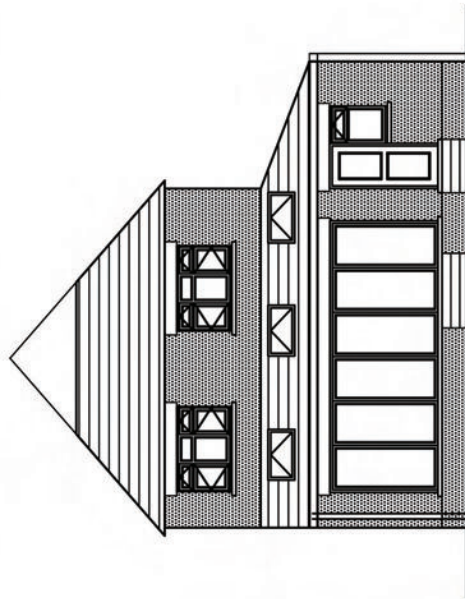
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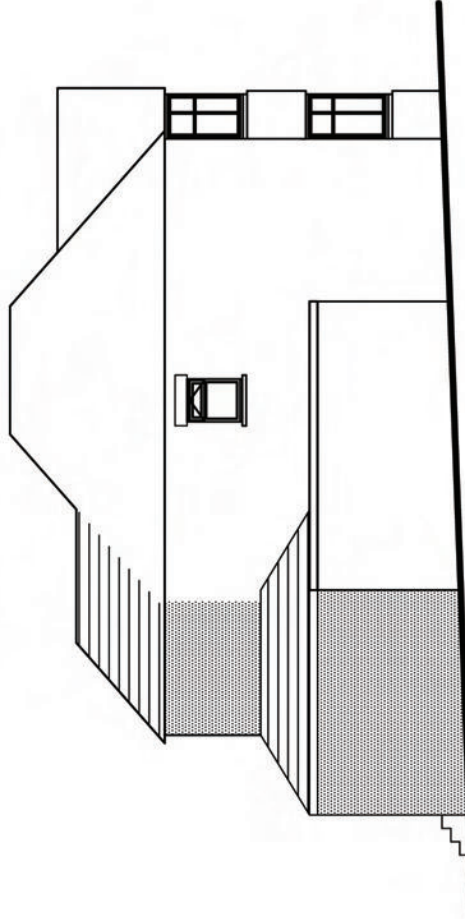
Proposed Front Elevation



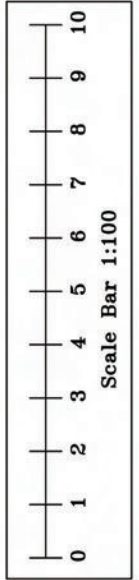
Proposed Side Elevation



Proposed Rear Elevation



Proposed Side Elevation



CANOPY PLANNING
 OFFICES:- MITCHAM & WIMBORNE
 TEL No. 020 8544 5166
 Mobile:- 07956 311 277
 Email:- canopyplanning@yahoo.co.uk

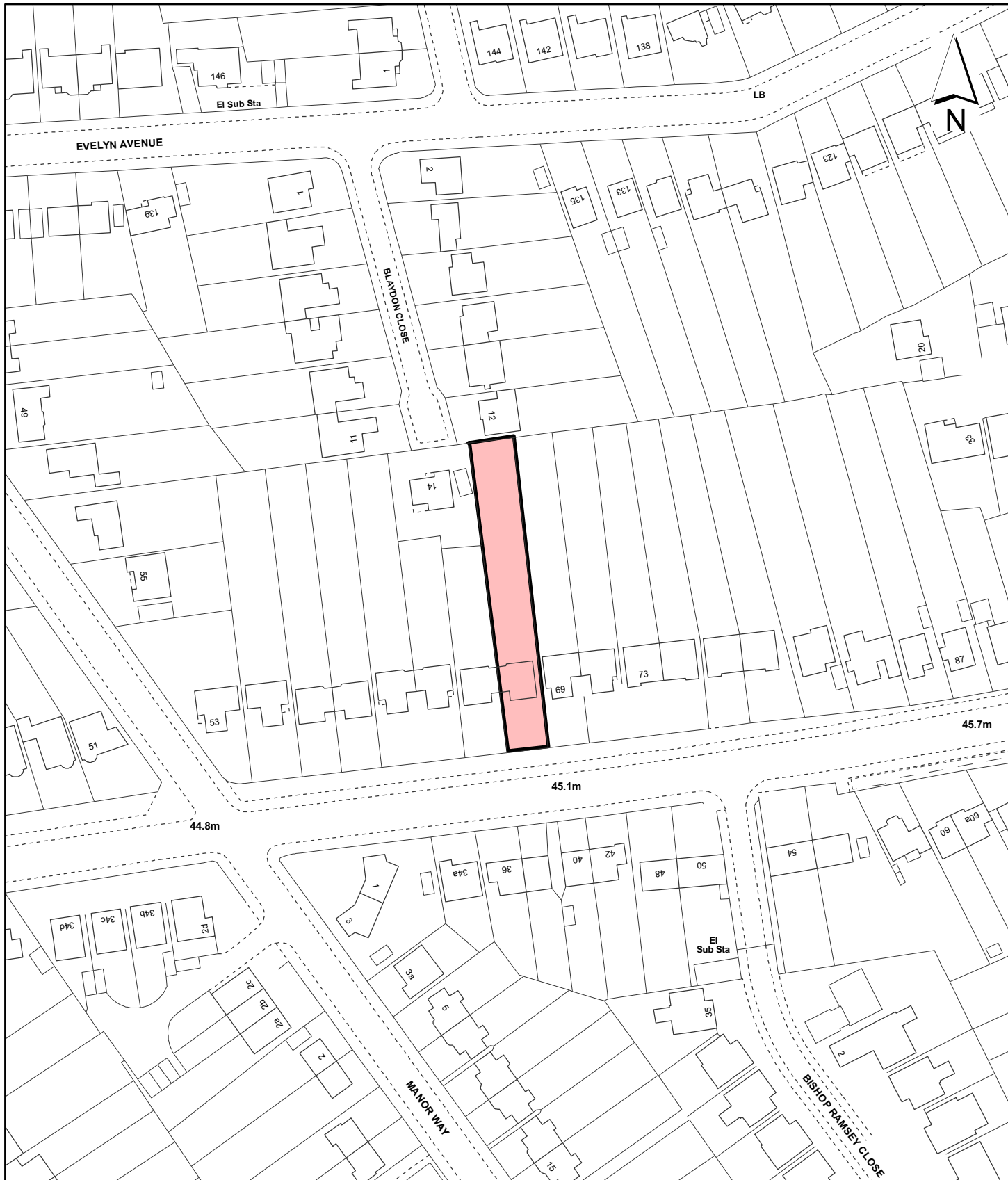
Client
Ms S Pomellis


Job Title
**67 Eastcote Road
 Ruislip
 HA4 8BG**

Drawing Title
Proposed Extension

Scale **A3, 1:100**
 Date **Sept. 11** Drawn by **O.A**

Draw. No. **11101/06** Rev. **C**



<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). 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">67 Eastcote Road Ruislip</p>		<p>LONDON BOROUGH OF HILLINGDON Planning, Environment, Education & Community Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p align="center">32752/APP/2011/1685</p>	<p>Scale</p> <p align="center">1:1,250</p>	
	<p>Planning Committee</p> <p align="center">North Page 403</p>	<p>Date</p> <p align="center">October 2011</p>	



Report of the Head of Planning & Enforcement Services

Address 106 FIELD END ROAD EASTCOTE PINNER

Development: Change of use from retail (Use Class A1) to restaurant/Cafe (Use Class A3) and installation of flue to side.

LBH Ref Nos: 11104/APP/2011/334

Date Plans Received: 15/02/2011 **Date(s) of Amendment(s):**

Date Application Valid: 07/03/2011

1. SUMMARY

Planning permission is sought for the retention of a restaurant use and the installation of an extract flue on the roof of the rear extension. The change of use does not result in the proportion of frontage in non-retail use within the secondary area exceeding 50%. However, it would result in a break in the retail frontage which would exceed 12m and could be construed as an over-concentration of non-shop uses, but given that these premises would also operate as a delicatessen, the proposal is considered acceptable in this instance.

2. RECOMMENDATION

APPROVAL subject to the following:

1 T8 Time Limit - full planning application 3 years

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

REASON

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

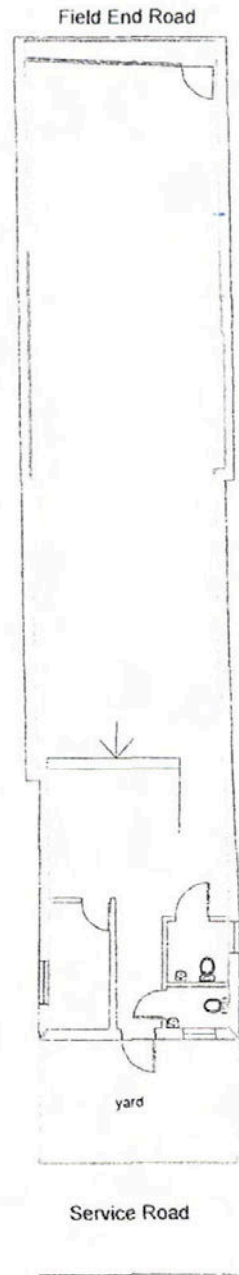
2 OM1 Development in accordance with Approved Plans

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

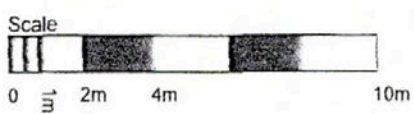
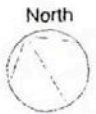
REASON

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

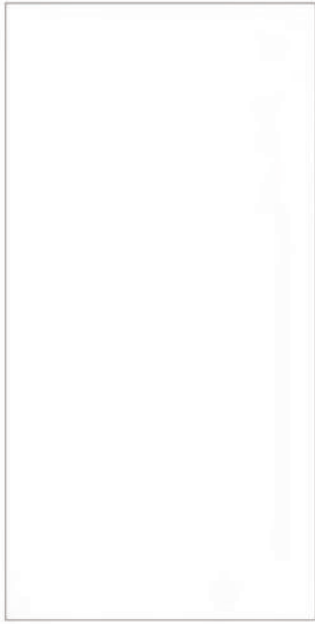
3 NONSC Non Standard Condition



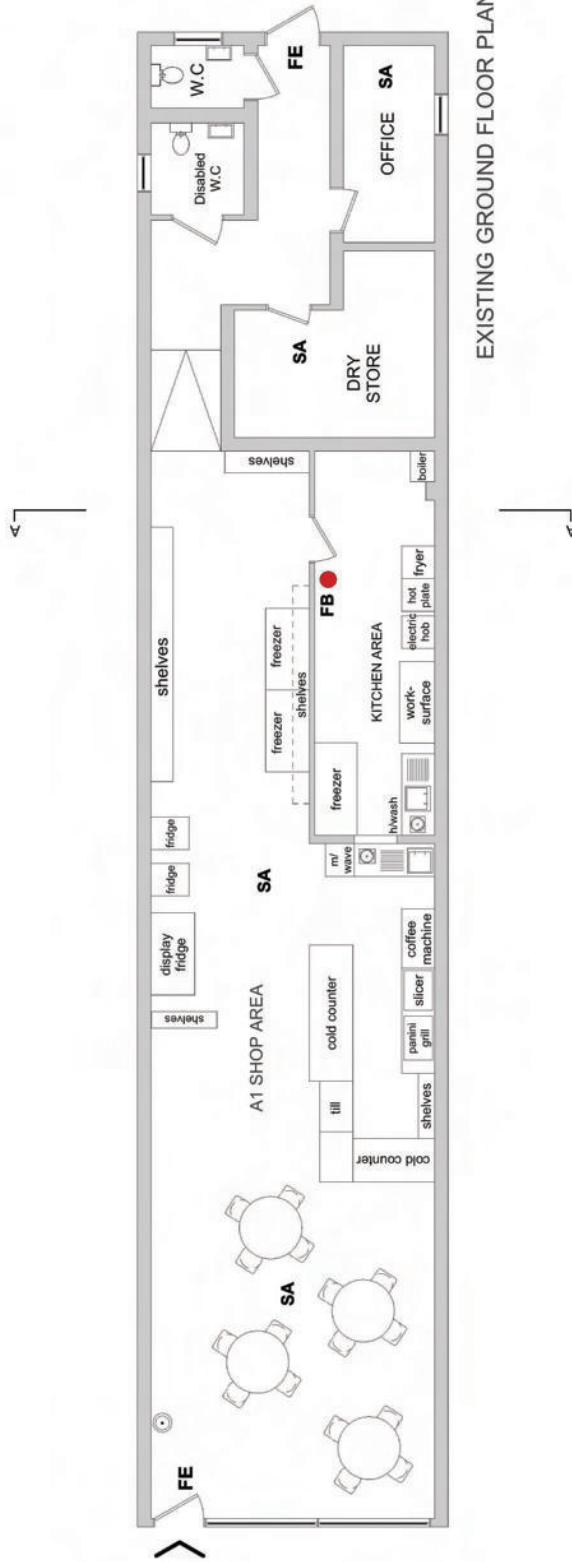
LON BORO OF HILLINGDON
RECEIVED
15 FEB 2011
PLANNING & TRANSPORTATION
GROUP



Client Mr D Gerson	Address 106 Field End Road Eastcote Middlesex	Description Lease plan	Scale 1:200@A4	Date 23.7.10	Drawn by 001DG	Rev
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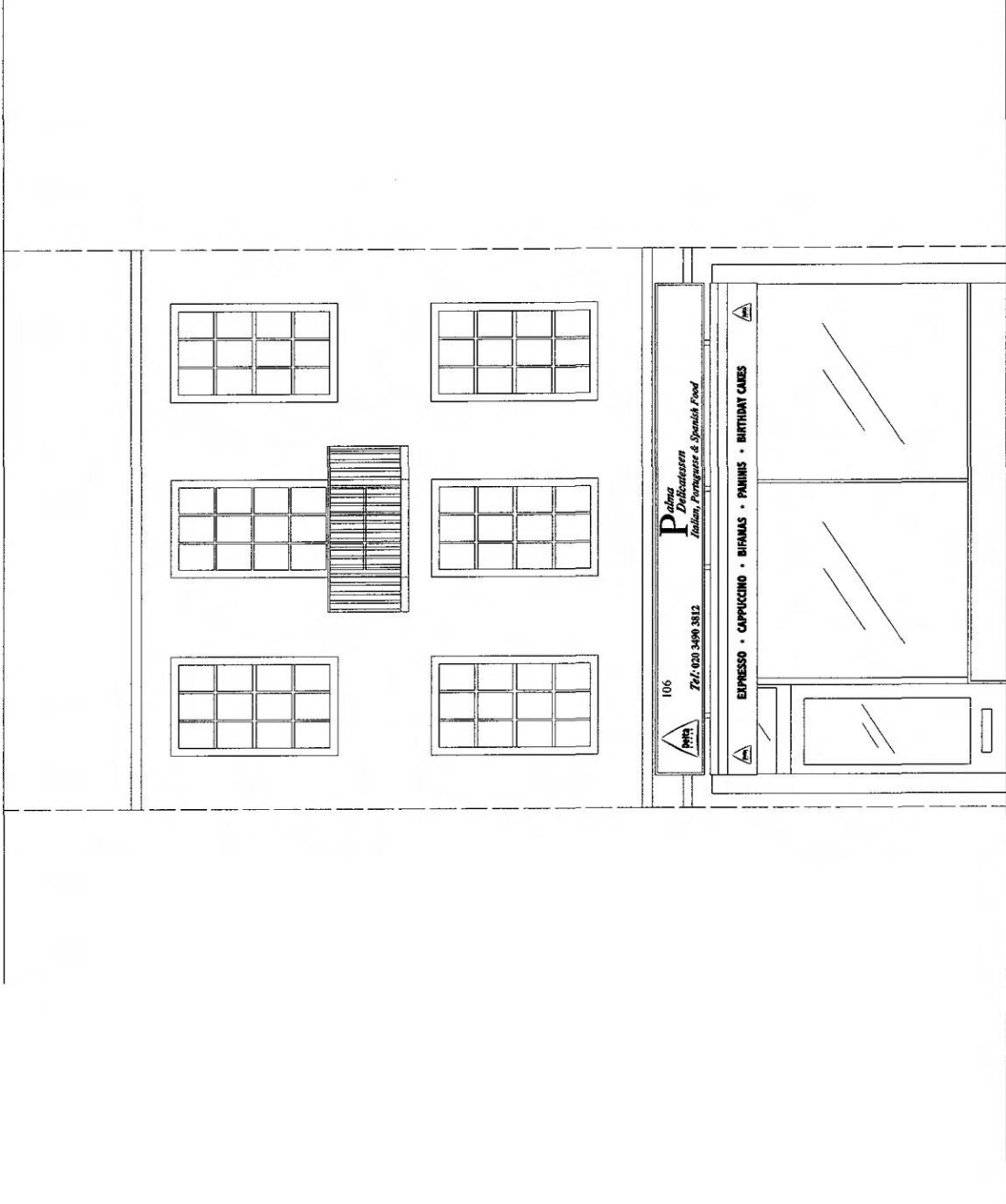
EXISTING FLAT ROOF



EXISTING GROUND FLOOR PLAN

<p>PALMA DELICATESSEN</p>	<p>ADDRESS OF PREMISES</p> <p>106 FIELD END ROAD PINNER HA5 1RL</p>	<p>PROJECT</p> <p>CHANGE OF USE FROM A1 TO A3 ERECTION OF EXTRACTION DUCTING AT REAR OF PREMISES</p>	<p>DRAWING TITLE</p> <p>EXISTING GA PLAN</p>	<p>SCALE</p> <p>1:100@A3</p>	<p>DWG NO</p> <p>001</p>	<p>NOTES</p>
	<p>DATE</p> <p>JANUARY 2010</p>	<p>DRAWN BY</p> <p>SR</p>				

LON BORO OF HILLINGDON
 RECEIVED
 15 FEB 2011
 PLANNING & TRANSPORTATION
 GROUP



FRONT ELEVATION

NOTES

SCALE 1:50 @ A3
 DWG NO 002
 DATE JANUARY 2010

DRAWING TITLE
 EXISTING FRONT
 ELEVATION

PROJECT
 CHANGE OF USE FROM A1
 TO A3
 ERECTION OF EXTRACTION
 DUCTING AT REAR OF
 PREMISES

ADDRESS OF PREMISES
 106 FIELD END ROAD
 PINNER
 HA5 1RL

**PALMA
 DELICATESSEN**

SR

DRAWN BY

LOW BORO OF HILLINGDON
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 15 FEB 2011
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 GROUP



FRONT ELEVATION

ADDRESS OF PREMISES
 106 FIELD END ROAD
 PINNER
 HA5 1RL

PROJECT
 CHANGE OF USE FROM A1
 TO A3
 ERECTION OF EXTRACTION
 DUCTING AT REAR OF
 PREMISES

DRAWING TITLE
 PROPOSED FRONT
 ELEVATION

SCALE
 1:50 @ A3

DWG NO
 005

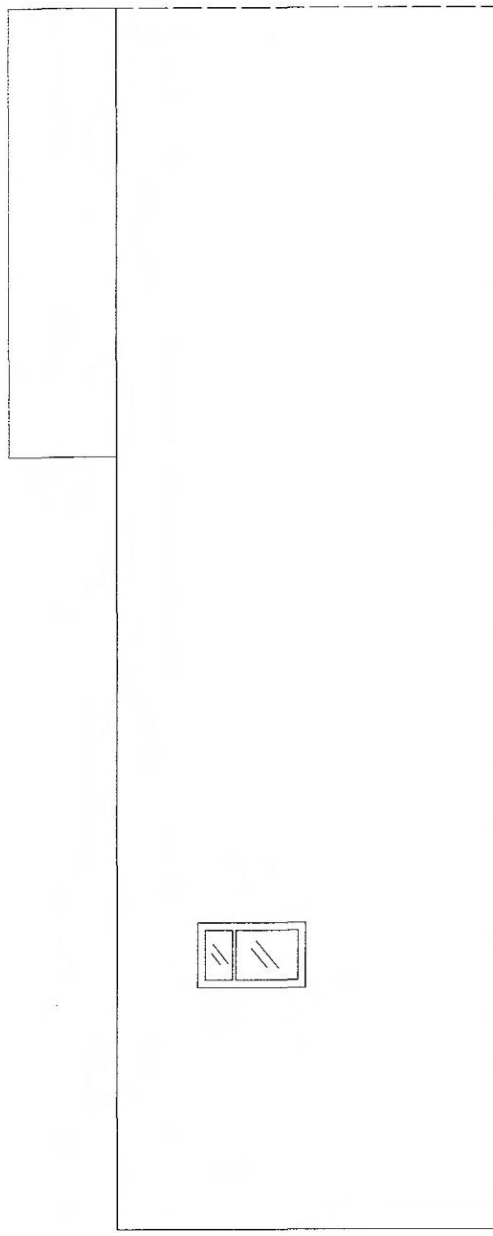
DATE
 JANUARY 2010

NOTES

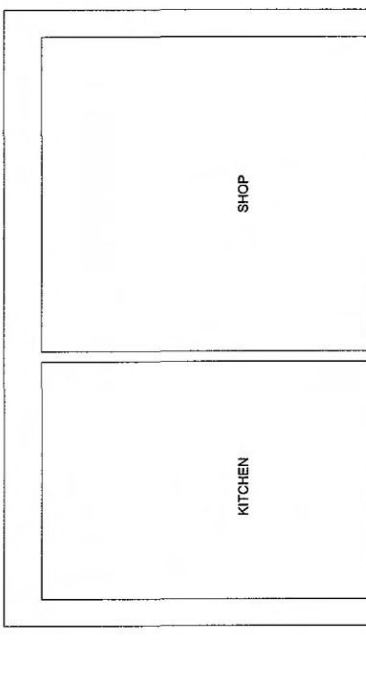
DRAWN BY
 SR

**PALMA
 DELICATESSEN**

LOW BORO OF HILLINGDON
 RECEIVED
 15 FEB 2011
 PLANNING & TRANSPORTATION
 GROUP

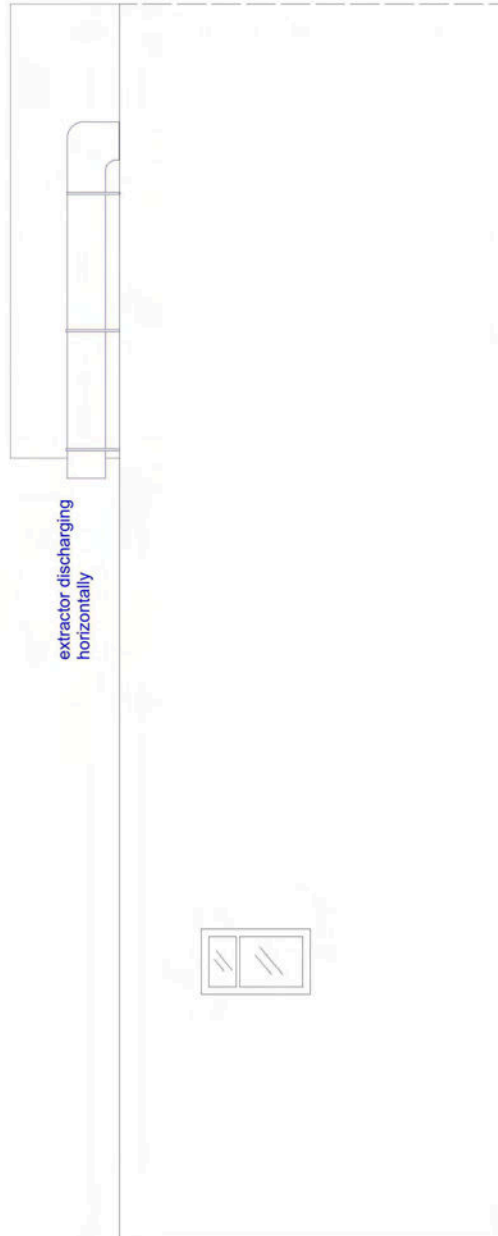


EXISTING SIDE ELEVATION



EXISTING SECTION A-A

PALMA DELICATESSEN	ADDRESS OF PREMISES 106 Field End Road Pinner HA5 1RL	PROJECT CHANGE OF USE FROM A1 TO A3 ERECTION OF EXTRACTION DUCTING AT REAR OF PREMISES	DRAWING TITLE EXISTING SIDE ELEVATION & SECTION A-A	SCALE 1:50 @ A3	DWG NO 003	NOTES
			DRAWN BY SR	DATE JANUARY 2010		



PROPOSED SIDE ELEVATION

proposed roof mounted ducting with anti vibration mountings




PROPOSED SECTION A-A

<p>PALMA DELICATESSEN</p>	<p>ADDRESS OF PREMISES</p> <p>106 FIELD END ROAD PINNER HA5 1RL</p>	<p>PROJECT</p> <p>CHANGE OF USE FROM A1 TO A3 ERECTION OF EXTRACTION DUCTING AT REAR OF PREMISES</p>	<p>DRAWING TITLE</p> <p>PROPOSED FRONT ELEVATION & SECTION A-A</p> <p>DRAWN BY</p> <p>SR</p>	<p>SCALE</p> <p>1:50 @ A3</p>	<p>DWG NO</p> <p>006</p>	<p>NOTES</p>
	<p>DATE</p> <p>JANUARY 2010</p>					



Notes

 Site boundary

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Site Address	
106 Field End Road Eastcote	
Planning Application Ref:	Scale
11104/APP/2011/334	1:1,250
Planning Committee	Date
North Page 412	October 2011

**LONDON BOROUGH
OF HILLINGDON**
 Planning,
 Environment, Education
 & Community Services
 Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111



Report of the Head of Planning & Enforcement Services

Address 109 FIELD END ROAD EASTCOTE PINNER

Development: Change of use to from Use Class A1 (Shops) to Use Class A5 (Hot Food Take-away)

LBH Ref Nos: 12666/APP/2011/1044

Date Plans Received: 03/05/2011

Date(s) of Amendment(s):

Date Application Valid: 24/06/2011

Field End Road, Eastcote



109 - Block Plan



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GeMapping plc 2011. Fluted Scale - 1:500

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	<p>Planning Application Ref:</p> <p>12666/APP/2011/1044</p>	<p>Scale</p> <p>1:1,250</p>	
	<p>Planning Committee</p> <p>North Page 416</p>	<p>Date</p> <p>September 2011</p>	
		 HILLINGDON <small>LONDON</small>	

Report of the Head of Planning & Enforcement Services

Address LAND ADJACENT TO COMPOST MATURATION SITE AT PYLON FARM
NEWYEARS GREEN LANE HAREFIELD

Development: Variation of condition 1 of planning permission ref 12579/APP/2007/534
dated 24/05/2007 to allow retention of the existing drainage lagoon for a
period of 12 months. (Section 73 application)

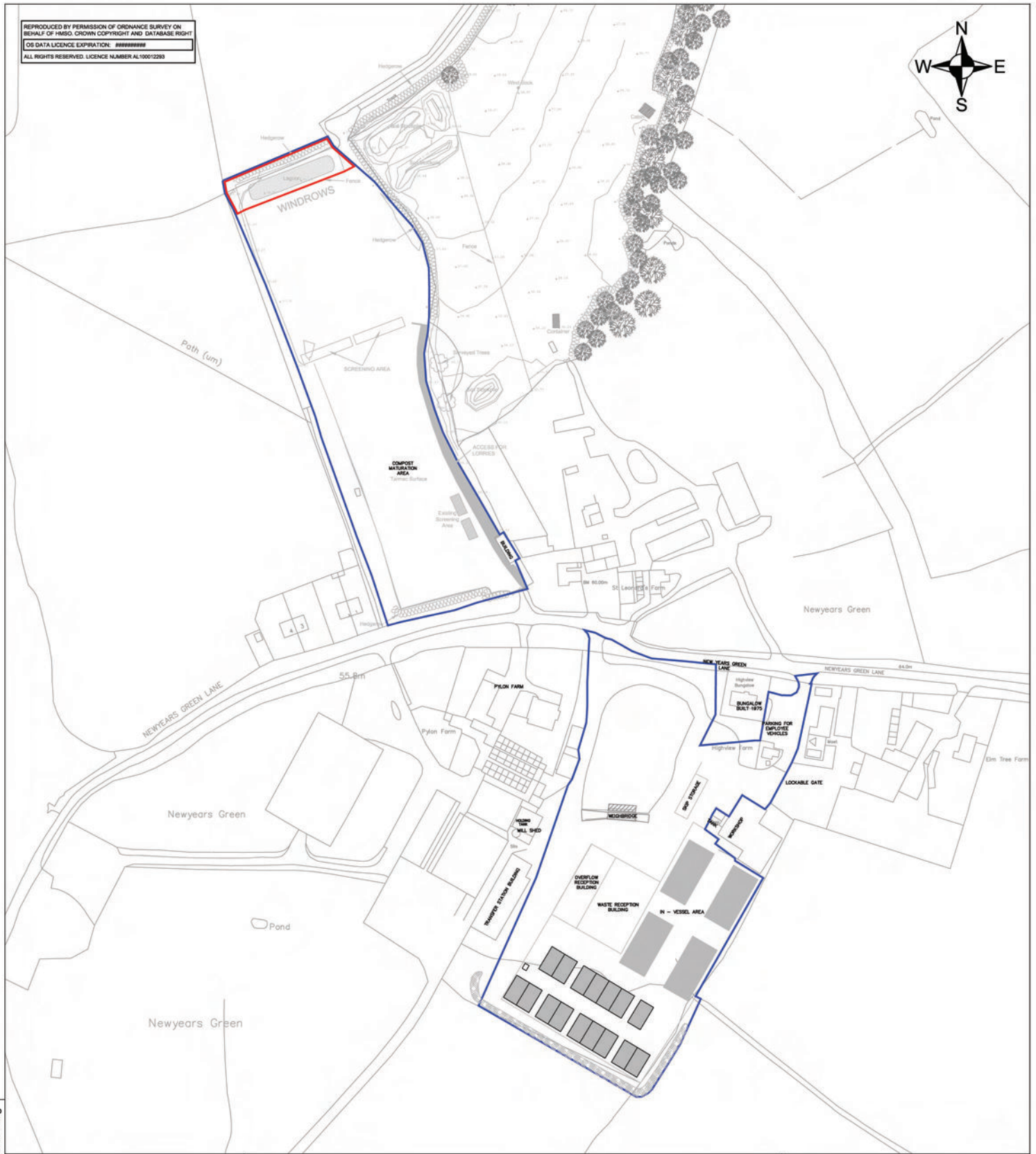
LBH Ref Nos: 12579/APP/2011/1993

Date Plans Received: 15/08/2011



Date(s) of Amendment(s):

Date Application Valid: 24/08/2011

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 OS DATA LICENCE EXPIRATION: #####
 ALL RIGHTS RESERVED. LICENCE NUMBER AL10001283



LEGEND

-  PLANNING APPLICATION BOUNDARY (1,218m²)
-  LAND UNDER CONTROL OF THE APPLICANT



LANGFORD LODGE
 109 PEMBROKE ROAD
 CLIFTON, BRISTOL
 BS8 3EU
 T: 01179 064280
 F: 01173 179535
 www.slrconsulting.com

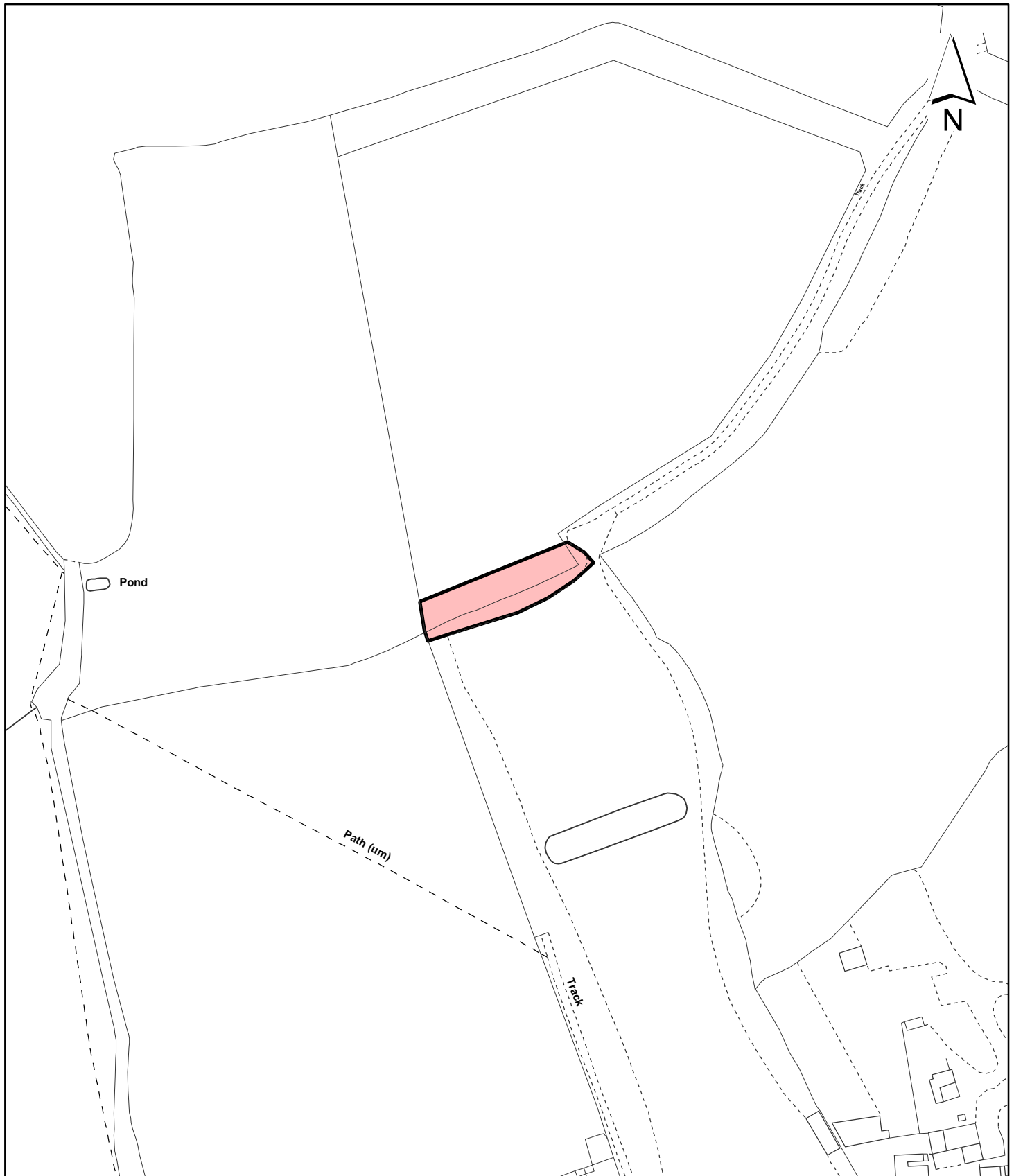
NEW YEARS GREEN LANE, HAREFIELD
SECTION 73 VARIATION OF
CONDITION 1
PLANNING APPLICATION BOUNDARY
APPLICATION REF 12579/APP/2007/534

002

Scale 1:2,000 @ A3

Date AUGUST 2011

00996.00001.18.002.0_Planning Application Boundary 12579-APP-2007-534.dwg



Notes

 Site boundary

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Site Address

**Land adjacent to Compost
Maturation Site at Pylon Farm
Newyears Green Lane, Harefield**

Planning Application Ref:

12579/APP/2011/1993

Scale

1:2,000

Planning Committee

North Page 419

Date

**October
2011**

**LONDON BOROUGH
OF HILLINGDON**
Planning,
Environment, Education
& Community Services

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



HILLINGDON
LONDON

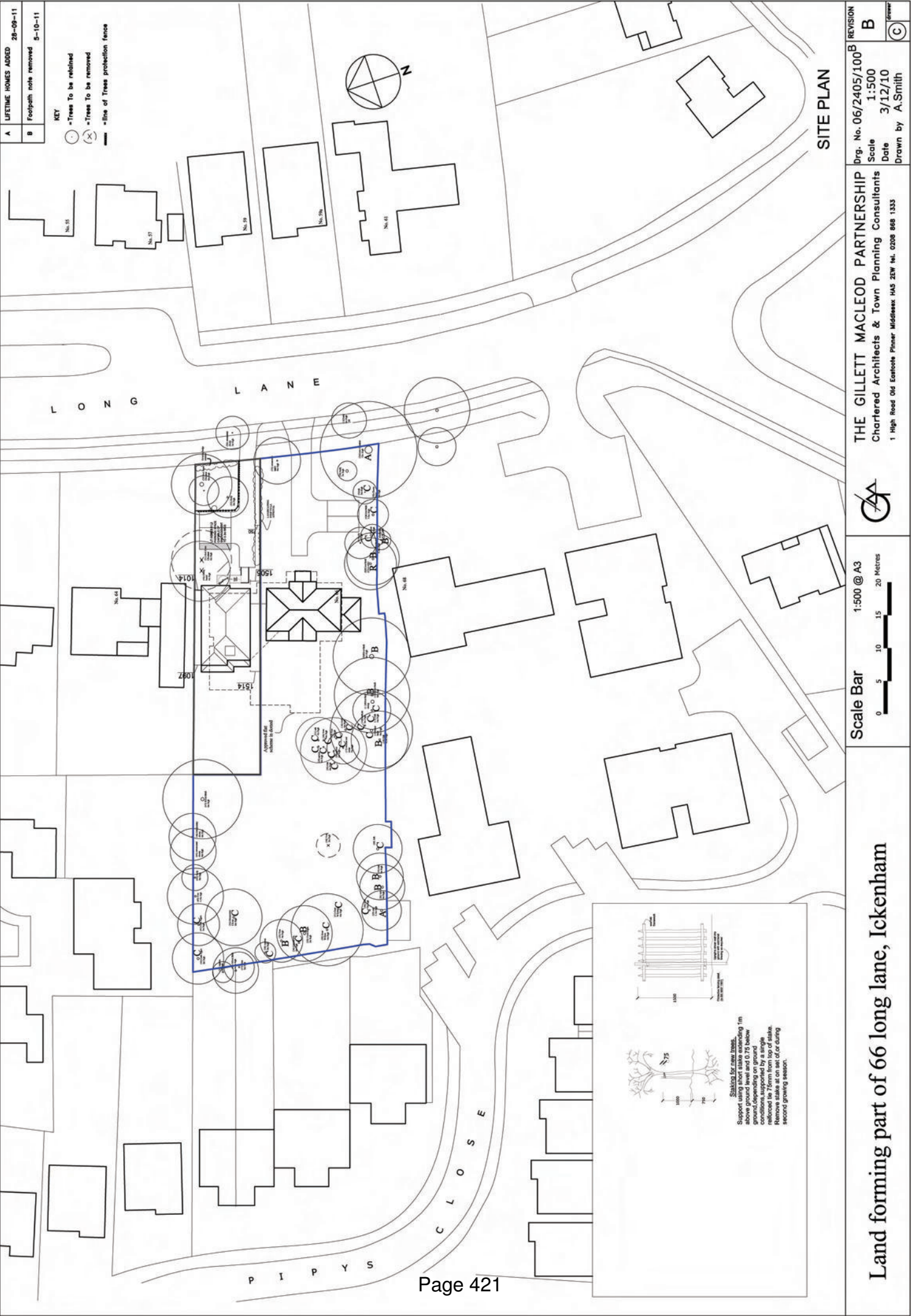
Report of the Head of Planning & Enforcement Services

Address LAND FORMING PART OF 66 LONG LANE ICKENHAM

Development: Two storey 5-bed detached dwelling with habitable roofspace, associated parking and amenity space, involving installation of vehicular crossover

LBH Ref Nos: 49805/APP/2011/1811

Date Plans Received: 22/07/2011 **Date(s) of Amendment(s):** 26/07/2011
10/08/2011
02/08/2011
Date Application Valid: 10/08/2011 10/08/2011
01/10/2011
05/10/2011



A	LIFETIME HOMES ADDED	28-09-11
B	Footpath note removed	5-10-11

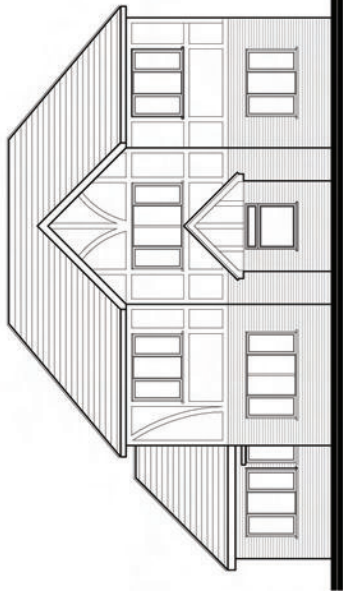
SITE PLAN

REVISION	B
Dwg. No.	06/2405/100B
Scale	1:500
Date	3/12/10
Drawn by	A.Smith

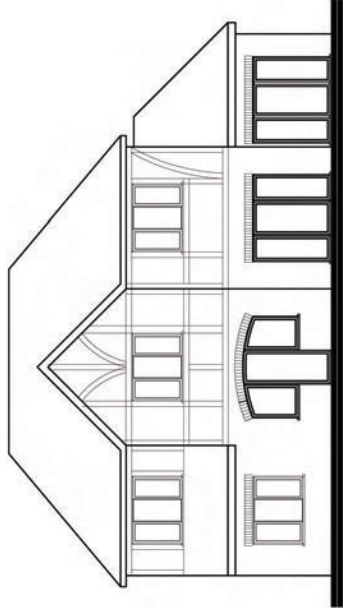
THE GILLETT MACLEOD PARTNERSHIP
 Chartered Architects & Town Planning Consultants
 1 High Road Old Easthote Pinner Middlesex HA5 2EW Tel. 0208 868 1333



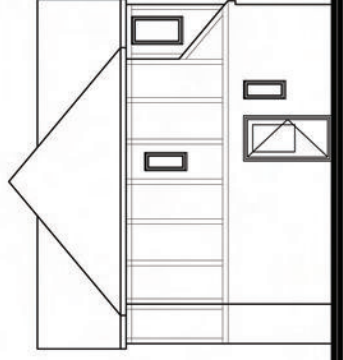
Land forming part of 66 long lane, Ickenham



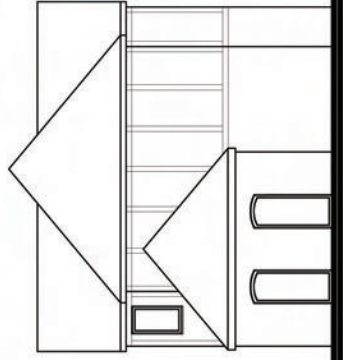
West Elevation



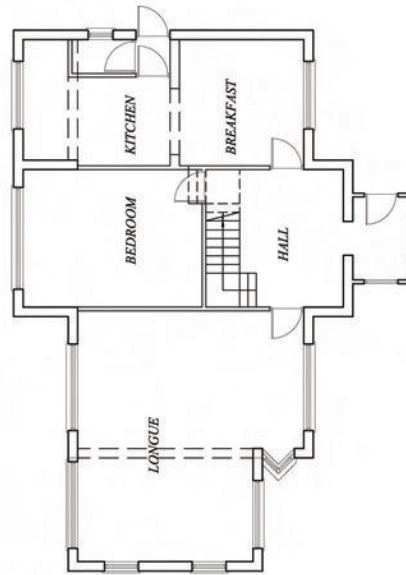
East Elevation



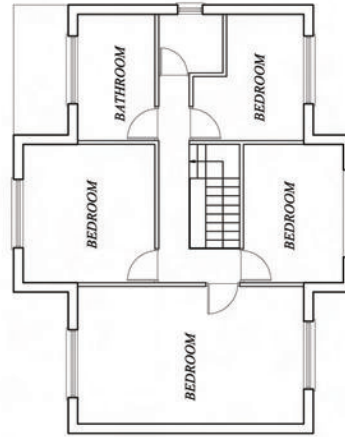
North Elevation



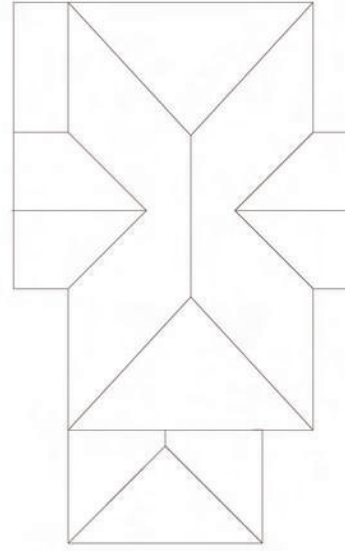
South Elevation



Ground Floor

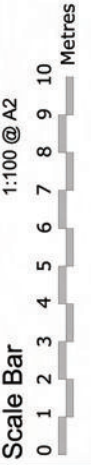


First Floor



Roof Plan

Land forming part of
66 long lane, Ickenham



1:100 @ A2

0 1 2 3 4 5 6 7 8 9 10 Metres



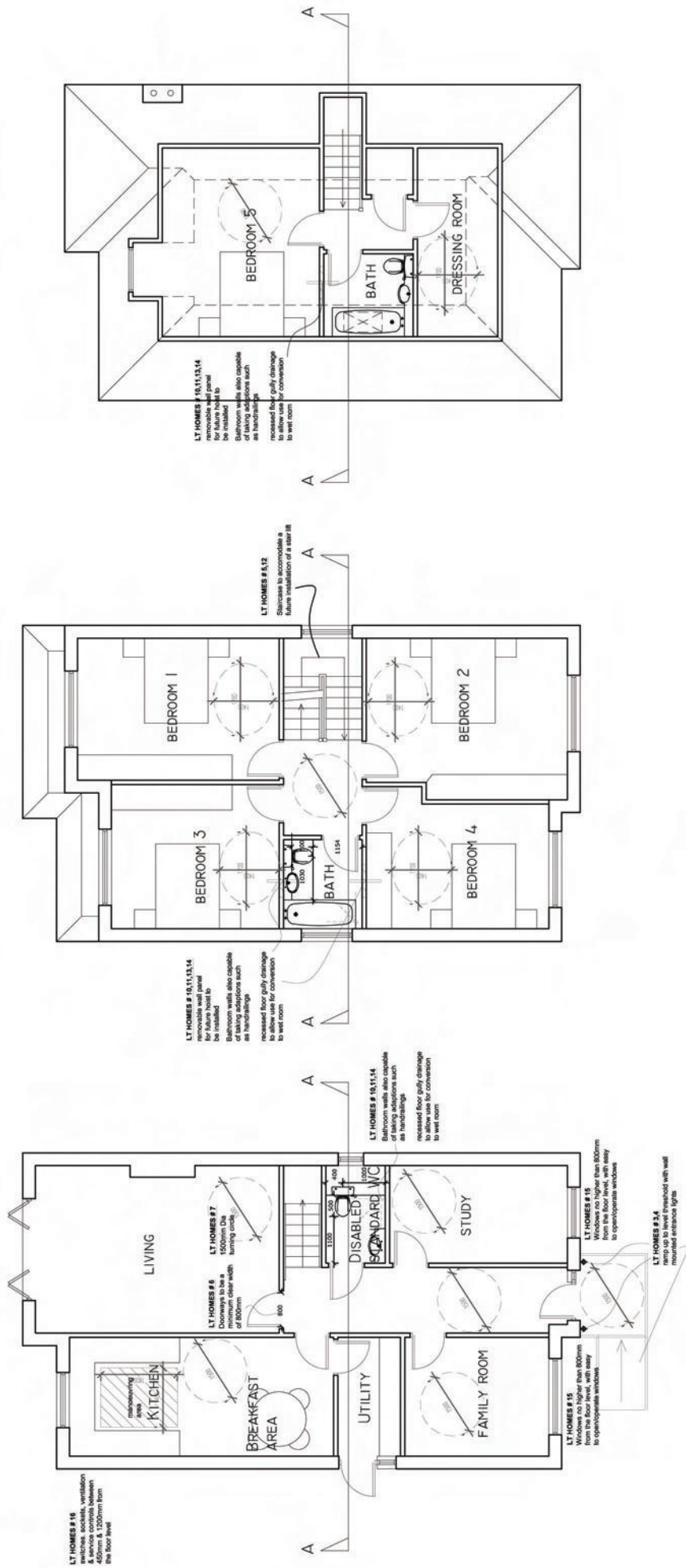
THE GILLETT MACLEOD PARTNERSHIP
Chartered Architects & Town Planning Consultants
1 High Road Old Eastcote Pinner Middlesex HA5 2EW Tel. 0208 868 1333

REVISION	Drwg. No. 06/2405/103
Scale 1:100	Date 22/02/07
Drawn by AP	Checked by

© E

EXISTING PLANS

revisions	
A	WINDOWS AMENDED 10-08-11
B	LIFETIME HOMES ADDED 28-09-11



LOFT PLAN

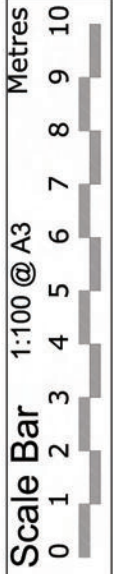
FIRST FLOOR

GROUND FLOOR

FLOOR PLANS
2000 SQ FT

REVISION	Dwg. No. 06/2405/101
B	Scale 1:100
	Date 02/12/10
	Drawn by A.Smith

THE GILLET MACLEOD PARTNERSHIP
Chartered Architects & Town Planning Consultants
1 High Road Old Epsom, Surrey, Middlesex, HA5 2EW Tel. 0208 868 1333



Land forming part of
66 long lane, Ickenham

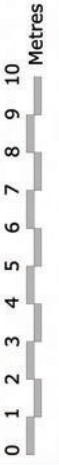


West Elevation

STREET ELEVATION

Land forming part of
66 long lane, Ickenham

Scale Bar 1:100 @ A2



THE GILLETT MACLEOD PARTNERSHIP
Chartered Architects & Town Planning Consultants
1 High Road Old Eastcote Pinner Middlesex HA5 2EW Tel. 0208 868 1333

Drwg. No. 06/2405/102
Scale 1:100
Date 03/12/10
Drawn by A. Smith

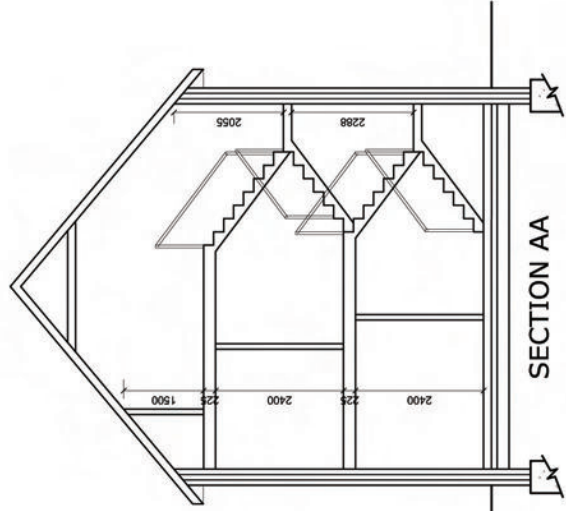
REVISION
C

revisions

A WINDOWS AMENDED 10-08-11



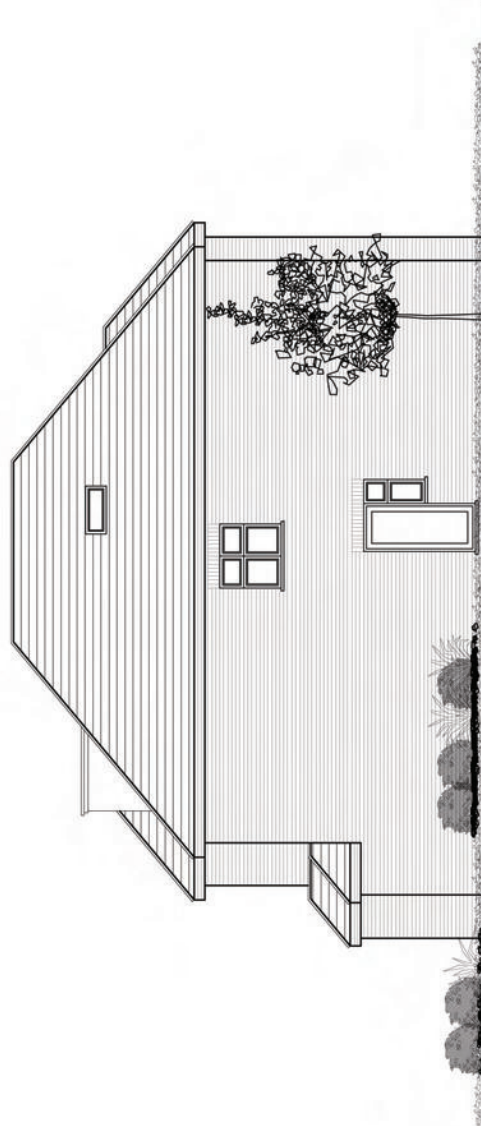
West Elevation



SECTION AA



North Elevation



South Elevation

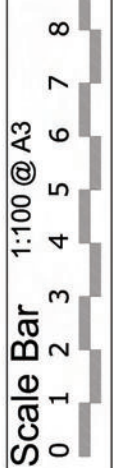
ELEVATIONS

Dwg. No. 06/2405/104A REVISION A
Scale 1:100
Date 02/12/10
Drawn by A.Smith

THE GILLET MACLEOD PARTNERSHIP
Chartered Architects & Town Planning Consultants
1 High Road Old Eastcote Pinner Middlesex HA5 2EW Tel. 0208 868 1333

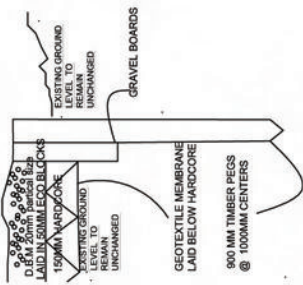


Scale Bar 1:100 @ A3 Metres



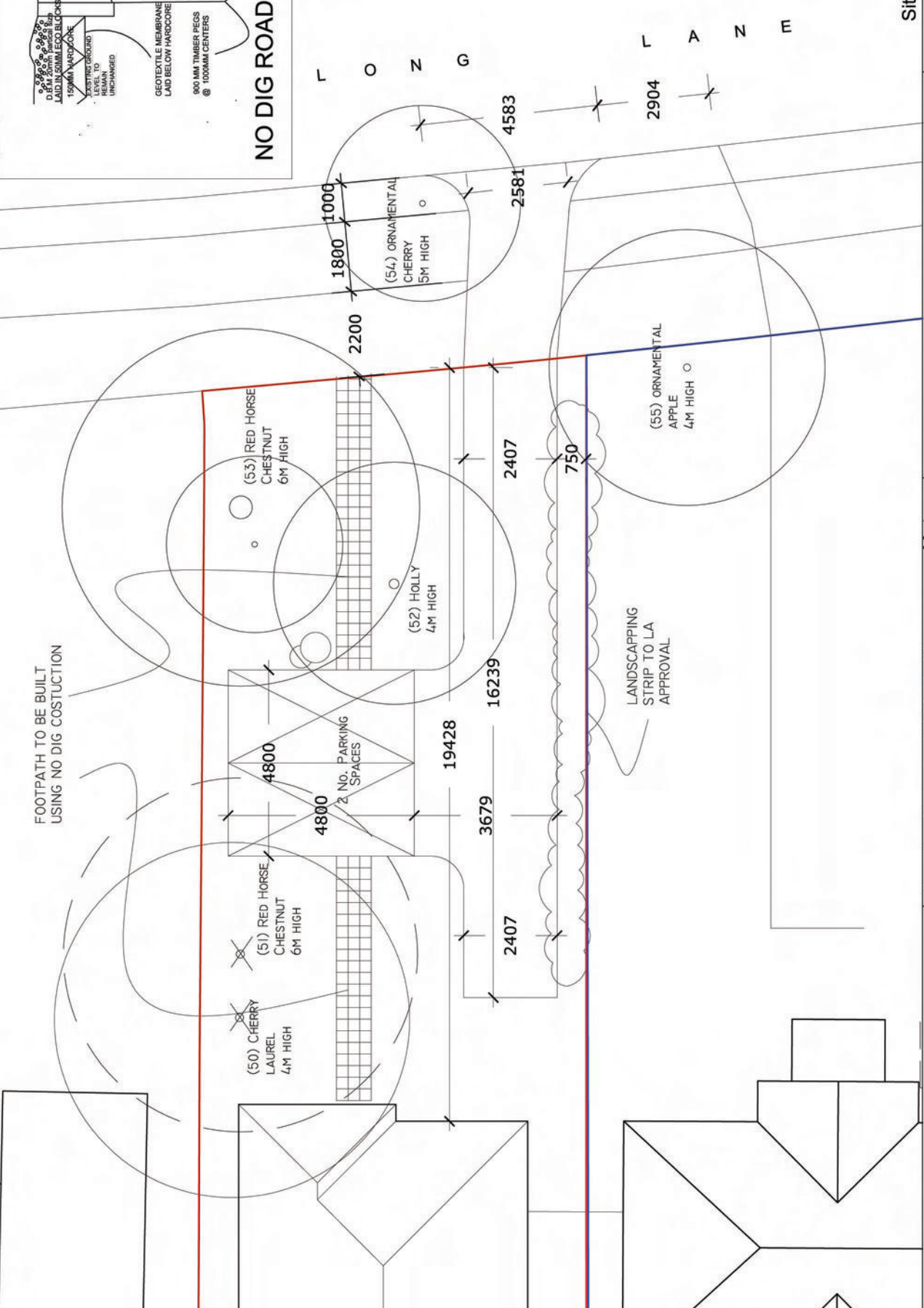
Land forming part of
66 long lane, Ickenham

revisions
A DIMENSIONS FOR CROSSOVER ADDED 10-08-11



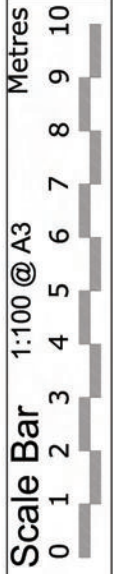
NO DIG ROAD Detail A

FOOTPATH TO BE BUILT USING NO DIG COSTUCTION

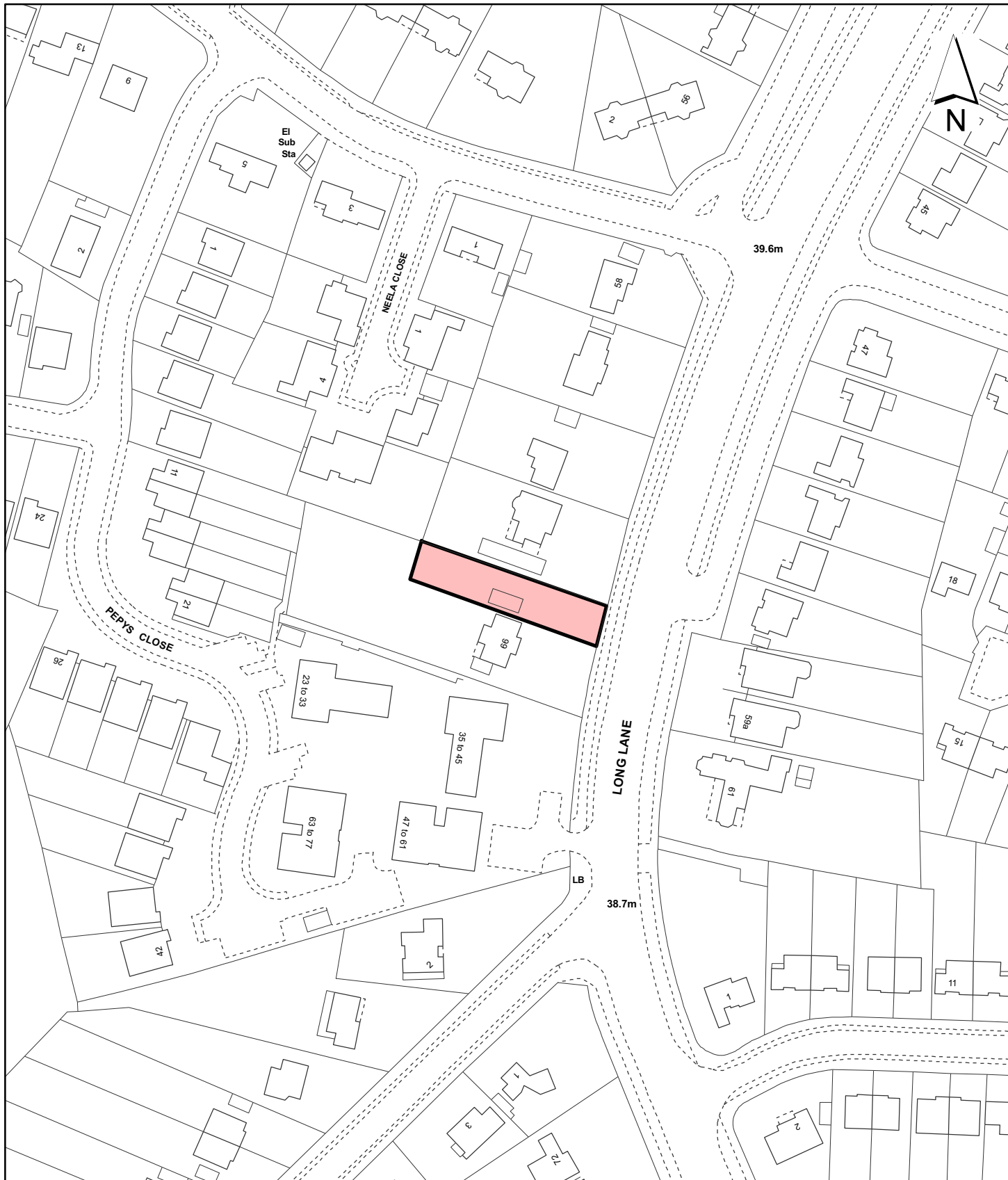




Site Crossover
 Drg. No. 06/2405/105A
 Scale 1:100
 Date 02/12/10
 Drawn by A.Smith

THE GILLET MACLEOD PARTNERSHIP
 Chartered Architects & Town Planning Consultants
 1 High Road Old Eastcote Primer Middlesex HA5 2EW Tel. 0208 868 1333



Land forming part of
 66 long lane, Ickenham



<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). 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>Land forming part of 66 Long Lane Ickenham</p>		<p>LONDON BOROUGH OF HILLINGDON Planning, Environment, Education & Community Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>  <p>HILLINGDON LONDON</p>
	<p>Planning Application Ref:</p> <p>49805/APP/2011/1811</p>	<p>Scale</p> <p>1:1,250</p>	
	<p>Planning Committee</p> <p>North Page 427</p>	<p>Date</p> <p>October 2011</p>	

Report of the Head of Planning & Enforcement Services

Address UNIT 3, RUISLIP RETAIL PARK VICTORIA ROAD RUISLIP

Development: Variation of condition 6, (to remove restrictions on the sales of goods), of planning permission ref. 43510/APP/2010/1979 dated 10/02/2011:
Construction of a 1,810 sq.m mezzanine within Unit 3, Ruislip Retail Park.

LBH Ref Nos: 43510/APP/2011/1343

Date Plans Received: 31/05/2011 **Date(s) of Amendment(s):**

Date Application Valid: 31/05/2011

The scaling of this drawing cannot be assured
 Revision _____ Date _____ Dm Ckd _____

Application Boundary
 Ownership Boundary

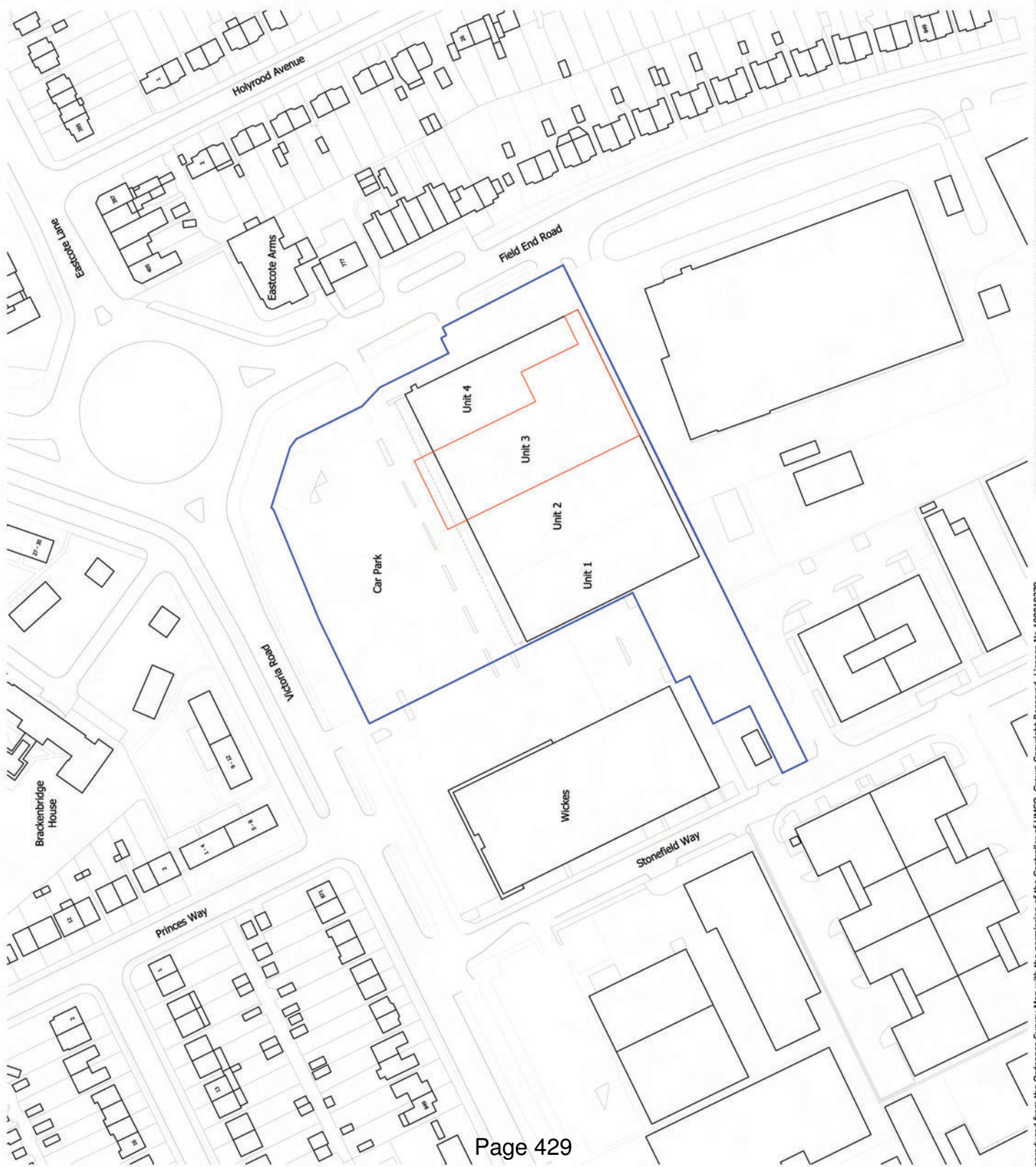


Project
Unit 3 Ruislip Retail Park
 Victoria Road, Ruislip
 Drawing Title
Site Location Plan

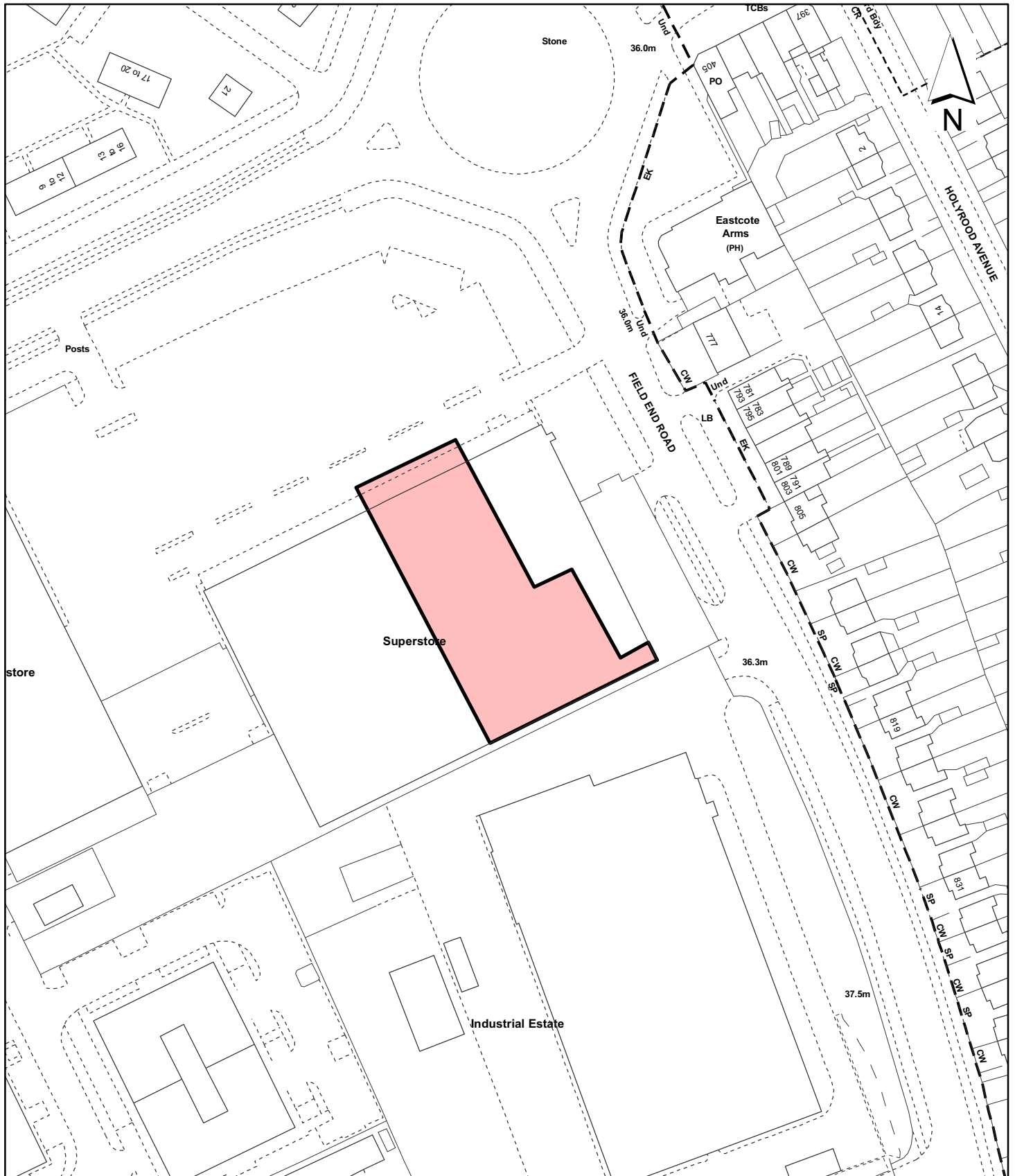
Date	09.08.10	Drawn by	GC	Check by	JF
Project No	19243	Drawing No	PP-001	Revision	-

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 X:\19000 - 1999\19243 - Unit 3, Ruislip Retail Park\44 - Docs & Registers\Arch\Drawings - Planning\PP-001 - Site Location Plan.dwg - PP-001



Notes

 Site boundary

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Site Address

**Unit 3, Ruislip Retail Park
Victoria Road
Ruislip**

**LONDON BOROUGH
OF HILLINGDON**
Planning,
Environment, Education
& Community Services

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

Planning Application Ref:

43510/APP/2011/1343

Scale

1:1,250

Planning Committee

North Page 430

Date

**October
2011**



HILLINGDON
LONDON

Report of the Head of Planning & Enforcement Services

Address UNIT 3, RUISLIP RETAIL PARK VICTORIA ROAD RUISLIP

Development: Variation of condition 11 (to remove restrictions on the sales of fancy goods) of planning permission Ref: 43510/APP/2000/2485 dated 14/03/2003:
(Refurbishment of existing retail units, with new cladding on all elevations, new covered walkway on northern frontage (facing Victoria Road) and changes to service arrangements and car parking with enhanced frontage landscaping, incorporating disused service road.

LBH Ref Nos: 43510/APP/2011/1344

Date Plans Received: 31/05/2011

Date(s) of Amendment(s):

Date Application Valid: 31/05/2011

The scaling of this drawing cannot be assured
 Revision _____ Date _____ Dm Ckd _____

Application Boundary
 Ownership Boundary



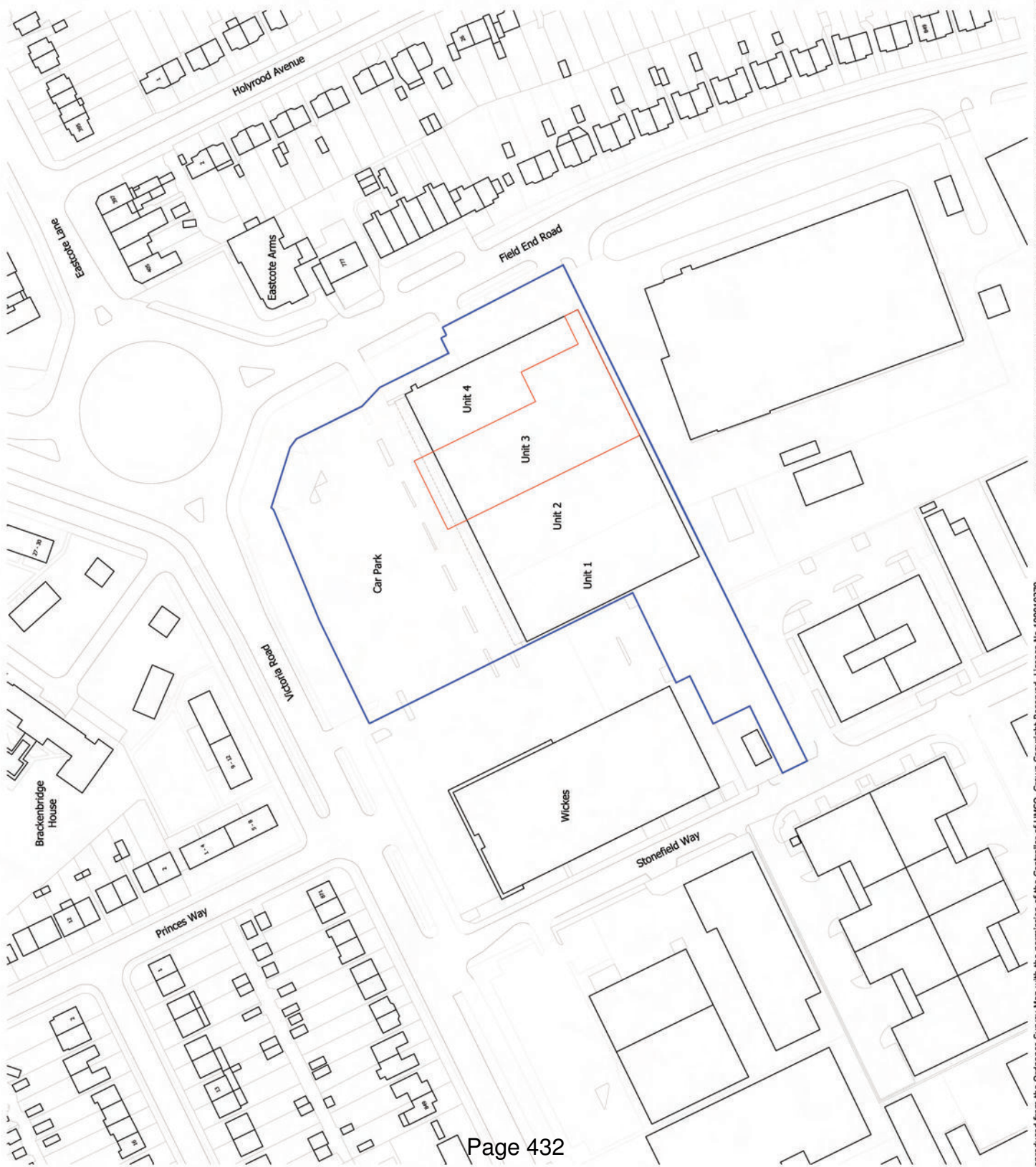
Project
Unit 3 Ruislip Retail Park
 Victoria Road, Ruislip
 Drawing Title
Site Location Plan

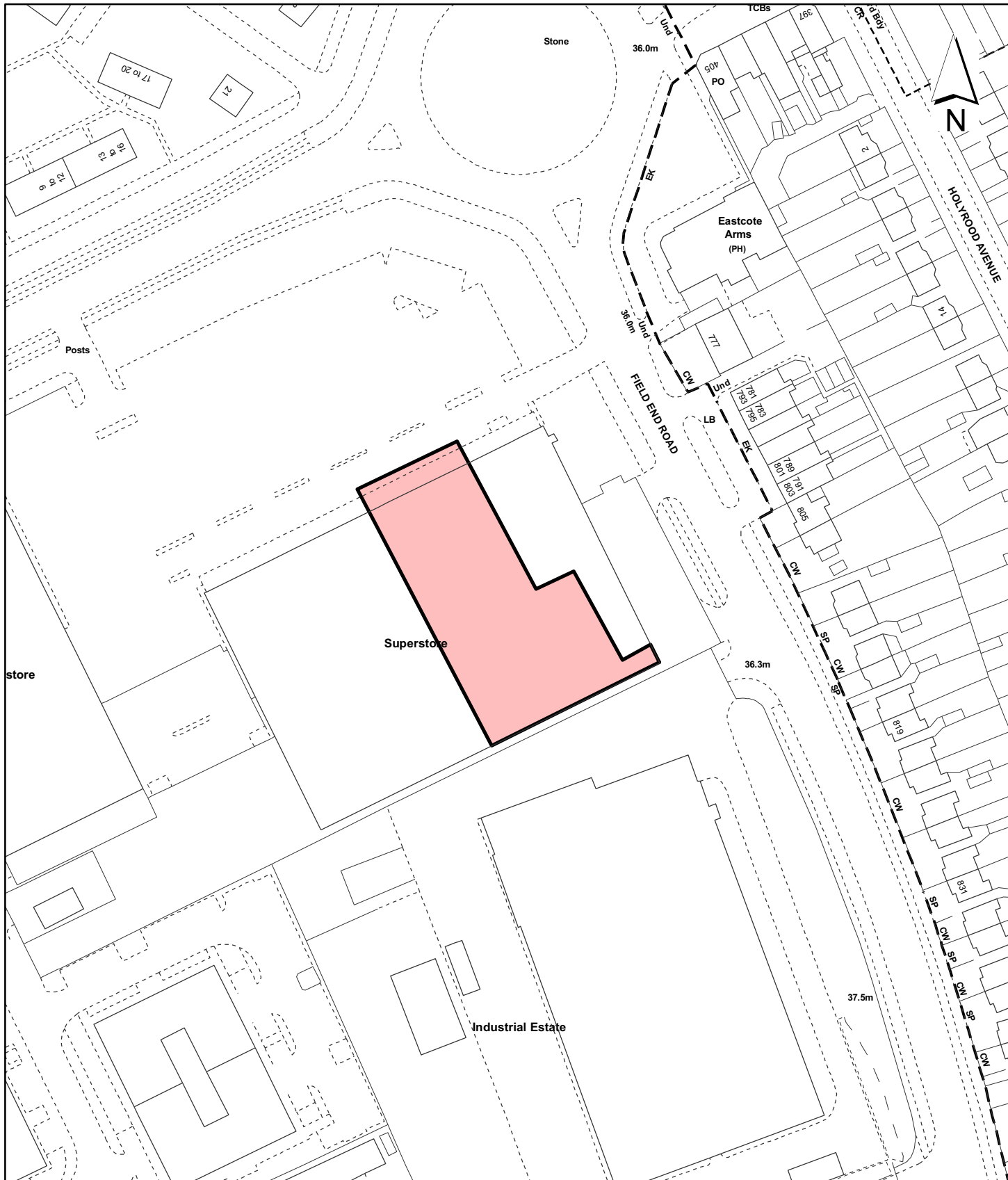
Date	09.08.10	Scale	1:1250	Drawn by	GC	Check by	JF
Project No	19243	Drawing No	PP-001	Revision			

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Site Address

**Unit 3, Ruislip Retail Park
Victoria Road
Ruislip**

**LONDON BOROUGH
OF HILLINGDON**
Planning,
Environment, Education
& Community Services

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

Planning Application Ref:

43510/APP/2011/1344

Scale

1:1,250

Planning Committee

North Page 433

Date

**October
2011**



HILLINGDON
LONDON

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