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# North Planning Committee

Date:

**THURSDAY, 17 MAY 2012** 

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

Membership to be confirmed following Annual Council Meeting (10 May 2012)

Eddie Lavery (Proposed Chairman) Allan Kauffman (Proposed Vice-

Chairman)
David Allam
Jazz Dhillon
Carol Melvin
John Morgan
David Payne
Michael White

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Published: Wednesday, 9 May 2012

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Petitions - Petitions - When a petition of 20 signatures or more of residents that live, work or study in the borough is received they can speak at a Planning Committee in support of or against an application for up to 5 minutes. Where multiple petitions are received against (or in support of) the same planning application, the Chairman of the Planning Committee has the discretion to amend speaking rights so that there is not a duplication of presentations to the meeting. In such circumstances, it will not be an automatic right that each representative of a petition will get 5 minutes to speak. However, the Chairman may agree a maximum of 10 minutes if one representative is selected to speak on behalf of multiple petitions.

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. If an application with a petition is deferred and a petitioner has addressed the meeting a new valid petition will be required to enable a representative to speak at a subsequent meeting on this item.

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;
- 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.

# **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 previous meeting
- 4 Matters that have been notified in advance or urgent
- To confirm that the items of business marked Part 1 will be considered in public and that the items marked Part 2 will be considered in private

# Reports - Part 1 - Members, Public and Press

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

# **Major Applications with a Petition**

	Address	Ward	Description & Recommendation	Page
6	150 Field End Road, Eastcote Pinner 25760/APP/2010/2410	Cavendish	Erection of a part three storey, part two storey building with roof space accommodation and basement parking, comprising 11 one-bedroom, 27 two-bedroom and 4 three-bedroom residential flats and a commercial unit on the ground floor fronting Field End Road (involving demolition of the existing building.)	1 - 48
			Recommendation : Approval, subject to a S106/Unilateral Undertaking.	

# **Major Applications without a Petition**

	Address	Ward	Description & Recommendation	Page
7	Lyon Court and 28 - 30 Pembroke Road, Ruislip 66985/APP/2011/3049	West Ruislip	Erection of 3, part 2, part 3 storey blocks with accommodation in the roof space, to provide 61 residential units, comprising 25 one bedroom, 27 two bedroom, 8 three bedroom apartments and one 5 bedroom house, together with construction of a new access, associated parking and landscaping, involving demolition of existing buildings and stopping up of existing vehicular access.  Recommendation: Approval, subject to a Section 106 Agreement.	49 - 76

# Non Major Applications with a Petition

	Address	Ward	Description & Recommendation	Page
8	St Martins School Moor Park Road Northwood	Northwood	Single storey front extension	77 - 88
	664/APP/2012/223		Recommendation : Approval	
9	11 Bridgwater Road Ruislip	South Ruislip	Single storey detached outbuilding to rear for use a hobby room (Retrospective)	89 - 96
	45285/APP/2012/600		Recommendation : Refusal	

# Non Major Applications without a Petition

	Address	Ward	Description & Recommendation	Page
10	206 Field End Road Eastcote 14770/APP/2012/50	Cavendish	Change of use from Use Class A1 (Shops) to Use Class A5 (Hot Food Takeaway) involving installation of extractor duct to rear. <b>Deferred from North</b> Committee 13/03/2012	97 - 108
			Recommendation : Approval	

	Address	Ward	Description & Recommendation	Page
11	Lynton, Belfry Avenue Harefield 17663/APP/2012/368	Harefield	2 x two storey, 4-bed, detached dwellings with associated parking and amenity space involving the demolition of existing bungalow and outbuildings	109 - 124
			Recommendation : Refusal	
12	17 Eamont Close Ruislip	West Ruislip	Single storey rear extension.	125 - 134
	68141/APP/2011/2587		Recommendation : Approval	
13	Pembroke House 5 - 9 Pembroke Road Ruislip 38324/APP/2012/42	West Ruislip	Change of use of ground and first floor from Use Class B1 (Business) to Use Class D1 (Non-Residential Institutions) for use as a nursery	135 - 150
			Recommendation : Approval, subject to the Section 106 Agreement.	

# Part 2 - Members Only

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

14 Enforcement Report

Page 151 – 16

**Any Items Transferred from Part 1** 

Any Other Business in Part 2

Plans for North Planning Committee - to follow

# Agenda Item 6

### Report of the Head of Planning & Enforcement Services

Address 150 FIELD END ROAD EASTCOTE PINNER

**Development:** Erection of a part three storey, part two storey building with roof space

accommodation and basement parking, comprising 11 one-bedroom, 27 two-bedroom and 4 three-bedroom residential flats and a retail unit on the ground floor fronting Field End Road (involving demolition of the existing building.)

**LBH Ref Nos:** 25760/APP/2010/2410

**Drawing Nos:** 01 REV B

43 REV A

10358/33 REV G

CSA/1471/100 (Planting Specification and Schedule)

7296/01 (Tree Constraints Plan) 7296/02 (Tree Protection Plan)

CSA/1471/100 (Landscape Proposals)

Design and Access Statement

Phase I Environmental Risk Assessment, October 2009
Daylight, Sunlight and Shadow Study, September 2009
Statement of Community Involvement, September 2009
Desk Study and Ground Investigation Report, August 2007

Environmental Noise Survey and PPG24 Assessment Report, 20 July 2007

Transport Assessment, October 2009

Travel Plan, October 2009

Code for Sustainable Homes Assessment Strategy, October 2009

Report on Background Noise, October 2009

Energy Statement, December 2010

10358/35 REV J 10358/34 REV M

Sustainability Statement, March 2011

10358/36 REV G 10358/37 REV G 10358/38 REV J 10358/39 REV M 10358/40 REV M 10358/61 REV C 20276 03 001

Agent's covering email dated 30/04/12

 Date Plans Received:
 13/10/2010
 Date(s) of Amendment(s):
 13/10/2010

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

### 1. SUMMARY

This is the fourth application which seeks planning permission for the demolition of the existing three storey office building known as Initial House within the Eastcote Town Centre and the erection of a mixed use, albeit predominantly residential building. This proposal is for a three storey building with accommodation within a mansard type roof space, comprising 42 residential flats and a small retail (Class A1) unit on the ground floor fronting Field End Road. The 'L'-shaped block would comprise 11 one-bedroom, 27

two-bedroom and 4 three-bedroom units. Parking for 42 vehicles, including 5 disabled person spaces would be situated in the basement of the building, accessed from Field End Road.

This application has formed the subject of various negotiations with officers. Unfortunately, the applicant went into receivership last year and the application has been held in abeyance. Receivers have now been appointed and are keen to progress this application.

The existing building is of little architectural merit and no objections are raised to its demolition. The principle of a mixed-use development with a commercial use on the ground floor and residential flats to the rear and above is considered acceptable at this town centre location. The mix of residential units proposed is also considered acceptable.

The bulk of the building has been reduced from that proposed in previous applications. The three storey building, with a subordinate mansard type roof is considered appropriate in this town centre location, adjacent to other three storey blocks. At the rear, it steps down to two storeys where the site adjoins the Eastcote (Morford Way) Conservation Area. The siting, bulk and mass of the building is considered acceptable and would be similar to the existing building. The building's design is also considered acceptable and the Council's Urban Design/Conservation Officer raises no objections, subject to various conditions. The proposal would not adversely affect the amenities of surrounding residential occupiers. As regards the amenity afforded to future occupiers, although the scheme would not satisfy current floor space standards for the larger units, it did satisfy the standards that were in use for development control purposes when the application was submitted. Adequate amenity space would be provided and therefore no objections are raised to the accommodation proposed. The Tree Officer advises that the scheme makes adequate provision to safeguard existing trees and suitable landscape enhancements would be provided. The Highway Engineer advises that the scheme is acceptable on highway grounds. As regards sustainability, the Sustainability Officer advises that a condition is required to ensure the scheme satisfies the requirements of the London Plan (July 2011). Furthermore, although it has been demonstrated that the scheme would not be capable of making a contribution towards affordable housing, it would make appropriate S106 contributions towards local services and facilities as a consequence of the additional demands created by the development.

The application is therefore recommended for approval.

# 2. RECOMMENDATION

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

- 1. That the Council enter into a legal agreement with the applicants under Section 106/Unilateral Undertaking of the Town and Country Planning Act 1990 (as amended) or other appropriate legislation to secure:
- (i) A Green Travel Plan for the residential and commercial elements,
- (ii) An education contribution of £40,281,
- (iii) A health and social care contribution of £14,126.88,
- (iv) A community facilities contribution of £20,000,
- (v) A town centre improvement contribution of £20,000,
- (vi) A recreational open space contribution of £55,000,
- (vii) A library contribution of £1,500.73.
- (viii) A construction training contribution of £18,814.64 or an in-kind scheme

delivered during the construction phase of the development,

- (ix) Project Management and Monitoring fee 5% of total cash contributions secured.
- 2. That the applicant meets the Council's reasonable costs in the preparation of the S106 Agreement and any abortive work as a result of the agreement not being completed.
- 3. If the S106 Agreement has not been finalised within 6 months, the application to be referred back to the Planning Committee for determination at the discretion of the Head of Planning, Sport and Green Spaces and Community Services.
- 4. That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.
- 5. That on completion of the S106 Agreement, the application be deferred for determination by the Head of Planning, Sport and Green Spaces under delegated powers.
- 6. That if the application is approved, the following conditions be attached:

#### 1 RES3 Time Limit

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 RES4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, [numbers 10358/01 Rev. B, 10358/33 Rev. G, 10358/34 Rev. M, 10358/35 Rev. J, 10358/36 Rev. G, 10358/37 Rev. G, 10358/38 Rev. J, 10358/39 Rev. M, 10358/40 Rev. M, 10358/61 Rev. C and 20276\_03\_001] and shall thereafter be retained/maintained for as long as the development remains in existence.

#### **REASON**

To ensure the development complies with the provisions of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the London Plan (July 2011).

#### 3 RES6 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 know 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).

# 4 RES7 Materials (Submission)

Notwithstanding the submitted plans no development shall take place until details of all materials and external surfaces, including details of windows, doors, dormers and balconies have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the

approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

#### **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

Prior to the commencement of works on site, details of the design and materials of the shopfront shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

#### Reason

To ensure that the development achieves a satisfactory appearance, in accordance with Policies BE13 and BE28 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### 6 NONSC Non Standard Condition

Prior to the occupation of the development, details of the design of the mural shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

#### Reason

To ensure that the development achieves a satisfactory appearance, in accordance with Policies BE13 and BE28 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### 7 RES8 Tree Protection

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

- 1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
- 2. 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.

Thereafter, the development shall be implemented in accordance with the approved details. 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:

- 2.a There shall be no changes in ground levels;
- 2.b No materials or plant shall be stored;
- 2.c No buildings or temporary buildings shall be erected or stationed.
- 2.d No materials or waste shall be burnt; and.

2.e 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 can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

# 8 RES9 Landscaping (including refuse/cycle storage)

No development shall take place until a landscape scheme, including garden areas and the street frontage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

- 1. Details of Soft Landscaping
- 1.a Planting plans (at not less than a scale of 1:100),
- 1.b Written specification of planting and cultivation works to be undertaken,
- 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
- 2. Details of Hard Landscaping
- 2.a Refuse Storage
- 2.b Cycle Storage for 54 cycles
- 2.c Means of enclosure/boundary treatments, including details of the gates and details of the design and finish of the retaining walls and entrance to the basement car park,
- 2.d Car Parking Layouts (including demonstration that 5% of all parking spaces are served by electrical charging points)
- 2.e Hard Surfacing Materials
- 2.f External Lighting
- 2.g Other structures (such as play equipment and furniture)
- 3. Living Walls and Roofs
- 3.a Details of the inclusion of living walls and roofs
- 4. Details of Landscape Maintenance
- 4.a Landscape Maintenance Schedule for a minimum period of 5 years.
- 4.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.
- 5. Schedule for Implementation
- 6. Other
- 6.a Existing and proposed functional services above and below ground
- 6.b Proposed finishing levels or contours

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

#### **REASON**

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13,

BE38 and AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan.

#### 9 RES10 Tree 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 BS 3998:2010 'Tree work - Recommendations' 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 RES11 Play Area provision of details

No development shall commence until details of play areas for children have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the play areas shall be provided prior to the occupation of any unit within the development and maintained for this purpose.

#### **REASON**

To ensure that the development makes adequate provision of children's play space in accordance with Policy R1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 3.16.

# 11 NONSC Non Standard Condition

Ground source heat pump systems using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

### Reason

To protect the deeper groundwater in the principal chalk aquifer. This condition will ensure that any ground source heat pump system is designed, used and maintained to protect this important groundwater resource, in accordance with the National Planning

Policy Framework and Policy 5.15 of the London Plan (July 2011).

# 12 RES15 Sustainable Water Management (changed from SUDS)

No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Policy 5.15 of the London Plan and will:

i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

ii. include a timetable for its implementation; and

iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:

iv. provide details of water collection facilities to capture excess rainwater;

v. provide details of how rain and grey water will be recycled and reused in the development.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

#### REASON

To ensure the development does not increase the risk of flooding in accordance with Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 5.12.

#### 13 RES17 Sound Insulation

Development shall not begin until a scheme for protecting the proposed development from road traffic noise has been submitted to and approved in writing by the Local Planning Authority. All works which form part of 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 amenity of the occupiers of the proposed development is not adversely affected by (road traffic) (rail traffic) (air traffic) (other) noise in accordance with policy OE5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 7.15.

#### 14 RES18 Lifetime Homes/Wheelchair Units

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

#### 15 NONSC Non Standard Condition

The proposed vehicle ramp to the basement parking area shall not exceed a maximum gradient of 1:10 and shall have a minimum headroom height of 2.1m. Details of the ramp, together with the proposed traffic lights and vehicle sensor system shall be submitted to and approved by the Local Planning Authority prior to the commencement of works on site. The development shall be carried out in strict accordance with the approved details.

#### Reason

To ensure that use of the ramp is not prejudicial to highway safety, in accordance with policy AM7 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

# 16 RES22 Parking Allocation

No unit hereby approved shall be occupiedied until a parking allocation scheme has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the parking shall remain allocated for the use of the units in accordance with the approved scheme and remain under this allocation for the life of the development.

#### 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).

# 17 RES23 Visibility Splays - Pedestrian

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

In the interests of highway and pedestrian safety in accordance with policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

# 18 RES24 Secured by Design

The dwelling(s)and play area shall achieve '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). No dwelling shall be occupied until accreditation has been achieved.

#### 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 London Plan (July 2011) Policies 7.1 and 7.3.

# 19 RES25 No 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 in accordance with policies BE13 and OE1 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

# 20 NONSC Non Standard Condition

The premises shall not be used for deliveries and collections, including waste collections other than between the hours of 0700 hrs and 1900 hrs, Monday to Saturday and not at all on Sundays or Bank Holidays.

#### Reason:

To safeguard the amenity of surrounding areas in accordance with Policies OE1 and OE3 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### 21 NONSC Non Standard Condition

No air handling units shall be used on the premises until a scheme which specifies the provisions to be made for the control of noise emanating from the site or to other parts of the building, has been submitted to, and approved by the Local Planning Authority. The scheme shall include such combination of 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 safeguard the amenity of surrounding areas in accordance with Policy OE1 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### 22 RES26 Contaminated Land

- (i) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:
- (a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;
- (b) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use.
- (c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement.
- (ii) If during development or works contamination not addressed in the submitted remediation scheme is identified, an addendum to the remediation scheme must be agreed with the LPA prior to implementation; and

(iii) All works which form part of the remediation scheme shall be completed and a verification report submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### 23 NONSC Non Standard Condition

Prior to the commencement of development an energy assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall demonstrate a 25% reduction in carbon emissions (the equivalent of Code Level 4 energy requirements) from a 2010 Building Regulations compliant development. The assessment shall include:

- 1 A calculation of the energy demand and carbon dioxide emissions covered by the Building Regulations
- 2 The proposals to reduce carbon dioxide emissions through the energy efficient design of the site, buildings and services
- 3 The proposals to further reduce carbon dioxide emissions through the use of on-site renewable energy technologies.

Roof plans, elevations and layout plans should be amended to reflect the technologies chosen to meet part 3 above.

The development must proceed in accordance with the approved plan.

#### Reason

To ensure the development reduces carbon emissions in accordance with London Plan Policy 5.2.

#### **INFORMATIVES**

# 1 l52 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.

BE14 BE18 BE19	Development of sites in isolation  Design considerations - pedestrian security and safety  New development must improve or complement the character of the
BE20 BE21 BE22	area. Daylight and sunlight considerations. Siting, bulk and proximity of new buildings/extensions. Residential extensions/buildings of two or more storeys.
BE23 BE24	Requires the provision of adequate amenity space. 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
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
H5	Dwellings suitable for large families
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LE1	Proposals for industry, warehousing and business development
AM8	Priority consideration to pedestrians in the design and
	implementation of road construction and traffic management
	schemes
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,
HDAS-LAY	Supplementary Planning Document, adopted January 2010 Residential Layouts, Hillingdon Design & Access Statement,
DAS-SF	Supplementary Planning Document, adopted July 2006 Shopfronts, Hillingdon Design & Access Statement, Supplementary
SPD-PO	Planning Document, adopted July 2006 Planning Obligations Supplementary Planning Document, adopted
	July 2008
SPD-NO	Noise Supplementary Planning Document, adopted April 2006
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.6	(2011) Children and young people's play and informal recreation
2 0.0	(strategies) facilities
LPP 3.8	(2011) Housing Choice
LPP 3.12	(2011) Negotiating affordable housing (in) on individual private
	residential and mixed-use schemes
LPP 3.13	(2011) Affordable housing thresholds
LPP 4.2	(2011) Offices

# 3 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 | 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.

#### 5 I13 Asbestos Removal

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

(Tel. 020 7556 2100).

#### 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 which are audible at the site boundary shall only be carried out between the hours of 08.00 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 or Public Holidays.
- B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.
- C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.
- D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council¿s Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) 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 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).

# 

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:-

- $\cdot$  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.

# 9 I45 Discharge of Conditions

Your attention is drawn to condition(s) 3, 4, 5, 6, 7, 8, 10, 12, 13, 14, 16, 23 and 24 which must be discharged prior to the commencement of works. You will be in breach of planning control should you commence these works prior to the discharge of this/these condition(s). The Council may consider taking enforcement action to rectify the breach of this condition(s). For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250230).

#### 10

You are advised that as regards condition 4, the roofing material should have a brown/dark red finish.

# 3. CONSIDERATIONS

#### 3.1 Site and Locality

The site, which has an area of 0.32 hectares is located on the western side of Field End Road and currently comprises a vacant 1970's 'L'-shaped office building know as Initial House which is surrounded by large expanses of tarmac surface level parking. Initial House comprises a three storey building on Field End Road, which extends towards the rear of the site, dropping down to two storeys on the rear western wing. An access road from Field End Road is located to the south of the building. To the north, the site is adjoined by Conex House (No. 148), a three storey office block which the application site wraps around at the rear. There is a secondary access from Morford Way further to the south which is currently gated on the boundary of the site. At the rear of Conex House located on the northern boundary of the site is a small electricity sub-station. There are a number of mature trees both within the site and close to its northern, western and southern boundaries. There are also a number of temporary buildings sited along its southern boundary.

Initial House, together with Conex House and a detached office building at No. 146 Field End Road comprise a group of three storey flat roofed office blocks on Field End Road. To the north of this is The Ascott, formerly The Manor Public House. Elsewhere in this vicinity, Field End Road mainly comprises traditional, densely developed 1920-30's purpose built 'metro land' type retail parades, predominantly 2 - 3 storeys high, with mainly flats above. Such a two storey shopping parade adjoins the site to the south east, with a three storey parade opposite. On its western and southern boundaries, the application site directly abuts Eastcote (Morford Way) Conservation Area which comprises essentially two storey residential dwellings and bungalows.

The site is located within Eastcote Minor Town Centre as designated on the Proposals Map of the Hillingdon Unitary development Plan Saved Policies (September 2007). Although the site occupies a fairly central siting in terms of the town centre, it does not lie within either the primary or secondary shopping areas. It sites between two areas of secondary frontage on this side of Field End Road, with the parade buildings on the opposite side of the road forming primary frontage.

#### 3.2 Proposed Scheme

Full planning permission is sought for the erection of a part two storey, part three storey 'L'-shaped, predominantly residential building with roofspace accommodation and basement parking, comprising 42 units with a small Class A1 commercial unit on the ground floor fronting Field End Road. The ground floor would comprise 11 flats, in addition to the 93m² commercial unit, with 13 flats on the first, 10 flats on the second and 8 flats on the third floors. The residential units would comprise 11 one-bedroom, 27 two-bedroom and 4 three-bedroom flats. Car parking for 48 vehicles, including 5 disabled person spaces and 54 secure cycle parking spaces would be provided within the basement, accessed via a spiral ramp and side access from Field End Road.

One wing of the 'L'-shaped building fronts Field End Road to the east and extends west into the site, with the other extending south at the rear of the building. Communal open space would be provided on the north, west and south sides of the building.

The building would be three storeys in height with rooms incorporated into the roofspace served by small dormer windows on the northern, southern and western elevations. The recessed eastern and southern elevations would be articulated with projecting balconies. At the rear, the building drops down to two storeys incorporating a green roof. The building also drops down to two storey on the short length of the 'L'-shaped building which extends towards the south of the site. This would also include a green roof. A 4.7m wide by 5.3m high mural, the top of which would be some 7.6m above ground level is also proposed on the rear elevation of the eastern wing of the building towards the northern boundary.

The main front elevation of the building would be mainly glazed at the ground floor to form a shopfront and have windows at first and second floor levels. The main materials on the building would be banded render on the ground floor with brickwork above and a lead covered roof.

The accommodation is all market housing and a financial viability assessment has been prepared to justify the lack of affordable housing. The schedule of accommodation is as follows:

- \* Basement: 48 car parking spaces, 54 secure cycle spaces, ramp and ancillary features
- \* Ground Floor: Commercial unit 93m² of Class A2/B1 office/commercial unit and 1 x one-bedroom, 9 x two-bedroom and 1 x three-bedroom flats

- \* First Floor: 1 x one-bedroom, 10 x two-bedroom and 2 x three-bedroom flats
- \* Second Floor: 2 x one-bedroom and 8 x two-bedroom flats
- \* Third Floor: 7 x one-bedroom and 1 x three-bedroom flats

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

# Design and Access Statement:

This describes the site and the processes that have led to the evolution of the design. The proposed development is described and the report states that 10% of the residential units will be wheelchair accessible, with all the units satisfying Lifetime Homes standards. A brief description/justification is then provided, dealing with issues of layout, choice of materials, landscaping, access, security and waste management.

# Transport Assessment, October 2009:

This advises that it does reference a previous Transport Assessment submitted in connection with a larger scheme on this site as the information is still relevant and transferable. It goes on to describe the methodology of the study, the site and the surrounding roads and alternative transport availability. A comparison of existing and proposed trip generation is provided and access and parking issues assessed. Accident records are also considered. It concludes that the former office use is more intensive during the morning and evening peak periods and therefore the proposal would not be detrimental to local highway safety.

#### Report on Background Noise, October 2009:

This advises that it is based on an earlier study submitted as part of a previous proposal. It describes the various noise units and the measurements taken on site. The most vulnerable elevation was found to be the front, which has a Noise Exposure Category C, where noise should be taken into account when determining planning applications and where appropriate, commensurate noise protection conditions imposed. The report concludes that secondary glazing would be required on this elevation. The other elevations fell within Noise Category B and A where conventional remediation is adequate, such as appropriate double glazing.

# Daylight, Sunlight and Shadow Study:

The report describes the methodology. It concludes that although the windows tested were mainly on the ground or first floor, as these windows are the most likely to be affected and represent the worse case scenario, it can be safely assumed that all windows will meet or exceed the BRE requirements. The scheme also satisfies the BRE standards for Daylight, Sunlight and Shadowing to the proposed amenity area. This assessment remains the same when trees are included in the analysis. Furthermore, the proposal would have a negligible impact on the daylight, sunlight and shadowing of neighbouring properties.

# Code for Sustainable Homes Assessment Strategy:

This report assesses the anticipated scoring and rating of the development and provides a detailed strategy in order to allow the residential flats to achieve Level 3 of the Code for Sustainable Homes.

Travel Plan, October 2009:

This provides the policy background for the plan and a description of the area and local transport. It advises that the Travel Plan target will be for a 10% reduction in the number of private car trips from the site. Residential measures will include welcome packs for first time occupiers, a notice board to display travel information, sales staff training with promotion of car share websites/databases and a part-time Travel Plan co-ordinator working with the sales team initially before role would pass to residents steering group or travel plan forum by end of development process. Measures specific to the commercial unit include a car share scheme managed by the Travel Plan co-ordinator, information packs for employees, staff training and cycle parking to local authority standards and local sourcing of staff.

Phase 1 Environmental Risk Assessment:

The report describes the site, the elements of the assessment and identifies possible sources of contamination on the site. It concludes that there are only limited sources of potential contamination on site, mainly associated with the electricity sub-station and a former garage at No. 146 Field End Road. It recommends that a Phase II land quality assessment may be needed, which could form part of a wider geotechnical investigation.

Desk Study and Ground Investigation Report:

This describes the proposed development and the scope and limitations of the investigation. The site and the substrate is describes. The report assesses the level of contamination and recommends possible construction/design solutions.

Energy Statement, December 2010:

This advises that the London Plan target of 20% reduction in carbon emissions 'where feasible' would be difficult to achieve on this site, given the access and space constraints of the site. Based on an initial assessment, the developers are committed to achieving a 10% reduction which is in line with the requirements of Code for Sustainable Homes Level 3. A brief overview of possible technologies are identified.

Sustainability Statement, March 2011:

This provides a more detailed assessment of the sustainability of the scheme, confirms that the scheme will achieve Level 3 of the Code for Sustainable Homes and concludes that the new dwelling will achieve a 20% plus of their energy from renewable sources utilising photo voltaic panels on the roof that would not be visible from street views and highly efficient gas condensing boilers would be used.

Affordable Housing Viability Assessment, November 2009

# 3.3 Relevant Planning History

25760/APP/2000/1632 150 Field End Road Eastcote Pinner

INSTALLATION OF 6 DUAL ANTENNAS ON ROOF AND ONE EQUIPMENT CABIN AND ONE ELECTRIC METER CABINET LOCATED IN REAR CAR PARK

**Decision:** 21-08-2000 PRQ

25760/APP/2007/2651 Initial House 150 Field End Road Eastcote Pinner

REDEVELOPMENT OF SITE FOR A MIXED USE, ERECTION OF A PART TWO, THREE, FOUR, FIVE AND SIX STOREY BUILDING TO ACCOMMODATE A RETAIL UNIT AT GROUND FLOOR FRONTING FIELD END ROAD, 24 ONE- BEDROOM, 43 TWO-BEDROOM AND 3 THREE BEDROOM APARTMENTS WITH ASSOCIATED BASEMENT PARKING AND LANDSCAPED AREAS.

Decision: 22-10-2007 Withdrawn

25760/APP/2008/1090 Initial House 150 Field End Road Eastcote Pinner

REDEVELOPMENT OF SITE FOR A MIXED USE, ERECTION OF 54 RESIDENTIAL UNITS AND 252m<sup>2</sup> OF B1(a) OFFICE AT GROUND FLOOR, WITH ASSOCIATED BASEMENT PARKING AND LANDSCAPED AREAS. (INVOLVING DEMOLITION OF EXISTING BUILDING AND STRUCTURES)

Decision: 17-07-2008 Refused

25760/APP/2009/2441 150 Field End Road Eastcote Pinner

Erection of a four storey building with basement parking, comprising 10 one-bedroom, 29 two-bedroom and 5 three-bedroom residential flats and a commercial unit on the ground floor fronting Field End Road (involving demolition of the existing building.)

**Decision:** 25-03-2010 Withdrawn

25760/APP/2010/2957 150 Field End Road Eastcote Pinner

Conversion of existing part two storey, part three storey building (Class B1) to provide a 76 bedroom hotel (Class C1) together with a commercial unit (Class A3) at ground floor level, with associated internal and external alterations to the building and alterations to the car parking.

# **Decision:**

25760/C/84/0125 150 Field End Road Eastcote Pinner

Section 53 certificate (P)

Decision: 01-03-1984 Refused

25760/PRE/2006/40 150 Field End Road Eastcote Pinner

T P PRE - CORRES: REVELOPMENT OF SITE

#### Decision:

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

An earlier application (25760/APP/2009/2441 refers) for a similar scheme, involving a predominantly four storey building with the same footprint, comprising 44 residential units was included on the North Planning Committee meeting agenda for the 6th April 2010 but the application was withdrawn by the applicant on the 25th March 2010 before it could be considered by Members. However, the officer recommendation was for refusal, for the

### following reasons:

- 1. The proposed building fails to adequately harmonise with the character and appearance of the street scene and the surrounding Eastcote (Morford Way) Conservation Area, with regard to the overall height and massing of the building and the detailed design elements of the Field End Road facade. The proposal is therefore contrary to Policies BE4 and BE13 of the Hillingdon Unitary Development Plan, Saved Policies (September 2007), the Council's Supplementary Planning Document Hillingdon Design and Accessibility Statement (HDAS) Residential Layouts and Policy 4B.3 and 4B.8 of The London Plan (February 2008).
- 2. The proposal does not provide adequate and appropriate living space throughout the development as most of the ground floor units, due to the proximity of communal paths and/or shared use amenity space adjacent to habitable room windows would fail to afford adequate privacy, with one of the units, (Flat 7) also having a poor outlook from its lounge/dining room window. Furthermore, due to the siting of a number of neighbouring windows and balconies on the upper floors, a number of flats would also lack visual and acoustic privacy and have a poor outlook. It is therefore considered that the quality of the residential accommodation provided would fail to afford an acceptable standard of residential amenity, contrary to policies BE19, BE21 and BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Council's HDAS: Residential Layouts.
- 3. The proposal fails to provide a dedicated children's play area in an area that is deficient of such facilities. The residential accommodation proposed would therefore not afford an adequate standard of residential amenity for all its future occupiers, contrary to policy 3D.13 of the London Plan (February 2008).
- 4. In the absence of a fully revised Transport Assessment, reflecting the submitted plans, together with full highway details relating to the commercial unit and level and ramp gradient information, together with full refuse and recycling collection details, including trundle distances, the Local Planning Authority has been unable to fully assess the impact of the proposal in terms of its impacts upon highway and pedestrian safety, in accordance with policies AM2, AM7(ii) and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).
- 5. The scheme fails to demonstrate that all feasible means have been investigated of reducing the carbon footprint of the development, in accordance with Policies 4A.4 and 4A.7 of the London Plan (February 2008).
- 6. The applicant has failed to provide contributions towards the improvements of services and facilities as a consequence of demands created by the proposed development (in respect of transport, education, health, community facilities, including a contribution towards library books, town centre improvements, recreational open space, construction training and project management and monitoring). The scheme therefore conflicts with Policy R17 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Council's Planning Obligation Supplementary Planning Document, July 2008.

Prior to this, a scheme for the redevelopment of the site for mixed use, with the erection of 54 residential units and 252m² of B1(a) office at ground floor, with associated basement parking and landscaped areas (involving demolition of existing building and structures) (25760/APP/2008/1090) was refused on 18th July 2008 for the following reasons:

- 1. It is considered that the proposal will result an excessive density of development that will be unsympathetic to the character of the street scene and the surrounding Eastcote (Morford Way) Conservation Area, with respect to the appearance of the building and the detailed elements of the Field End Road facade. The proposal is therefore contrary to Policies OE1, BE13, BE19, BE21 and BE23 of the Hillingdon Unitary Development Plan, Saved Policies (September 2007), the Council's Supplementary Planning Document Hillingdon Design and Accessibility Statement (HDAS) Residential Layouts and Policy 4B.3 and 4B.8 of The London Plan.
- 2. The proposed development creates the potential for a detrimental impact upon the outlook, visual amenity and privacy currently enjoyed by occupiers of neighbouring residential properties contrary to Policies BE21 and BE24 of the London Borough of Hillingdon Unitary Development Plan (adopted 1998) Saved Policies (September 2007).
- 3. The development by reason of its excessive site coverage and close proximity to near by trees, makes inadequate provision for the long term retention of existing trees of merit, such that the screening benefits of existing trees would be lost. Additionally, the scheme fails to provide adequate space for future planting and landscaping between the proposal and neighbouring property contrary to Policy BE38 London Borough of Hillingdon Unitary Development Plan Saved Policies (27 September) 2007.
- 4. The proposal does not provide adequate and appropriate amenity space throughout the site, and does not provide sufficient private open space for the enjoyment of future residents and does not include any dedicated play area for children. A number of balconies are located in inappropriate locations for the enjoyment of residents and the protection of the acoustic and visual privacy of all potential residents within this scheme. It is considered that the quality and quantity of amenity space provided does not comply with the Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document Residential Layouts, along with Policy BE19, BE20 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4B.1 of the London Plan.
- 5. The proximity of the new access to the basement car park to the existing accesses does not provide a satisfactory arrangement for pedestrians and creates an additional potential conflict with the access to the adjoining property at Connex House. The ramp gradient at maximum 1:4 is not acceptable, the location of bin storage does not comply with Council standards, and the location of the proposed bicycle parking and the disabled parking bay off the ramp is not acceptable. A Green Travel Plan would also be required at this stage and this has not been submitted. As a result of the design and the lack of information it is likely that the proposal would give rise to conditions prejudicial to the free flow of traffic and would be detrimental to highway and pedestrian safety and does not provide satisfactory arrangements for future residents. The development is therefore contrary to Policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).
- 6. A number of the proposed units do not satisfy the minimum overall floor area as required by the Hillingdon Design and Accessibility Statement (HDAS) 'Access for All'. The unsatisfactory design and undersized nature of the proposed units will lead to poor quality, undesirable living conditions for potential future residents, contrary to Policies 3A.6 and 4B.1 of the London Plan and the Supplementary Planning Document Hillingdon Design and Accessibility Statement (HDAS) 'Access for All'.
- 7. The submitted plans and documentation do not clearly illustrate that at least 10% of the units will be built to or capable of easy adaptation to recognised standards for

wheelchairs, neither does the proposal demonstrate that lifetime homes standards can be achieved and the sustainability statement states that lifetime homes will not be incorporated into the scheme. The ramp access at grade 1:4 is not acceptable and the provision of a disabled space off the ramp is not appropriate. The proposal is therefore contrary to London Plan Policies 3A.5 and 4B.5 and the Hillingdon Design and Accessibility Statement (HDAS) 'Access for All'.

- 8. The submitted roof plan does not illustrate the provision of solar panels, as proposed as part of the statement of renewable energy, and it remains unclear if this is economically feasible and how the ongoing operation and maintenance of the system would be managed. Concerns have also been raised about the potential impact of reflected sunlight and other visual impacts from an aerodrome safeguarding perspective for aircraft using RAF Northolt, along with the overall visual impact that cannot be properly assessed without detailed amended plans. The proposal is considered to be contrary to Policies BE4, BE13, BE19 and A6 of the London Borough of Hillingdon Unitary Development Plan Saved Policies (September 2007) along with Policies 4A.3, 4A.6, 4A.7 and 4A.9 of the London Plan and PPS 1 Planning and Climate Change.
- 9. The development is not considered to have made adequate provision, through planning obligations, for contributions towards affordable housing, education, health and public open space improvements, transport, construction training along with 5% project management and monitoring fee, in accordance with Policies H11, R17 and AM11 of the Council's Unitary Development Plan Saved Policies (September 2007) or the Council's Draft Supplementary Planning Guidance for Planning Obligations and Supplementary Planning Guidance for Planning Obligations for Health Facilities and the Council's Affordable Housing SPD (May 2006).

An initial application (25760/APP/2007/2651) for the redevelopment of site for mixed use, with the erection of a part two, three, four, five and six storey building to accommodate a retail unit at ground floor fronting Field End Road, 24 one-bedroom, 43 two-bedroom and 3 three bedroom apartments with associated basement parking and landscaped areas was withdrawn on 22nd October 2007.

There is also an application on this site (25760/APP/2010/2957), which seeks to convert the existing part two storey, part three storey office building (Class B1) to provide a 76 bedroom hotel (Class C1) together with a 106sqm commercial unit (Class A3) at ground floor level, with associated internal and external alterations to the building and alterations to the car parking layout. The application was due to be considered at the North Committee meeting of 7th April 2011 but was withdrawn by the Head of Planning, Consumer Protection, Sport and Green Spaces to allow further negotiation/revisions to be submitted by the applicant. Since the applicant went into receivership, this scheme has not been progressed further.

# 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.
PT1.17	To seek to ensure the highest acceptable number of new dwellings are provided in the form of affordable housing.
PT1.20	To give priority to retail uses at ground floor level in the Borough's shopping areas.
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 Policie	es:
BE4	New development within or on the fringes of conservation areas
BE13	New development must harmonise with the existing street scene.
BE14	Development of sites in isolation
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
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
H4	Mix of housing units
H5	Dwellings suitable for large families
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LE1	Proposals for industry, warehousing and business development
AM8	Priority consideration to pedestrians in the design and implementation of road

	construction and traffic management schemes
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
DAS-SF	Shopfronts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008
SPD-NO	Noise Supplementary Planning Document, adopted April 2006
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.6	(2011) Children and young people's play and informal recreation (strategies) facilities
LPP 3.8	(2011) Housing Choice
LPP 3.12	(2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
LPP 3.13	(2011) Affordable housing thresholds
LPP 4.2	(2011) Offices
LPP 4.7	(2011) Retail and town centre development
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.6	(2011) Decentralised Energy in Development Proposals
LPP 5.7	(2011) Renewable energy
LPP 5.9	(2011) Overheating and cooling
LPP 5.10	(2011) Urban Greening
LPP 5.11	(2011) Green roofs and development site environs
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.14	(2011) Water quality and wastewater infrastructure
LPP 5.15	(2011) Water use and supplies
LPP 6.3	(2011) Assessing effects of development on transport capacity
LPP 6.9	(2011) Cycling
LPP 6.10	(2011) Walking
LPP 6.13	(2011) Parking
LPP 7.1	(2011) Building London's neighbourhoods and communities
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
LPP 7.15	(2011) Reducing noise and enhancing soundscapes
LPP 7.21	(2011) Trees and woodland
NPPF	National Planning Policy Framework (March 2012)
BE28	Shop fronts - design and materials

# 5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- 11th January 2011
- **5.2** Site Notice Expiry Date:- Not applicable

#### 26th January 2011

#### 6. Consultations

#### **External Consultees**

**INITIAL CONSULTATION:** 

219 neighbouring properties were been consulted, the application has been statutorily advertised in the local paper as being a major development and development affecting the character and appearance of the Eastcote: Morford Way Conservation Area and a notice has been displayed on site. A petition with 47 signature and 19 individual responses have been received.

The petition states:

'We the undersigned object to the application 25760/APP/2010/2410, the redevelopment of Initial House, 150 Field End Road, Eastcote. 42 dwellings will be an overdevelopment of the site, and detrimental to the area.'

The individual respondents raise the following concerns:-

- (i) Proposal needs to be sympathetic to surrounding buildings, including the Arts and Craft style properties in Morford Way Conservation Area which it borders and the critically important street scene, including the Arts and Craft style Manor PH, a locally listed building so as to harmonise with its locality. Neither the height and bulk of building, nor the roof structure with gable ends and flat roofs and lead materials harmonise with the mainly tiled street scene and locality,
- (ii) Eastcote is a small suburban town, in the Metroland style and proposed 42 flats on this site represents overdevelopment of this highly visible site in the centre of the shopping parades and town centre, altering village atmosphere,
- (iii) The site needs to be redeveloped as it is an eyesore.
- (iv) This application is very similar to last application (25760/APP/2009/2441) and should overcome previous recommended reasons for refusal and London Plan requirements which it does not appear to do. Importantly, fails to harmonise with street scene, will overlook dwellings in Morford Way and Morford Close, would provide inadequate living space and lacks a full transport assessment.
- (v) More traffic will be put on Field End Road which will cause further congestion on an already busy and dangerous road and parking pressures from 100 residents, each likely to have their own vehicle, on surrounding roads which will be a health and safety issue,
- (vi) Developers claim to have considered all concerns from the public but this is not true,
- (vii) Latest plans show two play/sitting areas what considerations have been put in place as regards security, privacy and noise pollution for residents in Crescent Gardens and Morford Close,
- (viii) I was assured that trees would be planted along side of property, backing onto the perimeter of Crescent Gardens which are important for noise, privacy and security reasons. This has been changed with no consultation with residents.
- (ix) Proposed drying area is completely unacceptable, again raising noise pollution, privacy and security issues,
- (x) Balconies on side facing Crescent Gardens and rear elevations of building would result in loss of privacy,
- (xi) What measures to protect residents, particularly those on Crescent Gardens from noise, congestion, security and dust and mess during construction, and how long will this take place,
- (xii) Confirmation required that no windows would have a view into the back of my garden/property,
- (xiii) Majority of flats are sub-standard, not satisfying Hillingdon's minimum size floor areas,
- (xiv) No play area for children is proposed,

- (xv) Tiny apartments likely to only provide a dormitory for those that will be out of the area. Need an inviting, modern, figurehead building that will put Eastcote on the map, boosting local activity, trade and tourism. Could be for those needing to downsize, ie older generation who have money to pay for it. Majority of parking spaces should be omitted,
- (xvi) Eastcote is already a highly populated area and there are nearly 500 dwellings under construction to the right of us. Object to further dwellings as area would consist of nothing but houses and flats with no amenities. Extreme strain is already on services such as police, doctors, dentists, schools, hospitals, surgeries, roads, sewers etc
- (xvii) Many parts of the application lack detail, including a fully updated Transport Assessment with service details, including refuse collection; accessibility issues; carbon footprint; recreation areas, not allowing a proper assessment of the application to be made
- (xviii) Inadequate open space to support this scheme
- (xix) Developers have already shown their disregard for local residents, allowing site to become dilapidated, fly posting on site has not been rectified, development ignores wishes and needs of Eastcote and its residents,
- (xx) Provision of retail shop is unnecessary when Eastcote is struggling to fill existing shops.
- (xxi) Plans and submitted documents are misleading. Proposal is for a four storey building and only a three storey building adjoins it
- (xxii) Demolition works need to contain fine airborne contaminants that will be released.
- (xxiii) Proposal, with basement parking, may present risk of flooding

#### EASTCOTE VILLAGE CONSERVATION AREA ADVISORY PANEL:

Description of development is rather misleading, this is four storey development, not three storey. Description should be amended.

This is the fourth application to redevelop this site, the first being withdrawn, the second refused and the third being withdrawn. The third application was recommended refusal by the Planning Officer, and the application withdrawn before the North Planning Committee could meet to determine the application.

It would appear that this current application does not address the many of the concerns of the Planning Officer for the third application.[25760/APP/2009/2441]

150 Field End Road is adjacent to the Morford Way Conservation Area, at the front of the building, and shares boundaries with both Morford Way and Morford Close also part of the MWCA.

Eastcote is classed as a minor town, of suburban character, with a shopping area designated tertiary.

Construction of Eastcote town centre started during the 1920s, Morford Way Conservation Area, being the first development, and the remainder developed in the early 1930's. Therefore this area is Arts and Crafts in style, the later buildings enhancing the earliest buildings. It is pure 'Metroland'. The 1960/70 office buildings do not in any way enhance the street scene, now there is the proposal to re-develop, any redevelopment should compliment the existing street scene not over power it.

It must be noted that the current owner of this site has allowed the area to degenerate. The hoarding erected to the front of the building has become a haven for Fly Posting. The former car park, visible from the main shopping area, has been filled with unsightly heaps of waste timber removed from the buildings. Requests, to tidy these areas have been ignored. Thereby making this site more of an eyesore than the original building.

The documents submitted with this application are a mix of documents submitted for the previous three applications. Most of which the Council Officers found to be lacking in detail and information.

There is very little new material.

The reasons for refusal of the third application have not been addressed in this application.

\* Reason 1. The building fails to adequately harmonize with the character and appearance of the street scene and the surrounding Morford Way Conservation Area, with regard to the overall height and massing of the building.

Although some changes have been made to the facade fronting onto Field End Road, the height is still over dominant within the street scene. Being higher than the adjacent Arts & Crafts buildings of MWCA, and detracting from the nearby Manor Pub, a locally listed building in the Arts & Crafts style. The materials for the roof are lead, all surrounding buildings have tiled roofs. Changes have been made to the roof shape, the rear element having been lowered, however, there are still gable ends and flat roofs which do not sit comfortably with the surrounding architecture.

\* Reason 2. The proposal does not provide adequate and appropriate living space throughout the development.

The amenity space of this proposal is less than the previous application. The number of balconies and terraces have been reduced, including the roof terrace to the west elevation.

The communal paths are still in the same position thereby would not afford privacy to these dwellings. The siting of windows and balconies on the upper floors [south elevation] are still in the same position therefore these flats would still lack visual and acoustic privacy.

This application has been compiled and submitted after the publication, Hillingdon SPD Accessible Hillingdon January 2010 was adopted, therefore the floor areas of the dwellings must be considered. 27 out of the 42 flats are below the recommended minimum floor area. The object of the minimum floor areas recommended by SPD Accessible Hillingdon, and the Revised London Plan is to provide good quality housing for future residents, it is also recommended that applicants should seek to provide larger floor areas in developments, where possible. This application falls very short of these requirements.

- \* Reason 3. The proposal fails to provide a dedicated children's play area This application does not provide a suitable play area.
- \* Reason 4. In the absence of a fully revised Transport Assessment, reflecting the submitted plans, together with full highway details relating to the commercial unit and level and ramp gradient information, together with full refuse and recycling collection details including trundle distances, the Local Planning Authority has been unable to fully assess.

This information does not appear to have been submitted with this application.

\* Reason 5. The scheme fails to demonstrate that all feasible means have been investigated of reducing the carbon footprint of the development.

Supplementary information on this subject has been requested by the LPA, but the reply is not conclusive and does not give assurances that the building can reach minimum carbon levels.

Further considerations must be given to the comments made by the Accessibility Officer for application three. Many of these recommendations have been ignored, e.g. the flats designated for wheelchair users do not contain a wet room, the car parking spaces are still giving flat number information. These areas could easily have been addressed within this proposal.

The Landscaping proposals are the same documents as previously submitted. The basement car park extends almost to the boundary on the north side leaving very little underground area available for trees to grow and flourish. Any boundary treatments would not be successful in this area.

The Desk Study and Ground Investigation Report dated August 2007, submitted, this was originally submitted with the first application. Within this report the flow of ground water is discussed. However, this application does not give details of mitigation of this problem, nor does it give details of ground contamination clearance, and a method for removing the various types of asbestos which are present within the building.

It is evident that this site cannot accommodate 42 flats with associated parking and blend with the surrounding neighbourhood and give satisfactory living conditions for future residents.

We ask that the application be refused.

On the revised plans, the Conservation Panel advise:

The Conservation Panel made a lengthy objection to this proposal on 3rd January 2011.

The additional documents do NOT address any of the previous concerns. The objections in the letter 03.01.11 still remain, with the following points.

In conjunction with English Heritage [EH], the London Borough of Hillingdon have produced an Appraisal for the Morford Way Conservation Area [draft]. EH have placed the MWCA on the at risk register. These proposals will not enhance the conservation area in any way, they will be detrimental to this conservation area.

- \* Changes have been made to the floor areas of each flat. However, 37 out of the 42 flats do not reach minimum floor space requirement.
- \* Flat number 24 is shown as 3 bed 5 person when in fact it is a 3 bed 6 person dwelling.
- \* Elevations and roof. The roof is still shown to be constructed of lead rather than tiles. Tiles are the standard roofing material for this area including the Morford Way Conservation Area. A large mural has appeared on the West Elevation, this will be noticeable from Morford Close and will appear over dominant.
- \* Refuse bins housed in the rear store, are to be wheeled to the front of the building on collection days. Does this distance fall within the regulations for bin movements?
- \* Although changes have been made to the position of the external pathways, some flats will still have pedestrians walking past their bedrooms to gain access to the building. Including having the refuse bins wheeled past.
- \* The useable amenity space has been reduced still further to accommodate solar panels on the 1st floor flat roof, which was designated as amenity space.
- \* The LBH Open Space Strategy states that there is a lack of children's play space in this area. An increase in the population without the provision of adequate amenity area is not acceptable. These new proposals are not acceptable, and we request that the application be refused.

#### NORTHWOOD, RUISLIP AND EASTCOTE LOCAL HISTORY SOCIETY:

This is the fourth application to develop the Initial House site and we welcome the improvements over earlier proposals. But the Society still has some concerns about the development.

The main roof height is still the same as the previous application so the development will appear over dominant in the surrounding street scene. This is especially relevant because the building overlooks the adjacent Morford Way Conservation Area with its low two storey houses in the Arts and Crafts style.

Another problem is the proposal for a lead roof which will be totally out of keeping with all the surrounding tiled roofs.

The front facade is better having more brick work and less white concrete than earlier proposals

but it still does not fully harmonise with the suburban street scene of Field End Road.

We are therefore not in favour of this application.

#### JOHN RANDALL M.P:

I would like to express my strong support for the comments made by the Eastcote Village Conservation Area Advisory Panel in opposing this development which I believe is out of character with the surrounding area and is also over-development. I therefore ask that this application be refused.

#### HILLINGDON ACCESS PANEL:

- \* No details on gradient of vehicle ramp access to basement car park as it will need to serve as wheelchair exit in case of fire from the basement car park,
- \* Turning circles for wheelchairs within some flats inadequate,
- \* No evidence to date complies with BS8300 and current Part M Standards (appears to be designed to the old Part M),
- \* Lift too narrow.
- \* Arrangements generally too tight internally,
- \* Footways should be wider 1.1m wide,
- \* Should be fire doors outside Flat 1 and Flat 11 on corridor and on corresponding (1st floor plan) residential floors.

#### Non access issues

- \* Over-development
- \* A storey too high

#### **ENVIRONMENT AGENCY:**

The proposed development will be acceptable only is a planning condition is imposed requiring the submission and subsequent agreement of further details, as set out below.

#### Condition

Ground source heat pump systems using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

#### Reason

To protect the deeper groundwater in the principal chalk aquifer. This condition will ensure that any ground source heat pump system is designed, used and maintained to protect this important groundwater resource.

#### Note

The revised energy statement states a ground source heat pump system is a possibility and, if implemented, is likely to penetrate into the principal chalk aquifer.

We ask to be consulted on any details submitted in compliance with this condition.

#### Informative

Contaminated soil that is excavated, recovered or disposed of, is controlled waste. Therefore, its

handling, transport, treatment and disposal is subject to waste legislation, which includes:

- 1. Duty of Care Regulations 1991
- 2. Hazardous Waste (England and Wales) Regulations 2005
- 3. Environmental Permitting Regulations 2010.

### Advice to Applicant

The proposed development includes a ,large basement, the excavation of which will result in a significant amount of material. Part of the excavated material may be contaminated. The recovery, treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an Environmental Permit.

Treatment of contaminated soil by mobile requires a mobile treatment permit. Soil may be re-used on site as part of a soil recovery operation by registering an exemption with the Environment Agency or by obtaining an Environmental Permit.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

As a shallow groundwater table has been identified as being above the basement construction, appropriate waterproofing should be considered to avoid groundwater flow within the Lambeth Group should be kept to a minimum.

MoD Defence Estates Safeguarding:

The MoD has no safeguarding objections.

#### THAMES WATER:

#### **Waste Comments**

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

Surface Water Drainage - 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. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

#### Water Comments

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.

Consultation on Revised Plans:

226 neighbouring properties were consulted. 2 responses have been received, making the following comments:

- (i) Eastcote has become a very busy town. Having another development erected will cause the village like community to disappear altogether,
- (ii) Proposal will cause major traffic problems like Sandringham,
- (iii) Proposal will result in additional noise and pollution,
- (iv) Proposal would result in structural damage to surrounding properties,
- (v) Proposal would result in loss of privacy to neighbouring properties,
- (vi) Proposal will result in lack of security to surrounding properties,
- (vii) De-value property prices in the area,
- (viii) Current plans inadequate to show a comparison between existing and proposed building,
- (ix) Where are the bins and play areas being proposed,
- (x) What trees or screening is being proposed,
- (xi) Plans to utilise the existing building made more sense,
- (xii) Proposed consultation session with local residents should be considered.

### **Internal Consultees**

Due to the length of time that has lapsed since the initial consultation on this scheme, a number of comments from internal consultees refer to the earlier London Plan and former national guidance. The latest policy is referred to in the officer's report and the recommended conditions.

#### PEP:

There are no objections to the loss of the existing commercial property. Scheme should be assessed against previous reasons for refusal and against existing policies and guidance.

#### URBAN DESIGN/CONSERVATION OFFICER:

### **INITIAL COMMENTS**

# **BACKGROUND:**

The property lies adjacent to the northern boundary of the Eastcote (Morford Way) Conservation Area. The existing structure dates from the mid to late 1970s and replaced a disused cinema. It comprises a three-storey frontage, with a three storey rear 'L' shaped wing that drops to two storeys to the west. The building, while fairly unassuming, has little architectural merit.

The site and the footprint of the existing building are quite large compared with the general urban 'grain' of the surrounding area. This comprises traditional, tightly developed 1920-30's purpose built 'metro land' type shopping parades with flats over. These back onto residential streets, probably developed during the same period. The retail frontages are generally brick faced and predominantly 2-3 storeys in height. They include some simple decorative detailing, and some have high-level parapets or over sized gables fronting the street.

The surrounding residential streets include attractive, mainly two storey properties and some bungalows, most are semi-detached and well spaced. As a result, there are glimpsed views between the properties, through to the rear gardens and in some cases, to the site beyond. The rear boundaries of many the gardens adjoining the site are screened or partially screened by mature trees.

In this location, Field End Road is level and wide (3 lanes) and turns east to the north of the site. The gentle bend in the road opens up views of the side of the adjoining property (No. 146) and also angled views towards rear of the site, although at present, trees screen this area and form a

backdrop to the car park of 'The Manor' public house (No. 144).

There is a second access to the site via a service road that runs north off Morford Way. This also provides access to the back of a number of the adjacent commercial properties and flats, the rear of which open out onto this lane.

CONSIDERATION: As previously stated, there is no objection in principle to the demolition of the existing building.

The overall height and general massing of the new building have improved from the previously submitted schemes. Ideally, the mansard should be stepped back from the parapet to reduce its bulk, the ridge line varied and a strong coping, or string course feature used to finish the building and draw attention from the roof.

There is little architectural detail or interest to break up the elevations and the proposed north and west elevations are particularly poor in this respect. Ideally, the building should have a recognisable main entrance/ focal feature; to add visual interest the parapet could vary, and the footprint could also include some form of stepping, or bays, to break up the unrelieved bulk of the elevations and make the building appear less 'static'. In addition, more could be made of the fenestration, by the vertical linking of balconies, more variety in the size of window openings and perhaps a corner, or focal feature on the street elevation. The flats at ground floor could also have French doors to make use of the shared garden space and possibly have their own private patio areas.

There is no objection to the use of brick and render, however, as proposed the areas of render are insufficient to create the visual interest that the scheme lacks as a whole.

CONCLUSION: An improvement, but further revisions required to improve the design of the building.

# COMMENTS ON REVISED PLANS:

The scheme has been developed with officers and is now generally acceptable from a design point of view. The following should be covered by appropriate conditions:

- · Samples of all external materials and finishes to be submitted for agreement, it is advised that the roofing material should have a brown/dark red finish
- · Details of the design and materials of the shopfronts to be submitted
- · Details of the hard and soft landscaping, including lighting, to the garden areas and also the street frontage to be agreed
- · Details of the materials and design of the gates and all new boundary treatments to be submitted
- · Details of the materials, colours and design of the windows, dormers, external doors and canopies to be agreed
- · Details of the design of the artwork to the rear elevation to be submitted
- $\cdot$  Details of the design and finish of the retaining walls and entrance to the basement car park to be agreed

No objections subject to the above.

### HIGHWAYS ENGINEER:

A Transport Assessment has been submitted in support of the proposed development.

The site is located in a PTAL 3 (medium) area. There are three main bus services in operation close to the site and Eastcote station is located within easy walking distance south of the site.

The site is located close to a number of local amenities and facilities located along Field End Road. The site is occupied by an office block of approximately 2600 sq.m GFA with a hardstanding area for car parking.

The proposals include a basement car park to be accesses through a ramp. A traffic lights & vehicle sensor system is proposed at the top and the bottom of the ramp. The ramp should have maximum gradient of 1:10 and minimum headroom of 2.1m, which along with the proposed traffic lights and vehicle sensor system should be covered by means of a planning condition.

The proposals are not considered to cause a traffic issue on the local highway network.

A total of 48 car parking spaces including 5 disabled spaces are proposed within the basement car park, which is acceptable. A car parking allocation plan should be secured by means of a condition. A total of 50 cycle parking spaces are proposed, which is acceptable. Cycle parking and travel plan should be conditioned.

Pedestrian visibility splays of 2.4m x 2.4m shall be provided at both sides of the access points.

The location of the refuse & recycle storage area is acceptable from the collection point of view.

Subject to the above conditions being applied, there is no objection on the highways aspect of this application.

#### TREE OFFICER:

There are a few trees on the site, which together with trees (off-site) close it form tree belts along the southern and western boundaries of the site. There are also two trees (off-site) in proximity to the sub-station, which may well have to be removed in any event. The trees in the gardens of properties in Field End Road, Morford Way and Morford Close are protected by virtue of their location in the Morford Way (Eastcote) Conservation Area. The existing tree belts are large-scale features of merit in the local landscape, which should be retained in the long-term (Saved Policy BE38 of the UDP), but the trees in the sub-station do not constrain the development of the site.

The applicants' tree expert has assessed the trees (Ash, Sycamore, Poplar and Cypress) on and close to the site, and two belts of conifers ('trees' 4 and 8). He recommends the removal of one Ash tree (tree 10) because it is decayed, and suggests the removal of one stem from the Ash tree (13) and the removal of the Ash tree (tree 14) in the sub-station compound. It is noted that all but one of the trees are graded as C, i.e. they have limited remaining contribution (useful / safe life).

At present, the trees provide some screening of the site and have a shade effect on parts of it, and constrain the redevelopment of the site. The Daylight, Sunlight and Shadow Study (September 2009) considers the combined (proposed building and trees) shade effect.

This application does not include an arboricultural constraints report. However, the application includes a 'Tree Constraints Plan' and a 'Tree Protection Plan' (December 2009), which show that the building and basement will be outside the tree protection zone, such that the trees will not be directly affected so long as they are protected. More detailed information in the form of a demolition, construction and tree protection method statement, and proposed levels and services, can be required by condition, in order to ensure that the scheme makes provision for the retention of all of the valuable trees (in terms of Saved Policy BE38).

The application also includes a Landscape Proposals drawing (in two parts) (2009), which does not show the existing trees, even though the key includes 'existing trees to be retained'. It seems that the plan suggests that the two roadside trees, and the retained tree belts will be supplemented by

the planting of lines of trees, such that the there would be a continuous belt around the northern, southern and eastern sides of the site. Whilst this approach is acceptable in principle, the choice of tree species should be reconsidered, because some of the trees are too large for the site and spaces around the building (and the possible drying area) and the limited space between the basement and the site boundaries.

Whilst the Shade Analysis (with trees) drawings take account of most of the existing trees, they do not show the effect of the group of conifers (tree 4) close to the southern boundary of the site and the proposed tree planting, nor do they take account of the potential growth of the trees. Therefore, whilst the scheme (with trees included) is considered by the applicants to meet the BRE standards in relation to the amenity areas, there is some risk that future occupiers of some of the flats would press to heavily reduce and/or remove some of the trees on the site to enable their reasonable enjoyment of the gardens/amenity space.

Overall, taking all of these considerations into account, and subject to conditions TL1, TL2, TL3, TL5, TL6, TL7 and TL21, the scheme makes adequate provision for the long-term retention of the existing landscape features (trees) on and close to the site and the screening they afford, and for landscaping, and is on balance acceptable in terms of Saved Policy BE38 of the UDP.

PLANNING OFFICER COMMENT: Relevant conditions are recommended.

### SUSTAINABILITY OFFICER:

I have no objections to the proposed development as submitted however subject to the development proceeding in accordance with drawing number 38 rev J and the following conditions:

The sustainability statement does not reflect the latest London Plan energy policies (5.2) which were adopted in July 2011. It is recognised that the development proposals were originally put together before this date. However, the decision must reflect up to date policies and accordingly the following condition is required:

### Condition

Prior to the commencement of development an energy assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall demonstrate a 25% reduction in carbon emissions (the equivalent of Code Level 4 energy requirements) from a 2010 Building Regulations compliant development. The assessment shall include:

- 1 A calculation of the energy demand and carbon dioxide emissions covered by the Building Regulations
- 2 The proposals to reduce carbon dioxide emissions through the energy efficient design of the site, buildings and services
- 3 The proposals to further reduce carbon dioxide emissions through the use of on-site renewable energy technologies.

Roof plans, elevations and layout plans should be amended to reflect the technologies chosen to meet part 3 above.

The development must proceed in accordance with the approved plan.

### Reason

To ensure the development reduces carbon emissions in accordance with London Plan Policy 5.2.

The standard condition for Code Level 3 should also be attached to any subsequent approval.

#### ACCESS OFFICER:

# **ORIGINAL COMMENTS:**

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

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

The following access observations are provided:

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

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

- 2. The four wheelchair standard flats are not easily identifiable on plan and should be marked accordingly.
- 3. All other details, prescribed in the council's supplementary planning document 'Accessible Hillingdon' should be applied in respect of the proposed wheelchair standard homes.
- 4. From the internal face of the front door, the wheelchair standard flats should feature an obstruction free area not less than 1500 mm wide and 1800 mm to any door or wall opposite.
- 5. Fifty percent of the wheelchair standard flats should provide a level access shower and this should be reflected on plan.
- 6. The bathrooms/en-suite facilities should be designed in accordance with Lifetime Home standards. At least 700mm should be provided to one side of the WC, with 1100 mm provided between the front edge of the toilet pan and a door or wall opposite.

NB: only the four wheelchair standard flats require a 1500 mm turning circle in the bathroom. However, the dimensions detailed in point 5 above apply to both Lifetime Homes and Wheelchair Standard Dwellings.

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

### Conclusion:

On the basis of the above issues can be addressed and demonstrated on revised plans, no objection would be raised from an accessibility viewpoint.

# **COMMENTS ON REVISED PLANS:**

The plans are by and large acceptable from an access point of view. However, to ensure that all

flats comply with the Lifetime Home Standards, plans should show capped off floor gully drainage in all bathrooms.

In addition, the bathroom layout for flat 34 should be revised to provide 700 mm to one side and 1100 mm in front of the WC pan.

### S106 OFFICER:

The last agreed position with regards to s106 matters and as detailed in a letter received by myself from the, then planning agent dated 24 February 2011 was as follows:

- (i) An education contribution of £40,281,
- (ii) A health and social care contribution of £14,126.88,
- (iv) A community facilities contribution of £20,000,
- (v) A town centre improvement contribution of £20,000,
- (vi) A recreational open space contribution of £55,000,
- (vii) A library contribution of £1,500.73.
- (viii) A construction training contribution of £18,814.64 or an in-kind scheme delivered during the construction phase of the development,
- (ix) Project Management and Monitoring fee 5% of total cash contributions secured.

### **EDUCATION SERVICES:**

A S106 contribution of £40,281 is required (£0 - Nursery, £16,984 - Primary, £11,791 - Secondary and £11,506 - Post 16).

### **ENVIRONMENTAL HEALTH OFFICER:**

There are no objections to this proposal.

Residential re-development

### Noise

I refer to the Report on Background Noise produced for the applicant by Hann Tucker Associates of 20th July 2007. It is not clear whether a more recent update of this report was intended to be submitted to support this application. It has been calculated that the overall site falls within Noise Exposure Category C of PPG24.

PPG 24 states that for sites falling within Noise Exposure Category C, planning permission should not normally be granted. Where it is considered that permission should be given, for example because there are no alternative quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise.

# Road Traffic Noise - Eastern Facade (front of building)

The daytime equivalent continuous noise level (Leq) was found to be 68dB, placing it in Category C. Additionally, the night-time noise Leq was found to be 64dB, which also places the site in Category C. A series of measures are suggested in Chapter 10.0 to ensure the noise levels in habitable rooms satisfy the Borough's Noise SPD.

### Overall site

Habitable rooms facing a noise source can be given some protection by an external balcony, reducing the received noise level by approximately 5dB(A). The balcony front and sides should be imperforate and as tall as possible. Where stacked vertically, the underside of each balcony above should have a sound-absorbing finish, such as sprayed vermiculite.

# Summary

Based on the results of the noise assessment I am satisfied that the requirements of the Borough's Noise SPD can be met using a combination of noise mitigation measures.

I therefore recommend the following conditions be applied to ensure that the proposed development will satisfy the requirements of the Borough's Noise SPD, Section 5, Table 2;

### Condition 1

N1 Development shall not begin until a scheme for protecting the proposed development from road traffic noise has been submitted to and approved by the Local Planning Authority (LPA). The noise protection scheme shall meet acceptable noise design criteria both indoors and outdoors. The scheme shall include such combination of measures as may be approved by the LPA. The scheme shall thereafter be retained and operated in its approved form for so long as the use hereby permitted remains on the site.

Reason: To safeguard the amenity of surrounding areas.

Non-residential ground-floor uses

The following conditions are recommended to be applied to the proposed A(1) retail uses:

# Condition 3

Suitable hours of use:

I would recommend suitable hours of use for the proposed 101.2 m2 of A(1) floorspace.

#### Condition 4

Delivery and waste collections;

H2 The premises shall not be used for deliveries and collections, including waste collections other than between the hours of 0700 hrs and 1900 hrs, Monday to Saturday and not at all on Sundays or Bank Holidays.

Reason: To safeguard the amenity of surrounding areas.

Air handling units require prior approval;

### Condition 5

N12 No air handling units shall be used on the premises until a scheme which specifies the provisions to be made for the control of noise emanating from the site or to other parts of the building, has been submitted to, and approved by the Local Planning Authority. The scheme shall include such combination of 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 safeguard the amenity of surrounding areas.

# Air Quality Assessment

The site is within the northern half of the Borough and therefore not located in the declared AQMA. No objections are therefore raised in respect of Air Quality.

# LAND CONTAMINATION OFFICER:

The following new document was submitted with application in relation to land contamination risk assessment for the above site:

\* Proposed Mixed-Use Development at 150 Field End Road, Eastcote; Phase I Environmental Risk Assessment; by Millard Consulting for Create and Construct Ltd (October 2009); Report Ref: 10665/TR/10-09/2839

The assessment provided does not include ground investigation information, and the report recommends further investigation. It does not provide any new information about the site. The report submitted with the earlier applications for the site, had some ground investigation information. Please refer to the earlier memos dated 20 September 2007 and 1 May 2008 for more information.

The site is adjacent to a former garage, and current electricity substation. We have no information on remedial works carried out at the former garage site. Given the scale of the development and the introduction of a potentially sensitive use it is advisable to include the standard contaminated land condition, to ensure the development is made suitable for use.

### WASTE SERVICES:

No objection, the number of containers is sufficient.

# 7. MAIN PLANNING ISSUES

# 7.01 The principle of the development

The site is located within the Eastcote Minor Town Centre, although outside of the main primary and secondary retail areas as designated in the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007). Nevertheless, the site is located within the middle of Eastcote Town Centre, sited between the two secondary retail areas on this side of Field End Road and therefore the site is of significance for the town centre.

The existing building on site has little architectural merit. As such, no objections are raised to its demolition.

The Hillingdon UDP (Saved Policies) does not incorporate any specific policies which preclude the loss of offices. The Planning Statement advises that the office building has been vacant since early 2008 and no objections were raised to the loss of office accommodation previously when the existing building was identified as being fairly old and unattractive, offering poor quality accommodation in a weak market. Where a market does exist, this is for smaller units. As such, the property needs to be viewed in the wider market, including Uxbridge, Watford and Harrow. In Hillingdon, Uxbridge is the strongest centre which together with Stockley Park, has good quality Grade A office space. There has been no change in policy since to suggest that office accommodation should be protected and given the current market expectations and the availability of significant alternative space in more traditional centres, no objections are raised to the loss of office space.

The commercial unit would be acceptable in this town centre location and it is considered that it would contribute towards the vitality and viability of the town centre. The commercial unit, with an open glazed frontage has the potential to create active street frontage, linking the two parts of the secondary frontage on this side of Field End Road, enhancing the attractiveness of the town centre.

In terms of the residential element of the scheme, the re-use of previously developed land in town centres for new housing in mixed-use schemes is consistent with both national and local planning policy guidance.

In terms of the housing mix, the application proposes 11 one-bedroom, 27 two-bedroom

and 4 three-bedroom flats. It is considered that this represents an acceptable mix of units within a town centre. The residential element is considered acceptable in principle, by providing a mix of units in an accessible town centre location and contributing to the vitality and viability of the centre in accordance with national and local policies.

No objection is raised to the principle of the development.

# 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 an urban area and has a Public Transport Accessibility Level (PTAL) of 3, where 6 is the most accessible and 1 the least.

Taking the site parameters into account, the matrix recommends a density of 70 - 170 u/ha and 200 - 450 hr/ha for schemes with an average unit size of between 2.7 - 3.0 hr/u such as is being proposed here. This proposal equates to a density of 131 u/ha and 372 hr/ha, which is well within the Mayor's guidance in terms of the maximum acceptable residential density on this site.

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

The application site has a 20.5m frontage onto Field End Road within the middle of the Eastcote town centre and directly abuts the Eastcote (Morford Way) Conservation Area on its south western and south eastern boundaries. The existing part two storey, part three storey office building on site, which dates from the mid to late 1970s is of little architectural merit and no objections are raised to its demolition.

The proposed building has been considerably reduced in size as compared to the replacement building proposed in previous applications and numerous discussions have been held with officers on this application which has resulted in further amendments being made. Now, the proposed building would have a similar siting and bulk to the existing office building. At the front, the main parapet height has been lowered so that it would be 1.3m lower as compared to the existing building and that of the adjoining Conex House. The accommodation in the roof has been recessed from the sides of the building and would be incorporated within a mansard type, lead clad roof with front gables and side and rear dormers. This roof would appear subordinate on the building and overall, be some 1m higher than the existing Initial and Conex House buildings (discounting existing small cabins on the roofs of the existing buildings).

The building would maintain the line of the existing building and that of Conex House on Field End Road. Two projecting bay features with Juliette balconies are proposed at first and second floor levels on the front elevation, but the bays would only project by approximately 200mm from the main elevation of the building and would not appear unduly conspicuous, particularly as the building would be set well back from the road, sited on the outside edge of a bend and adjoining buildings and parades are sited further forward. The proposal would include a glazed shopfront on the ground floor with landscaping, including tree planting on the forecourt.

At the rear, the building is considered to respect the scale of the residential buildings in the adjoining Eastcote (Morford Way) Conservation Area by dropping down to two storeys on its south western and south eastern ends and would maintain adequate separation

gaps to these boundaries of the site. In terms of the closest relationship of the existing building to the south western boundary, the proposal would increase the separation distance. Furthermore, these boundaries are generally very well screened with mature trees, including many conifers, so that it is considered that there would be no significant impact upon the adjoining Conservation Area and the proposal represents an improvement in terms of the existing building on site.

As regards the design of the building, it is considered that a modern building on this site, adjoining more modern office blocks is acceptable. The differing floor heights of the building provide visual interest and the projecting bays with contrasting parapet heights helps to break up the elevations of the buildings. The design also incorporates two areas of green roof which is welcomed. As regards the mural, this would be sited at the rear of the building and therefore of limited public benefit. It would help alleviate an otherwise blank elevation of the building and a condition has been added to ensure that it would be of a suitable design before any mural is installed.

The Conservation Officer advises that the building would present an acceptable frontage to the Eastcote town centre whilst respecting the general pattern of development in the surrounding residential areas and that subject to detail conditions, the proposed building is acceptable. The scheme is therefore considered to comply with Policies BE4, BE13, BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

# 7.04 Airport safeguarding

No objections have been raised to this scheme on the grounds of airport safeguarding.

# 7.05 Impact on the green belt

The application site is not located within or sited close to the Green Belt and therefore does not raise any Green Belt issues.

# 7.06 Environmental Impact

This scheme does not raise any environmental impact issues.

# 7.07 Impact on the character & appearance of the area

This is addressed in Section 7.03 above.

### 7.08 Impact on neighbours

In terms of dominance, Policy BE21 of the saved UDP requires new residential developments to be designed so as to ensure adequate outlook for occupants of the site and surrounding properties. The Council's HDAS: 'Residential Layouts' advises that development of two or more storeys should maintain at least a 15m gap from habitable room windows to avoid being overdominant. The proposed building would be sited some 34m from the nearest main rear elevation of the surrounding residential properties on Crescent Gardens, Morford Close and Morford Way to the north west, south west and south east. Furthermore, the nearest part of the proposed building would only be two storeys at this nearest point and the proposed building would be sited slightly further away from neighbouring residential properties on Crescent Gardens and Morford Close than the existing office building. It would be sited some 2m closer to properties on Morford Way to the south, but still retain a separation distance of some 38m to the nearest residential rear elevation. The front elevation of the rear wing of the building would be sited some 7.6m further forward on site than the rear wing of the existing building. This would site this part of the building closer to the retail parade fronting Field End Road, but still maintain a separation distance of some 29m to the nearest first floor flat (the upper floors of the unit at the end of parade are in use as a dental surgery).

These distances are more than adequate to ensure that the proposed building would not appear unduly dominant from neighbouring residential properties.

In relation to sunlight, Policy BE20 of the saved UDP seeks to ensure that buildings are laid out to provide adequate sunlight and preserve the amenity of existing houses. It is not considered that the proposal would have an unacceptable impact on the level of daylight and sunlight currently enjoyed by the occupiers of adjoining properties which is borne out by the submitted sunlight assessment which although relates to an earlier scheme, the results are transferable, particularly as regards this proposal for a smaller building.

Policy BE24 of the saved UDP states that the development should be designed to protect the privacy of future occupiers and their neighbours. The Council's HDAS: 'Residential Layouts' advises that a 21m distance should be maintained between habitable rooms and a 3m deep 'patio' area adjacent to the rear elevation of the property. The proposal ensures that adequate separation would be maintained to surrounding residential properties to ensure that the privacy of their occupiers is maintained. Furthermore, there are a number of existing trees which form tree belts along the southern and western boundaries that do help screen the site.

The proposal would not be detrimental to the amenities of surrounding residents and fully complies with policies BE19, BE20, BE21 and BE24 of the Council's adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and relevant design guidance.

# 7.09 Living conditions for future occupiers

The proposed one, two and three bedroom flats would have internal floor areas ranging from 50 - 80sqm, 63 - 92sqm and 84 - 91sqm respectively. The one-bedroom flats fully comply with the minimum guidance in the London Plan (July 2011). As regards the two-bedroom flats, the London Plan requires a minimum of 70sqm for four person, two-bedroom units, which reduces to 61sqm for a three person unit. As all the two bedroom flats are shown as 4 person units, the majority of the two-bedroom flats are deficient by 2 - 7sqm. Similarly with the three bedroom flats, London Plan guidance requires 6 person units to have a minimum of 95sqm which reduces to 85sqm for 5 person units. Of the 4 three bedroom flats, 3 are shown on the plans as 6 person units (although Flat 24 is incorrectly labelled as a 5 bedroom unit), of which 1 is deficient by 4sqm and the other two by 10sqm. Therefore, the majority of the two and three bedroom flats are slightly undersized, not as a result of the overall number of bedrooms proposed, but as a result of the number of bed spaces shown.

However, at the time the application was submitted in December 2010, the London Plan had not been adopted. The Council had adopted its SPD 'Accessible Hillingdon' in January 2010 which contained similar minimum floor space standards based on the provisional standards of the Mayor, but as the Mayor standards had not been adopted, these were not used for development control purposes and it was the standards in the Council's HDAS 'Residential Layouts', July 2006 which were relied upon. These did not mention bed spaces and specified minimum standards of 50, 63 and 77sqm for one, two and three bedroom flats. As such, the scheme did comply with the relevant Council standards in use when the application was submitted. Furthermore, the Council's Access officer does not object to the proposal on this ground. On this basis, and given that the shortfalls in internal floor space on current standards are not that great, a reason for refusal of the application could not be justified.

Officers raised concerns previously that the relationship of windows and balconies close to the internal corner of the building would result in restricted outlook from windows and mutual overlooking, resulting in inadequate privacy. Also, pedestrian access to the rear wing previously passed immediately in front of ground floor habitable room windows and

no defensible space was provided adjacent to ground floor flat windows. Since revisions have been made to the scheme, involving a reconfiguration of windows and balconies; omitting bedrooms and making rooms in the internal corner of the building dual aspect; replacing the access path with private patio space and 1-4m deep defensible space to the ground floor units, it is now considered that all habitable room windows would afford adequate privacy, outlook and natural lighting.

Policy BE23 of the saved policies UDP requires the provision of external amenity space, which is useable in terms of its shape and siting. The Council's HDAS specifies that shared amenity space for flats should be provided with the minimum overall provision equating to  $20\text{m}^2$ ,  $25\text{m}^2$  and  $30\text{m}^2$  of amenity space for each one, two and three bedroomed units respectively. In order to satisfy this standard, a minimum overall amenity space provision of 1,015sqm would be required. The shared amenity space to the north, south and west of the building provides approximately 1,120sqm. Furthermore, all the units on the ground floor have separate patio areas, ranging from 12sqm to 36sqm, with two units incorporating patio/garden areas of 24sqm and 58sqm. In total, this amounts to some 280sqm of additional amenity space. The scheme is considered to provide amenity space that is usable and adequate to satisfy Policy BE23 of the saved UDP and Council guidance.

It is considered that provision should be made for a dedicated children's play area as this is an area deficient of such space, being more than 400m to the nearest play area in order to comply with Policy 3.6 of the London Plan (July 2011). Although an area is shown on the tree plans, details of a play area would need to be covered by condition.

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

There are three main bus services in operation close to the site and Eastcote Underground Station is located within easy walking distance, some 260m south of the site. The site has a Public Transport Accessibility Level of 3, where 1 represents the least accessible and 6 the highest.

A Transport Assessment has been submitted in support of the proposed development. This concludes that peak hour traffic flows generated by the proposal would be less than the existing office building. The Council's Highway Engineer raises no objection to this assessment.

The proposals include a basement car park to be accessed through a ramp. A traffic lights & vehicle sensor system is proposed at the top and the bottom of the ramp. The Council's Highway Engineer advises that the ramp should have a maximum gradient of 1:10 and a minimum headroom height of 2.1m, which along with the proposed traffic lights and vehicle sensor system, should be covered by means of a planning condition. As such, the proposals are not considered to cause a traffic issue on the local highway network.

Furthermore, the Council's Highway Engineer advises that a total of 48 car parking spaces including 5 disabled spaces are proposed within the basement car park, which is acceptable. A car parking allocation plan should be secured by means of a condition. A total of 54 cycle parking spaces are also proposed, which is acceptable. Cycle parking and a travel plan should also be conditioned. The proposed building includes two integral refuse & recycle storage areas, one at the front of the building, between the shop unit and the access road, the other on the southern elevation of the western wing of the building. This store would need to be emptied on collection days and the bins wheeled to the front storage area. The Highway Engineer confirms that this is acceptable from a refuse collection point of view.

Also, pedestrian visibility splays of 2.4m x 2.4m should be provided at both sides of the access points.

Subject to appropriate conditions being applied, the Highway Officer raises no objection on the highways aspect of this application. The scheme is considered to comply with Policies AM2, AM7, AM9, AM14 and AM15 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

# 7.11 Urban design, access and security

- Building bulk and scale

This is dealt with in Section 7.03 above.

- Impact on the public realm

This is dealt with in Section 7.03 above.

- Private amenity space

This is dealt with in Section 7.09 above.

- Amenities created for the future occupiers

This is dealt with in Section 7.09 above.

- Siting and design

This is dealt with in Section 7.03 above.

- Residential living conditions

This is dealt with in Section 7.09 above.

- Layout

This is dealt with in Sections 7.03 and 7.09 above.

- Mix of units

This is dealt with in Section 7.01 above.

- Siting and Scale

This is dealt with in Section 7.03 above.

#### 7.12 Disabled access

Policy 3.8 of the London Plan (July 2011) and the Hillingdon Supplementary Planning Document: Accessible Hillingdon require all new housing development to be built in accordance with Lifetime Homes standards and 10% of housing to be designed to be wheelchair accessible.

The Design and Access Statement states that 10% of the residential units will be wheelchair accessible, with all the units satisfying Lifetime Homes standards. Furthermore, the Council's Access Officer has been involved with the re-design of the

scheme and advises that the revised plans are by and large acceptable, but advises on a detailed point as regards capping off of floor gully drainage in the bathrooms and bathroom layout of Flat 34 needs revision to ensure full compliance with Lifetime Homes standards. A condition is recommended to ensure full compliance.

# 7.13 Provision of affordable & special needs housing

A Financial Viability Assessment (FVA) has been provided, which has been independently assessed and confirms that no affordable housing can be delivered as part of this scheme.

# 7.14 Trees, Landscaping and Ecology

The Council's Tree Officer advises that there are some trees on site, which together with trees located off-site in the rear gardens of adjoining properties form tree belts along the southern and western boundaries of the site. The trees in the gardens of the properties in Morford Way and Morford Close are protected by virtue of their location within the Eastcote (Morford Way) Conservation Area. There are also two off-site trees close to the adjoining sub-station. The tree belts are large scale features of merit in the local context, which the Trees and Landscape Officer considers should be retained. These trees provide some screening to the site and shade parts of it.

The Tree Officer goes on to advise that the applicants' tree expert has assessed the trees (Ash, Sycamore, Poplar and Cypress) on and close to the site, and two belts of conifers ('trees' 4 and 8). He recommends the removal of one Ash tree (tree 10) because it is decayed, and suggests the removal of one stem from the Ash tree (13) and the removal of the Ash tree (tree 14) in the sub-station compound. It is noted that all but one of the trees are graded as C, i.e. they have limited remaining contribution (useful / safe life).

At present, the trees provide some screening of the site and have a shade effect on parts of it, and constrain the redevelopment of the site. The Daylight, Sunlight and Shadow Study (September 2009) considers the combined (proposed building and trees) shade effect.

The Tree Officer advises that the application does not include an arboricultural constraints report. However, the application includes a 'Tree Constraints Plan' and a 'Tree Protection Plan' (December 2009), which show that the building and basement will be outside the tree protection zone, such that the trees will not be directly affected so long as they are protected. More detailed information in the form of a demolition, construction and tree protection method statement, and proposed levels and services, can be required by condition, in order to ensure that the scheme makes provision for the retention of all of the valuable trees (in terms of Saved Policy BE38).

The application also includes a Landscape Proposals drawing (in two parts) (2009), which does not show the existing trees, even though the key includes 'existing trees to be retained'. It seems that the plan suggests that the two roadside trees, and the retained tree belts will be supplemented by the planting of lines of trees, such that the there would be a continuous belt around the northern, southern and eastern sides of the site. Whilst this approach is acceptable in principle, the choice of tree species should be reconsidered, because some of the trees are too large for the site and spaces around the building (and the possible drying area) and the limited space between the basement and the site boundaries.

The Tree Officer concludes that overall, taking all of these considerations into account, and subject to conditions TL1, TL2, TL3, TL5, TL6, TL7 and TL21, the scheme makes adequate provision for the long-term retention of the existing landscape features (trees)

on and close to the site and the screening they afford, and for landscaping, and is on balance acceptable in terms of Saved Policy BE38 of the UDP.

# 7.15 Sustainable waste management

The plans show storage integral to the building for a total of 12 1,100 litre eurobins located at two points, one towards the front of the building, at the side of the commercial unit (8 bins) and one at the southern end of the western wing of the building (4 bins). This store would be emptied on collection days, the bins being wheeled to the front store.

The storage arrangements and capacity is considered acceptable and the Council's Highway Engineer raises no objection.

# 7.16 Renewable energy / Sustainability

An Energy Statement has been submitted. This states that 20% reduction of Co2 emissions can be achieved with the provision of photo-voltaic panels on the roof and high efficiency boilers. The Council's Sustainability Officer advises that the proposal would need to satisfy the latest London Plan guidance and to this end recommends a condition seeking an amended Energy Statement, together with any necessary revisions to the plans.

# 7.17 Flooding or Drainage Issues

The Environment Agency have been consulted on this application and they raise no objections, subject to a condition to safeguard groundwaters in the underlying chalk aquifer.

The Council's Land Contamination Officer also advises of the need for a remediation scheme to ensure that possible land contamination in the soil is adequately mitigated. An appropriate condition has been added.

A sustainable urban drainage system has also been added.

# 7.18 Noise or Air Quality Issues

A noise assessment was submitted with the application. The assessment was prompted by the busy Field End Road adjoining the site. The assessment concludes that the development would have Noise Exposure Categories of A, B and C.

The Council's Environmental Protection Unit advise of the need for a condition to ensure that a scheme is submitted which protects the residential units from road traffic noise. It is therefore considered that the issue of noise can be addressed by the imposition of a suitable condition. Also recommended by the Environmental Health Officer are conditions to control hours of deliveries and dust generation during the construction period which have been attached. It is not considered necessary to control the hours of opening of the shop unit, given the site's town centre location.

With regard to the noise impact the development may have upon surrounding residents, traffic to the proposed development would utilise an existing access point into the site. It is not considered that the vehicle movements associated with the development would result in the occupiers of surrounding properties experiencing any additional noise and disturbance, in compliance with Policy OE1 of the saved UDP.

# 7.19 Comments on Public Consultations

The points raised by the petitioners and individuals raising material planning objections to the scheme have been considered in the officer's report.

# 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.

This scheme would provide the following contributions:-

- (i) An education contribution of £40,281,
- (ii) A health and social; care contribution of £14,126.88,
- (iv) A community facilities contribution of £20,000,
- (v) A town centre improvement contribution of £20,000,
- (vi) A recreational open space contribution of £55,000,
- (vii) A library contribution of £1,500.73.
- (viii) A construction training contribution of £18,814.64 or an in-kind scheme delivered during the construction phase of the development,
- (ix) Project Management and Monitoring fee 5% of total cash contributions secured.

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

# 7.21 Expediency of enforcement action

There are no enforcement issues raised by this application.

# 7.22 Other Issues

This application raises no other planning 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

It is considered that this proposal for a replacement mainly residential building would provide an appropriate frontage onto Field End Road within the middle of Eastcote Town Centre whilst respecting the scale and of residential properties to the rear which form part of the Eastcote (Morford Way) Conservation Area.

The building's design is also considered acceptable and the Council's Urban Design/Conservation Officer raises no objections, subject to various conditions. The proposal is also considered acceptable in terms of the residential amenities of surrounding properties and the amenities that would be afforded to its future occupiers. Furthermore, the Tree Officer advises that the scheme makes adequate provision to safeguard existing trees and suitable enhancements would be provided. The scheme is acceptable on highway grounds and a condition would be attached to ensure the scheme complies with the latest London Plan requirements as regards reducing its carbon footprint. Also, although it has been demonstrated that the scheme would not be capable of making a contribution towards affordable housing, it would make appropriate S106 contributions towards local services and facilities as a consequence of the additional demands created by the development. The application is recommended for approval.

### 11. Reference Documents

National Planning Policy Framework (March 2012)

The London Plan (July 2011)

Hillingdon Unitary Development Plan Saved Policies (September 2007).

Hillingdon Design and Accessibility Statement - Residential Layouts, July 2006

Hillingdon Design and Accessibility Statement - Accessible Hillingdon, January 2010

Hillingdon Design and Accessibility Statement - Shopfronts, July 2006

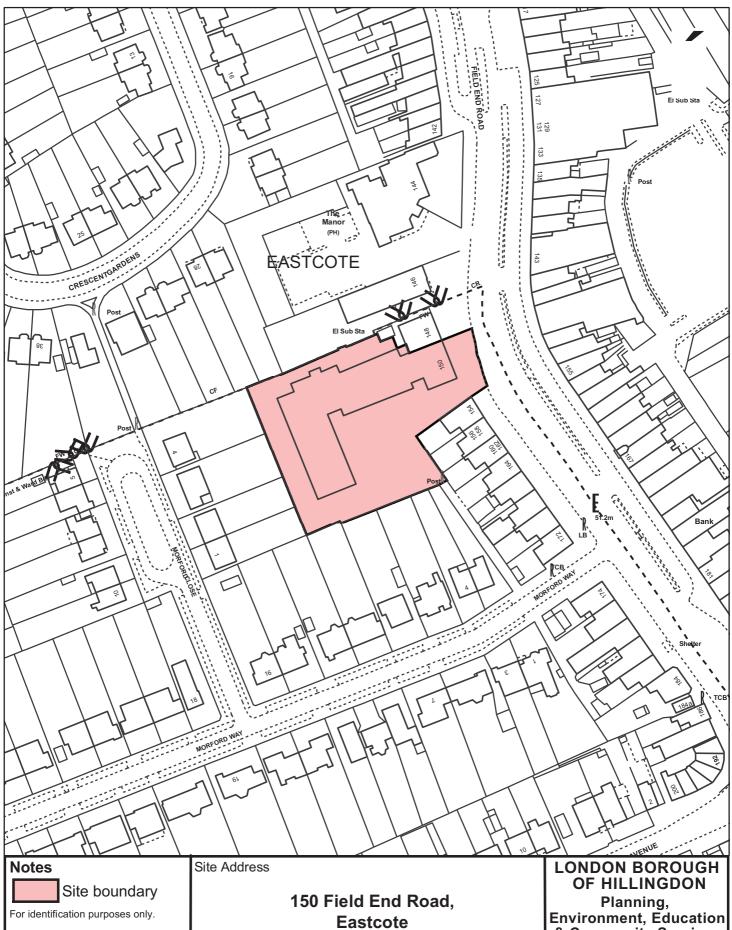
Noise Supplementary Planning Document, April 2006

Community Safety by Design Supplementary Planning Guidance, July 2004

Planning Obligations Supplementary Planning Document, July 2008

Consultation responses

Contact Officer: Richard Phillips Telephone No: 01895 250230



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Scale

1:1,250

Planning Committee

Planning Application Ref:

25760/APP/2010/2410

North Page 48

Date

May 2011



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



# Agenda Item 7

# Report of the Head of Planning & Enforcement Services

Address LYON COURT AND 28-30 PEMBROKE ROAD RUISLIP

**Development:** Erection of 3, part 2, part 3 storey blocks with accommodation in the roof

space, to provide 61 residential units, comprising 25 one bedroom, 27 two bedroom, 8 three bedroom apartments and one 5 bedroom house, together with construction of a new access, associated parking and landscaping, involving demolition of existing buildings and stopping up of existing vehicular

access.

**LBH Ref Nos:** 66985/APP/2011/3049

Drawing Nos: 1250/SK/29 Rev A

1214-P100 AB 1214-P101 AB 1214-P102 W 1214-P103 V 1214-P110 S 1214-P111 M 1214-120 1214-122 1250/SK/33 C

Date Plans Received: 16/12/2011 Date(s) of Amendment(s): 25/01/2012

**Date Application Valid:** 25/01/2012

# 1. SUMMARY

Planning permission is sought for the erection of 3, part 2, part 3 storey blocks with accommodation in the roof space, to provide 61 residential units, comprising 25 one bedroom, 27 two bedroom, 8 three bedroom apartments and one 5 bedroom house, together with construction of a new access, associated parking and landscaping, involving demolition of existing buildings and stopping up of existing vehicular access. The proposal includes parking for 48 cars , 76 secure cycle spaces and bin stores, together with associated landscaping.

The proposed scheme is considered to be of an acceptable design which would be compatible within the local context and result in an adequate standard of amenity for future occupiers.

The proposal would not detrimentally impact on the residential amenity of neighbouring occupiers and would provide an acceptable area of soft landscaped amenity space for the benefit of future occupiers.

Accordingly, the application is recommended for approval, subject to conditions and the signing of a S106 Legal Agreement.

# 2. RECOMMENDATION

A. That the Council enters into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of

the Highways Act 1980 (as amended) and/ or other appropriate legislation to secure:

- i) A s278 shall be entered into to cover any and all highways works need as a result of this application.
- ii) Affordable Housing: a payment in the sum of £40,00 towards the provision of affordable housing within the borough.
- iii) Health and Social Care: a contribution in the sum of £14,835.40.
- iv) Public Realm: a contribution of £25,000.
- v) Libraries: a contribution in the sum of £2,233.99.
- vi) Construction Training: a contribution equal to £47,326.09.
- vii) Project Management and Monitoring Fee: £5,181.02.
- viii) Street Tree: This concerns a protection strategy as well as repair works and/or replacement of the street tree adjacent to the site access in the event of damage to the tree.
- ix) Ecology: Payment in the sum of £25,000
- B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 and 278 Agreements and any abortive work as a result of the agreement not being completed.
- C) That officers be authorised to negotiate and agree the detailed terms of the proposed agreement and conditions of approval.
- D) That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised within 6 months of the date of this Committee resolution, or any other period deemed appropriate by the Head of Planning, Sport and Green Spaces, then the application may be referred back to the Committee for determination.
- E) That subject to the above, the application be deferred for determination by the Head of Planning, Sport and Green Spaces under delegated powers, subject to the completion of the legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers with the applicant.
- F) That if the application is approved, the following conditions be imposed subject to any changes negotiated by the Head of Planning, Consumer Protection, Sport and Green Spaces prior to issuing the decision:

#### 1 RES3 Time Limit

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 RES4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:

1250/SK/29 Rev A

1214-P100 AB 1214-P101 AB 1214-P102 W 1214-P103 V 1214-P110 S 1214-P111 M 1214-120 1214-122 1250/SK/33 C

and shall thereafter be retained/maintained for as long as the development remains in existence.

### **REASON**

To ensure the development complies with the provisions of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the London Plan (July 2011).

### 3 RES6 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 know 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).

# 4 RES7 Materials (Submission)

No development shall take place until details of all materials and external surfaces, , including details of balconies have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

### **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 RES5 General compliance with supporting documentation

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents: Refuse and Recycling Storage (Drawing 1214-P100 AB)

Cycle Storage (Drawing 1214-P100 AB)

Thereafter the development shall be retained/maintained in accordance with these details for as long as the development remains in existence.

#### REASON

To ensure that the development complies with the objectives of Policy 5.17 (refuse storage)of the London Plan (July 2011).

# 6 RES9 Landscaping (including refuse/cycle storage)

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

- 1. Details of Soft Landscaping
- 1.a Planting plans (at not less than a scale of 1:100),
- 1.b Written specification of planting and cultivation works to be undertaken,
- 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
- 2. Details of Hard Landscaping
- 2.a Means of enclosure/boundary treatments
- 2.b Car Parking Layouts (including demonstration that 5% of all parking spaces are served by electrical charging points)
- 2.c Hard Surfacing Materials
- 2.d External Lighting
- 2.e Other structures (such as play equipment and furniture)
- 3. Details of Landscape Maintenance
- 3.a Landscape Maintenance Schedule for a minimum period of 5 years.
- 3.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.
- 4. Schedule for Implementation (including provision of amenity areas prior to occupation)
- 5. Other
- 5.a Existing and proposed functional services above and below ground
- 5.b Proposed finishing levels or contours

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

### **REASON**

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### 7 RES10 Tree 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 BS 3998:2010 'Tree work - Recommendations' 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.

### 8 RES16 Code for Sustainable Homes

The dwelling(s) shall achieve Level 4 of the Code for Sustainable Homes. No development shall commence until a signed design stage certificate confirming this level has been received. The design stage certificate shall be retained and made available for inspection by the Local Planning Authority on request.

The development must be completed in accordance with the principles of the design stage certificate and the applicant shall ensure that completion stage certificate has been attained prior to occupancy of each dwelling.

#### REASON

To ensure that the objectives of sustainable development identified in London Plan (July 2011) Policies 5.1 and 5.3.

### 9 RES15 Sustainable Water Management (changed from SUDS)

No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Policy 5.15 of the London Plan and will:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:

- iv. provide details of water collection facilities to capture excess rainwater;
- v. provide details of how rain and grey water will be recycled and reused in the development.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

### **REASON**

To ensure the development does not increase the risk of flooding in accordance with Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 5.12.

# **10** RES19 **Ecology**

No development shall take place until a scheme to protect and enhance the nature conservation interest of the site has been submitted to and approved by the Local Planning Authority.

#### REASON

In order to encourage a wide diversity of wildlife on the existing semi-natural habitat of the site in accordance with policy EC5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 7.19.

# 11 RES18 Lifetime Homes/Wheelchair Units

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

# 12 RES22 Parking Allocation

No unit hereby approved shall be occupied until a parking allocation scheme has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the parking shall remain allocated for the use of the units in accordance with the approved scheme and remain under this allocation for the life of the development.

#### **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).

# 13 RES24 Secured by Design

The dwellings and children's play area shall achieve '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). No dwelling shall be occupied until accreditation has been achieved.

# **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 London Plan (July 2011) Policies 7.1 and 7.3.

# 14 NONSC Noise/Rail Noise Mitigation

Development shall not begin until a scheme for protecting the proposed development

from road and rail traffic noise has been submitted to and approved by the Local Planning Authority (LPA). The noise protection scheme shall meet acceptable noise design criteria both indoors and outdoors. The scheme shall include such combination of measures as may be approved by the LPA. The scheme shall thereafter be retained and operated in its approved form for so long as the use hereby permitted remains on the site.

### REASON

To safeguard the amenities of future occupiers in accordance with Policies OE1 and OE5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### 15 NONSC Clean Soils

All soils used for gardens and/or landscaping purposes shall be clean and free of contamination. Site derived soils and imported soils shall be tested for chemical contamination. The results of this testing shall be made available at the request of the Local Planning Authority.

### **REASON**

To ensure that the occupants and users of the development are not subject to any risks from contamination in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### 16 NONSC Details of Oriel Windows

No development approved by this permission shall be commenced until full details of oriel windows serving plots A7, A11, C2, C5 and C11 have been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in full accordance with the approved details.

#### REASON

To ensure that the design of the auriel windows secures adequate privacy and outlook for the future occupiers of the development in accordance with Policies BE20, BE21 and BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2011) and the Hillingdon Design and Accessibility Statement - Residential Layouts.

### **INFORMATIVES**

# 1 | 123 | Works affecting the Public Highway - Vehicle Crossover

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

# 2 | 125A | 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:-

- 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.

# 3 | 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.

# 4 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).

# 5 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.

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
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.
BE25	Modernisation and improvement of industrial and business areas
BE28	Shop fronts - design and materials
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE4	New development within or on the fringes of conservation areas
EC2	Nature conservation considerations and ecological assessments
EC5	Retention of ecological features and creation of new habitats
H12	Tandem development of backland in residential areas
H4	Mix of housing units
H5	Dwellings suitable for large families
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities

# 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 which are audible at the site boundary shall only be carried out between the hours of 08.00 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 or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

- C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.
- D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) 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

You are advised that the scheme should incorporate the following to meet Secure by Design accreditation:

The scheme needs to incorporate defensible space around the ground floor flats. Good perimeter treatment around the central one space and LAP. Details of bin stores, cycle stores should be provided. Natural surveillance where possible.

#### 8

You are advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy. The applicant will be liable to pay the Community Infrastructure Levy to the sum of £122,045 on commencement of this development. A separate liability notice will be issued by the Local Planning Authority, however you are advised that it is your responsibility to notify the Local Planning Authority of the anticipated commencement date and any changes in liability through submission of the appropriate forms.

Should you require further information please refer to the Council's Website (http://www.hillingdon.gov.uk/index.jsp?articleid=24738).'

### 9 123 Works affecting the Public Highway - Vehicle Crossover

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

# 10 | 125A | 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.

### 3. CONSIDERATIONS

# 3.1 Site and Locality

The site comprises Lyon Court, a U shaped 2 storey block of  $4 \times 1$  bedroom and  $12 \times 2$  bedroom flats and a pair of semi detached 2 storey dwellings (28-30) Pembroke Road to the east. The site has a total frontage of 60m to Pembroke Road. The combined site area is 0.46 ha. The site slopes down generally in a southerly direction.

The site lies at the western end of Pembroke Road; it currently includes Lyon House, a late c1940s 2 storey red brick block of flats with a 'U' shaped footprint and an enclosed garden and parking area to the rear. Nos 28 and 30 Pembroke Road are a pair of semi-detached houses of similar period. Merrion, Cheriton and Jameston Court, a recently constructed flatted development, lie to the east of these buildings and are large modern blocks, which despite some limited tree planting to the front, are considered to dominate the streetscape of the immediate area. The site is bounded to the west by an office block. Beyond this block, King's Lodge, a former office building now converted into apartments, occupies a prominent position at the southern end of Ruislip High Street. The remainder of Pembroke Road is predominantly residential, suburban and spacious in character, comprising mainly 1930s detached and semi detached houses, and also a number of bungalows, mostly with hipped roofs, mainly set in generous gardens. A group of bungalows lie directly opposite the proposal site.

The site is located on the edge of the Ruislip Town Centre and lies at the south-eastern entrance to the Ruislip Village Conservation Area. It backs onto the forecourt area of Ruislip Station and is also close to Ruislip Signal box, both are grade II listed buildings.

# 3.2 Proposed Scheme

Erection of 3, part 2, part 3 storey blocks with accommodation in the roof space, to provide 61 residential units, comprising 25 one bedroom, 27 two bedroom, 8 three bedroom apartments and one 4 bedroom house, together with construction of a new access, associated parking and landscaping, involving demolition of existing buildings and stopping up of existing vehicular access.

The proposal seeks to provide a total of 61 residential units comprising 25 one bedroom, 27 two bedroom, 8 three bedroom apartments and one 4 bedroom house, in 3 separate buildings, separated by a central vehicular and pedestrian access way off Pembroke Road.

Block A comprising 14 flats which is part 2, part 3 storey, with accommodation in the roof space is located adjacent to Merrion Court to the east and would front Pembroke Road. This block would be 17 metres wide and be set back approximately 10 metres from the road frontage. The proposed 4 bedroom house would be attached to the eastern side of the block, adjacent to the boundary with Merrion Court.

Block B comprising 25 flats which is 3 storeys, with accommodation in the roof space is located and would front Pembroke Road. This block would be 18 metres wide and be set back approximately 11 metres from the road frontage.

Block C comprising 21 flats which is part 2, part 3 storey, with accommodation in the roof space is located to the rear of Block B. This block would be 17 metres wide and be set back approximately 8metres and 16.5metres from the eastern southern boundaries respectively.

The remainder of the site behind block A, to the west of and between Blocks B and C would be set aside for as amenity space, including a children's play area, site access and surface level parking for 48 vehicles. This parking also continues to the rear of block C.

The proposal will involve the demolition of all the existing buildings on the site.

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

# · Planning Statement

The statement describes the development and provides a policy context and planning assessment for the proposal. The statement concludes that the proposal is well conceived, robust and in accordance with the proper planning of the area.

# · Design and Access Statement

This report outlines the context for the development and provides a justification for the design, number of units, layout, scale, landscaping, appearance and access for the proposed development.

### · Arboricultural Method Statement

The statement has been prepared to ensure good practise in the protection of trees during the construction and post construction phases of the development.

# · Renewable Energy Strategy

The sustainability credentials of the scheme are assessed in respect of renewable energy resources and achieving savings in terms of CO2. The assessment concludes that the use of Photo Voltaic panels is the preferred option for renewable energy technology.

# ·Ecological Scoping Survey

The report summarises the findings of a walk over survey, desk study and protected species assessment. Recommendations for protected species surveys have been made.

# ·Archaeological Desk Based Assessment

The assessment considers the impact of the proposed redevelopment on archaeological assets. The assessment concludes that the site has generally low archaeological potential for as yet undiscovered archaeological assets and that no further archaeological work will be required.

### · Transport Assessment

The assessment considers the accessibility of the site, examines predicted generation trips by all modes, assesses the effect of the development on surrounding transport infrastructure and considers surfacing and refuse collection facilities. The assessment concludes that the development benefits from good levels of public transport accessibility, that net trip generation can be accommodated on the surrounding transport infrastructure and that the development through its design, will encourage the use of sustainable modes of transport.

· Travel Plan

A framework travel plan to be used as a basis from which to agree the terms of any legal agreement or conditions. It provides a long terms management strategy to deliver sustainable transport objectives, with the emphasis of reducing reliance of single occupancy car journeys.

### Noise and Vibration Assessment

The report contains the results of noise and vibration surveys, compares the noise levels with PPG24 Criteria and details the results of the preliminary external building fabric assessment. The report concludes that suitable internal noise levels can be achieved with appropriate sound insulation.

# · Landscape Design Statement

This document is provided to illustrate the proposed Landscape Strategy for the external space, the Design Vision required to develop the Landscape Masterplan and the detailed design proposals for the hard and soft elements of the external environment. The Landscape Masterplan will illustrate how the detailed design has used both the existing landscape context and the aspirations for Lyon Court to provide a framework for the integration of the new development and how the use, primarily of soft landscape element forms and appropriate plant species in a range of sizes will enhance both the existing landscape structure and the proposed development whilst maintaining the overall landscape context.

# ·Daylight & Sunlight Report

the report assesses the daylight and sunlight aspects of the proposal in relation to neighbouring properties and the proposed accommodation. the report concludes that there would be no adverse effects to the daylight and sunlight received to neighbouring buildings and that the daylighting to the proposed accommodation satisfies relevant BRE criteria and recommendations.

### ·Pre Purchase Flood Risk Assessment

The assessment considers flood related matters, but is not a Flood risk Assessment, although it contains information that could be used as a basis for such a document. The report notes that the site is in Flood Zone 1 and is therefore not at risk of flooding form main rivers.

# ·Statement of Community Involvement

The document summarises the consultation strategy with statutory and non statutory consultees, including local politicians, local community groups and neighbours.

# 3.3 Relevant Planning History

# **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.

PT1.39 To seek where appropriate planning obligations to achieve benefits to the community related to the scale and type of development proposed.

# Part 2 Policies:

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
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.
BE25	Modernisation and improvement of industrial and business areas
	·
BE28	Shop fronts - design and materials
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE4	New development within or on the fringes of conservation areas
EC2	Nature conservation considerations and ecological assessments
EC5	Retention of ecological features and creation of new habitats
H12	Tandem development of backland in residential areas
H4	Mix of housing units
H5	Dwellings suitable for large families
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities

# 5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- 17th February 2012
- **5.2** Site Notice Expiry Date:- Not applicable

# 29th February 2012

### 6. Consultations

#### **External Consultees**

This application has been advertised under Article 8 of the Town and Country Planning General Development Procedure Order 1995 as a Major Development. The application has also been advertised a development likely to affect the character and appearance of the Ruislip Village Conservation Area and the setting of the listed buildings known as Ruislip LT Railway Station Signal Box and Ruislip LT Railway Station. A total of 240 surrounding property owners/occupiers have been consulted. 9 letters of objection have been received. The issues raised are:

- i) Traffic impacts congestion
- ii) disruption during construction
- iii) Excessive height of proposed blocks
- iv) Overlooking from the proposed blocks
- v) Loss of privacy
- vi) Inadequate parking provision which Will result in on street parking
- vii) Loss of trees
- ix) Increased pollution

# RUISLIP VILLAGE CONSERVATION PANEL No response.

### RUISLIP RESIDENTS' ASSOCIATION

I realise I suggested the view should be taken from the junction of Brickwall Lane and South Drive but it appears the architect has chosen the most advantageous spot. Attached are views from South Drive itself and further east along Brtickwall Lane. My concern is that in repeating the mass of Merrion Court it will create virtually a continuous row of higher buildings which will further change the character of the area. In addition they may also block out the view of the mature trees on the south side of the application site.

Ruislip has already suffered from the introduction of too many higher buildings and each one only creates a further precedent for future applications. I trust that officers will give due consideration to the impact the current proposal would have on the local skyline when viewed from all angles and not just those selected by the applicant.

LONDON UNDERGROUND INFRASTRUCTURE No Objection.

ENGLISH HERITAGE No Objection.

THAMES WATER No objection.

### NATURAL ENGLAND

No Objection. This proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development. It appears that Natural England has been consulted on this proposal to offer advice on the impact on a protected species and these issues are covered by standing advice.

### **DEFENCE ESTATES SAFEGUARDING**

The MoD has no safeguarding objections to this proposal.

### METROPOLITAN POLICE CRIME PREVENTION OFFICER

No objections subject to the scheme achieving Secure by Design accreditation and the provision of CCTV to the parking areas.

In addition the following advice is provided:

The scheme needs to incorporate defensible space around the ground floor flats.

Good perimeter treatment around the central one space and LAP.

Details of bin stores, cycle stores should be provided.

Natural surveillance where possible.

### **Internal Consultees**

POLICY AND ENVIRONMENTAL PLANNING (PEP)

In land use policy terms they have made an extensive case for the scheme and proposed what appears to be a reasonable mix of different sized units - which also appear to meet the minimum space standards in the 2011 London Plan. It is clearly a very high density proposal and the design character will be for the Specialists Team to advise on. Depending on your views re the amenity space provided - e.g. is there adequate play space available for children here - it seems acceptable in policy terms.

You will be assessing the mix of affordable housing proposed plus the S106 requirements (e.g. towards education costs).

### **ENVIRONMENTAL PROTECTION UNIT**

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

Road and Rail Traffic Noise exposure - PPG24 assessment

I refer to the Noise and Vibration Assessment undertaken by Paragon Acoustic Consultants Reference 2388\_NVA\_1 for the applicant. Chapter 7.0 shows the predicted site-wide noise levels across the site, placing the site in NEC C. Based on the results of the noise assessment I am satisfied that the requirements of the Borough's Noise SPD can be met using a combination of noise mitigation measures.

It is therefore recommended the following condition be applied to ensure that the proposed development will satisfy the requirements of the Borough s Noise SPD, Section 5, Table 2;

# Condition 1 Road and rail traffic noise

N1 Development shall not begin until a scheme for protecting the proposed development from road and rail traffic noise has been submitted to and approved by the Local Planning Authority (LPA). The noise protection scheme shall meet acceptable noise design criteria both indoors and outdoors. The scheme shall include such combination of measures as may be approved by the LPA. The scheme shall thereafter be retained and operated in its approved form for so long as the use hereby permitted remains on the site.

### Condition 2 Soil importation

All soils used for gardens and/or landscaping purposes shall be clean and free of contamination. Site derived soils and imported soils shall be tested for chemical contamination. The results of this

testing shall be made available at the request of the Local Planning Authority.

### S106 OFFICER

the following broad Section 106 Heads of Terms would be pursued by the Council at that time:

Affordable Housing: £40,000 payment in Lieu

Education: £14,225 Health: £14,835.40

Construction Training: £47,326.09

Public Realm: £25,000 Libraries: £2,233.99

Project Management and Monitoring Fee: £5,181.02

Ecology: £25,000

Highways: Any and all highways works to be undertaken at the owners expense.

### ACCESS OFFICER

No objection.

# WASTE MANAGER

No objection.

#### URBAN DESIGN AND CONSERVATION OFFICER

Initial comments:

- i) footprint/building line now considered appropriate
- ii) frontage blocks better in terms of height, block A has odd proportions re its fenestration, sketch revisions to be provided for further discussion. Design of Block B acceptable.
- iii) need for gates to the frontage to be reassessed
- iv) angle of roofs across site discussed, lower angle to reduce bulk suggested- applicants
- v) unwilling to do this because of loss of floor area
- vi) requirement for 2 floors within part of the roof form queried, particularly in the rear block, which will be the most visible from the station forecourt, again the applicant was unwilling to lose any further accommodation on site. The removal of the second tier of dormers as previously proposed, is however, an improvement.
- vii) further planting to break up potentially large areas of hard-surface requested, if not possible, additional tree planting along boundary of play area to be incorporated
- viii) PVs on roofs noted on drawings but not on Energy Statement, which proposes GSHPs. The roof level PVs will be omitted.
- ix) more planting to be incorporated next to the parking area adjacent to Block B to protect the privacy/outlook from the living area of Plot B5
- x) the possibility of adding more tree screening along the western boundary was discussed, but it was felt that the trees on the adjacent site were adequate to screen / soften the boundary.

# Final Comments:

The issues have been addressed satisfactorily. No objection raised.

### SUSTAINABILITY OFFICER

No objection subject to a £25,000 S106 contribution for offsite ecology improvements.

# TREE AND LANDSCAPE OFFICER

Concern has been raised that the propossed site access would damage the roots of the street tree directly adjoining this propsoed access.

Officer Comment: Officer's acknowledge that there is a risk of damage to the tree, however it is noted that the street tree is not subject to a TPO and is not located in a conservation area. On balance it is considered that the overall benefits of the development would outweigh the impact of any damage of the tree, should this occur. It is also considered that should damage occur a replacement tree could be provided through a S106 aggreement.

### HIGHWAY ENGINEER

Pembroke Road is a Classified Road and is designated as Local Distributor Road within the Council's UDP. It is a busy road and is an important east-west route providing connection between Ruislip and Eastcote and connections between London Distributor Road and Local Distributor Roads and the wider network. The site is located close to Ruislip Station and Ruislip High Street.

A previous planning application on this site proposing 71 units was recommended for refusal on highways ground. The developer has revised the scheme to try to overcome the Council's concerns

There are single yellow line road markings along the northern side of Pembroke Road. On the southern side of Pembroke Road there are single yellow line road markings between the signal controlled junction with West End Road to the west and the proposed access point. The single yellow lines restrict parking between 8am and 6:30pm Monday to Saturday.

On-street parking takes place east of the proposed access and is congested. Parking restrictions proposed in WSP s drg no. 1250/SK/29 Rev A should be secured through s106/s278 agreement and conditions should be applied to achieved 2.4mx43m sightlines and 2.4mx2.4m pedestrian visibility splays on both sides of the access points.

South of proposed main vehicular access points, two trees fall within the required sightlines, one of which is immediately adjacent to the proposed access. The access layout is constrained; as a result swept paths for refuse vehicles and large delivery vehicles rely upon entering the lane with opposing traffic when exiting the site on to Pembroke Road. Considering the type and busy nature of Pembroke Road, such manoeuvres are not normally considered acceptable, however given the site constraints and considering that vehicles will be waiting on the give way at the access point before entering Pembroke Road, which is likely to reduce the risk of exiting vehicles colliding with opposing traffic and/or having a prejudicial effect on free flow of traffic. The access arrangements shown on WSP S drg no. 1250/SK/33 Rev B should be secured through s106/s278 agreement.

The access arrangements shown on WSP S drg no. 1250/SK/33 Rev B should be secured through s106/s278 agreement.

A shared surface arrangement is proposed within the development site, along with entrance gates 10.5 from the back of the footway, refuse & recycles storage, 48 car parking spaces including 7 disabled space, and cycle parking.

Car parking surveys at two nearby residential sites; Kings Lodge (94 units, parking provision c.0.8 per unit) and Merrion Court Site Inc. Cheriton Lodge & Jameston Lodge (83 units, parking provision c.0.7 per unit) show parking occupation of c.65.8% and c.67.5% respectively. The development proposes parking @ c.0.8 per unit. Considering the site is located close to Ruislip tube station, availability of bus services nearby, and the results of the parking surveys, the proposed parking provision is considered acceptable subject to a satisfactory parking allocation plan, which should be secured through a suitable planning condition.

The development is not considered to result in a significant impact on the capacity of the highway network.

Subject to the above issues being covered through suitable planning conditions, no objection is

raised on the highways aspect of the application.

# 7. MAIN PLANNING ISSUES

# 7.01 The principle of the development

The site is located within a Developed Area as designated in the Hillingdon Unitary Development Plan. Flatted residential redevelopment is considered appropriate within the developed area, subject to compliance with the various policies of the UDP.

No objection would be raised to the principle of redevelopment of Lyon Court element of the site for a more intensive flatted development, subject to compliance with the various policies of the UDP. This part of the site is considered to be suitable for residential redevelopment by virtue of its location within a predominantly residential area and its close proximity to the Ruislip Town Centre.

However, the proposal includes the redevelopment of two semi detached properties (28-30 Pembroke Road). The inclusion of these properties within the development site introduces the following policy considerations:

Loss of Residential Gardens:

The National Planning Policy Framework (NPPF), which has replaced PPS3, states that 'Local Planning Authorities should consider setting out policies to resist inappropriate development in resdential gardens, for example where development would cause harm to the local area'.

Furthermore, Policy 3.5 of the London Plan (July 2011) states that 'Housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment, taking account of strategic policies in this Plan to protect and enhance London s residential environment and attractiveness as a place to live. Boroughs may in their LDFs introduce a presumption against development on back gardens or other private residential gardens where this can be locally justified.'

The NPPF and the London Plan (2011), do not state that development on previously undeveloped land, including back gardens, will never be acceptable. The alteration to the definition of 'previously developed land' means that Local Planning Authorities must consider all other relevant material planning considerations in greater detail to assess whether or not such considerations outweigh the loss of the private residential garden.

At present the two dwellings at No's 28 & 30 Pembroke Road and their respective gardens are sandwiched between two blocks of flats, Merrion and Lyon Courts. This section of Pembroke Road is characterised by large flatted developments, with these two storey dwellinghouses situated in the midst of these larger developments. Given this, it is considered that the demolition of these two houses and the loss of their gardens causes no demonstrable harm to the local area. The loss of these houses is outweighed by the contribution the development would make toward achieving housing targets in the borough. It is therefore considered that the principle of the proposed residential development accords with the National Planning Policy Framework and policy 3.5 of the London Plan (July 2011).

# 7.02 Density of the proposed development

Policy 3.4 of the London Plan advises that Boroughs should ensure that development proposals achieve the highest possible intensity of use compatible with local context and the site's public transport accessibility. The London Plan provides a density matrix to

establish a strategic framework for appropriate densities at different locations.

The site has a PTAL of 4. Taking into account these parameters, the London Plan density matrix recommends a density range between 70 to 260 u/ha and 200 to 700 hr/ha for flatted developments within urban environments.

The scheme provides for a residential density of 133 u/ha or 343 hr/ha, at an average of 2.75 hr/unit. The proposal therefore falls within the density parameters of the London Plan.

Unit Mix

Saved 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.

A mixture of 1, 2 and 3 bedroom units is proposed and this mix of units is considered appropriate for the private housing.

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

Archaeology

Policy BE3 states that the applicant will be expected to have properly assessed and planned for the archaeological implications of their proposal. Proposals which destroy important remains will not be permitted. The site does not fall within an Archaeological Priority Area.

An Archaeological Desk Based Assessment has been submitted in support of the application. The assessment considers the impact of the proposed redevelopment on archaeological assets and concludes that the site has generally low archaeological potential for as yet undiscovered archeological assets and that no further archaeological work will be required.

#### **Conservation Area**

Policy BE4 requires any new development within or on the fringes of a Conservation Area to preserve or enhance those features that contribute to its special architectural and visual qualities, and to make a positive contribution to the character or appearance of the conservation area.

The Urban Design and Conservation Officer notes that the large buildings within this area, including the recently constructed Merrion, Cheriton and Jameston Court to the east, predate the designation of the southern extension of the Ruislip Village Conservation Area, and should therefore not be considered as a precedent for similar new buildings in this sensitive location on the edge of the conservation area.

The proposed buildings are between three and five storeys tall and have large footprints in comparison with the traditional houses on the street frontage opposite and furter to the east. Although, Ruislip Village Conservation Area is located to the north and west of the site, given the distance and intervening developement between, it is not considered that the proposed development would have a direct impact on the character of the adjoining Conservation Area, in compliance with Saved Policy BE4 of the Hillingdon Unitary Development Plan.

# Listed Buildings

Policy BE10 states that development proposals should not be detrimental to the setting of listed buildings. This includes views to listed buildings (i.e., the listed Ruislip Station located to the southwest of the site and the listed signal box to the south). Any development would therefore be expected to address these matters.

The proposal has been reduced in height form the previous scheme, and has included planting to create a better setting for the listed building. It is therefore considered that the proposal would not have a detrimental impact on the setting of the listed station, in accordance with Saved Policy BE10 of the UDP.

# 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

Covered under other sections of the report.

# 7.07 Impact on the character & appearance of the area

Saved Policies BE13 and BE19 seek to ensure that new development complements or improves the character and amenity of the area, whilst Policy BE38 seeks the retention of topographical and landscape features and provision of new planting and landscaping in development proposals. Policy BE35 requires developments adjacent to or visible from major rail connections to be of a high standard of design, layout and landscape, and that where the opportunity arises, important local landmarks are opened up from these transport corridors. The scale, bulk and siting of buildings are key determinants in ensuring that the amenity and character of established residential areas are not compromised by new development.

London Plan Policy 7.1 sets out a series of overarching design principles for development in London and policy 7.6 seeks to promote world-class, high quality design and design-led change in key locations. In addition to Chapter 7, London Plan policies relating to density (3.4) and sustainable design and construction (5.3) are also relevant.

The proposals need to be considered with regard to the impact on Pembroke Road. This is a predominantly residential street, with a strong suburban character over most of its length. It comprises mainly detached and semi-detached two storey properties, although these are interspersed with single storey bungalows. The majority of the properties date from the 1930's and of are varied architectural styles typical of this period.

The wider context of the site includes the flatted developments in the town centres of Ruislip and Ruislip Manor, the flats at Lyon Court (part of the development site) and the flats at Nos. 32-46 Pembroke Road. This latter development has been sited as a precedent for the proposed scheme. However, it is considered that their impact on Pembroke Road is somewhat limited, due to the abundance of trees in the street and some of the front gardens. It is noted that the Inspector in refusing the scheme for flatted development at 55, 57 and 59 Pembroke Road, (Appeal Ref: APP/R5510/A/08/2072077) was of the opinion that the erection of the flats at Nos 32-46 Pembroke Road, adjacent to the development site, has not changed the character of Pembroke Road in its entirety. A mix of single storey detached bungalows and two storey detached and semi-detached houses still dominate the street scene.

It is clear that when looking at Pembroke Road the larger flatted development is close to the town centre and the more spacious residential character is further down Pembroke Road. In this regard this site (sandwiched between two flatted blocks) is less sensitive than further down Pembroke Road to the impacts of flatted developments. It should also be noted that this part of Pembroke Road has a higher Public Transport Accessibility Level (PTAL).

The Urban Design Officer raises no objections to the scale, height and massing of the proposed buildings. It is considered that the proposed buildings at two stories would not appear unduly prominent within the street scene and would be compatible with the scale of surrounding residential development. No objections are raised to the siting of the play area.

The external design of the buildings and proposed building materials, such as facing bricks, render, and tiled roofs maintain a balanced and appropriate design response with regard to the scale and context of the site. It is considered that a condition should be imposed on any permission requiring the submission of external materials details prior to the commencement of works.

Subject to compliance with this condition, it is considered that the scheme is compliant with Policies BE13, BE19 and BE21 of the UDP, relevant London Plan policies and design guidance.

# 7.08 Impact on neighbours

In relation to outlook, Saved Policy BE21 requires new residential developments to be designed to protect the outlook of adjoining residents. The design guide 'Residential Layouts' advises that for two or more storey buildings, adequate distance should be maintained to avoid over dominance. A minimum distance of 15m is required, although this distance will be dependent on the extent and bulk of the buildings.

The proposal therefore complies with the guidance and is not considered to result in an over dominant form of development which would detract from the amenities of neighbouring occupiers, in compliance with Policy BE21 of the UDP.

Policy BE24 states that the design of new buildings should protect the privacy of occupiers and their neighbours. It is not considered that there would be a loss of privacy to adjoining occupiers, in accordance with Policy BE24 of the UDP Saved Policies (September 2007) and relevant design guidance.

In relation to sunlight, Policy BE20 of the UDP seeks to ensure that buildings are laid out to provide adequate sunlight and preserve the amenity of existing houses. It is not considered that there would be a material loss of day or sunlight to neighbouring properties, as the proposed buildings would be orientated or sited a sufficient distance away from adjoining properties.

#### 7.09 Living conditions for future occupiers

Policy BE23 of the UDP requires the provision of external amenity space, 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. The Council's SPD Residential Layouts specifies amenity space standards for flats.

Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document - Residential layouts, suggests that the following shared amenity space for flats and maisonettes is provided:

1 bedroom flat - 20m2 per flat

2 bedroom flat - 25m2 per flat

3+ bedroom flat - 30m2 per flat

Based on the current accommodation schedule this would equate to a total of 1,425m2 of shared and private amenity space for 61 dwellings.

The current development proposal provides 1,425m2 of useable amenity space including 70m2 of play space provision. The amenity space provided is considered acceptable, in compliance with the Hillingdon Design and Accessibility Statement (HDAS) Residential Layouts and Saved Policy BE23 of the UDP.

In terms of floor area each of the 1,2 and 3 bedroom units meets the minimum requirements as set out in the London Plan (July 2011).

Each of the units benefit from a reasonable level of privacy, outlook and light and overall, it is considered that good environmental conditions can be provided for future occupiers in compliance with relevant UDP saved policies and supplementary design guidance.

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

Traffic Generation

The applicant has submitted a Transport Assessment to consider the traffic impacts on the existing road capacity. It demostrates that the level of increase in peak hour traffic resulting from the proposed development can be accommodated on Pembroke Road. The Highway Engineer therefore raises no objections on traffic generation grounds.

# **Parking**

The application proposes a total of 48 parking spaces, including 10% of these spaces for people with a disability. This equates to 0.8 spaces per unit. The Council's standards allow for a maximum provision of 1.5 spaces per residential unit, a total of 106.5 spaces in this case. The site has a PTAL rating of 4 and the Council's Highways Engineer has raised no objection to the level of car parking and has confirmed that all parking spaces would be of sufficient dimensions and usable. As such, it is considered that the application complies with UDP Saved Policies AM14 and AM15.

In addition, the submitted plans indicate that secure cycle storage can be provided for 60 cycles, in the form of cycle stores within the demise of each block. The scheme would be in accordance with the Council's standards and Saved Policy AM9 of the UDP.

## Access

The Highways Engineer advises that the access to the site is now sufficiently wide to allow vehicles to enter and exit the site without prejudicing the free flow of traffic.

In light of the above considerations it is conisdered that the development would not give rise to conditions prejudicial to free flow of traffic and highway and pedestrian safety. The development therefore accords with Policy AM7 of the Unitary Development Plan Saved Policies (September 2007).

# 7.11 Urban design, access and security

These issues have been dealt with elsewhere in the report.

# 7.12 Disabled access

HDAS was adopted on the 20th December 2005 and requires all new residential units to

be built to lifetime home standards and 10% of units designed to wheelchair accessible standards. Further guidance is also provided on floor space standards for new residential development to ensure sound environmental conditions are provided on site. As a guide, the recommended minimum standard for 1 bedroom flats is 50sq. m and 63sq. m for 2 bedroom flats. Where balconies are provided, the floor space of the balconies can be deducted from these standards, up to a maximum of 5sq. metres. Additional floorspace would be required for wheelchair units.

The floor plans indicate that the development achieves HDAS recommended floor space standards and that Lifetime Home Standards could be met for these flats in terms of size.

The Access Officer is satisfied with the level of facilities provided subject to minor revisions to the internal layout of the units to ensure full compliance with all 16 Lifetime Home standards (as relevant) and Wheelchair Home Standards for 6 of the units. Subject to a condition to ensure compliance, it is considered that the scheme accords with the aims of Policies 3.4 and 7.2 of the London Plan July 2011, the Hillingdon Design and Access Statement (HDAS) Accessible Hillingdon and Policy AM15 of the UDP.

# 7.13 Provision of affordable & special needs housing

The London Plan sets the policy framework for affordable housing delivery in London. Policy 3A.10 and 3A.11 requires that boroughs should seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixuse schemes, having regard to their affordable housing targets.

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

Paragraph 5.22 states that the Council will seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed use schemes. The LDF policy acknowledges a balance between the need for affordable housing that the economic viability of private housing developments. Where less than 50% affordable housing is proposed, a justification for the departure from the London Plan and Policy CP5A will be required, together with a financial viability appraisal to demonstrate that the maximum affordable housing provision is being delivered on site.

The application exceeds the threshold of 10 units and above, therefore affordable housing provision by way of a S106 Legal Agreement is required. A Financial Viability Assessment (FVA) has been provided. This has confirmed that the scheme is not capable of providing on site affordable housing, but could provide a contribution of £40,000 towards provision elsewhere. This level of contribution has been varified by a third party assessor and is therefore considered acceptable.

#### 7.14 Trees, Landscaping and Ecology

**ECOLOGY** 

Saved Policy EC2 of the UDP seeks the promotion of nature conservation interests. Saved policy EC5 of the UDP seeks the retention of features, enhancements and creation

of new habitats. Policy 3D.12 of the London Plan states that the planning of new development and regeneration should have regard to nature conservation and biodiversity and opportunities should be taken to achieve positive gains for conservation through the form and design of development.

The applicant submitted an Ecology Survey which suggested that the scrub area on the site could contain protected species, although an initial survey conducted by the applicant's Ecologist found no protected species. It was recomeneded that further surveys be carried out. However the applicant cleared the land beofre any further surveys had been conducted.

No objections have been received from Natural England, however the Council's Sustainability officer has indicated that a contibution should be made towards offsite ecological enhancements. Subject to this contribution and a condition to secure some on site ecological enhancement as recommended within the submitted Ecology survey the development is considered to comply with Policy EC2.

#### LANDSCAPE ISSUES

Policy BE38 of the Unitary Development Plan Saved Policies states, amongst other things that development proposals will be expected to retain and utilise topographical and landscape features of merit.

The Council's Trees and Landscape Officer has raised no concerns regarding the landscape layout within the development site itself, which would provide for an appropriate mix of hard and soft landscaping supplemented by new tree planting throughout the development.

The Council's Trees and Landscape Officer has however raised concern that the proposed access point would result in works within the root protection area of a street tree, which may result in damage to the roots of this street tree.

The possibility of damage to this street tree is noted, however the street tree is not subject to a Tree Preservation Order or located within a Conservation Area. On balance it is considered that the overall benefits of the development would outweight the impact of any damage to the tree were this to occur. The indicative landscaping details also indicate the provision of additional new tree planting (6 no.) on the front boundary of the site and the legal agreement requires protection of an existing street during construction or a replacement street tree should such damage occur, thereby ensuring that there would be no overall loss of soft landscaping within the street scene as a result of the development.

# 7.15 Sustainable waste management

Refuse is provided in two refuse stores at ground floor level in each of the buildings. The level of waste and recyclign provision is acceptable and vehicle tracking diagrams have been submitted demonstrating that the development can be adequately service by refuse vehicles

# 7.16 Renewable energy / Sustainability

Policies within Chapter 5 of the London Plan require developments to provide for reductions in carbon emissions, including a reduction of 25% in carbon emissions, in line with Code for sustainable Homes Level 4.

The application is supported by an assessment which indicates that the development has been designed to achieve Level 4 of the Code for Sustainable Homes. No objections are

raised to the details submitted.

Subject to an appropriate condition to secure this implementation within the final design the scheme will comply with adopted policy.

# 7.17 Flooding or Drainage Issues

There are no specific flooding or drainage issues associated with this application. However, in the event that this application is approved, it is recommended that a sustainable urban drainage condition be imposed.

# 7.18 Noise or Air Quality Issues

The application site is on a busy high road. It is therefore reasonable to expect that traffic noise is likely to be high enough to affect the residential amenities of future occupiers. Although the site falls within NEC B as defined in PPG24, it is considered that flatted development is acceptable in principle, subject to adequate sound insulation.

The acoustic assessment contains recommendations which, if implemented, would reduce noise to levels that comply with reasonable standards of comfort, as defined in British Standard BS 8233:1999 'Sound insulation and noise reduction for buildings - Code of Practice'. It is considered that the issue of sound insulation can be addressed by the imposition of suitable conditions, as suggested by the Council's Environmental Protection Unit. Subject to compliance with these conditions, it is considered that the scheme would be in compliance with Saved Policy OE5 of the UDP.

#### 7.19 Comments on Public Consultations

The main issues raised regarding the scale and bulk of the development, traffic congestion and parking have been dealt with in the main body of the report.

General construction impacts, such as dust and noise, are dealt with under separate legislation and an informative is attached reminding the applicant of these requirements.

# 7.20 Planning Obligations

Policy R17 of the Hillingdon UDP is concerned with securing planning obligations to supplement the provision 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. The following Heads of Terms are sought:

Affordable Housing: £40,000 payment in Lieu

Education: £14,225 Health: £14,835.40

Construction Training: £47,326.09

Public Realm: £25,000 Libraries: £2,233.99

Project Management and Monitoring Fee: £5,181.02

Ecology: £25,000

Highways: Any and all highways works to be undertaken at the owners expense.

Street Tree: Protection of the street tree and making good of drainage.

# 7.21 Expediency of enforcement action

There are no enforcement issues associated with this site.

# 7.22 Other Issues

Officers did initally advise the applicant that the 10% rule for flatted developments might be breached by the scheme. By providing a new 5 bed house the applicant has overcome this issue.

# 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.

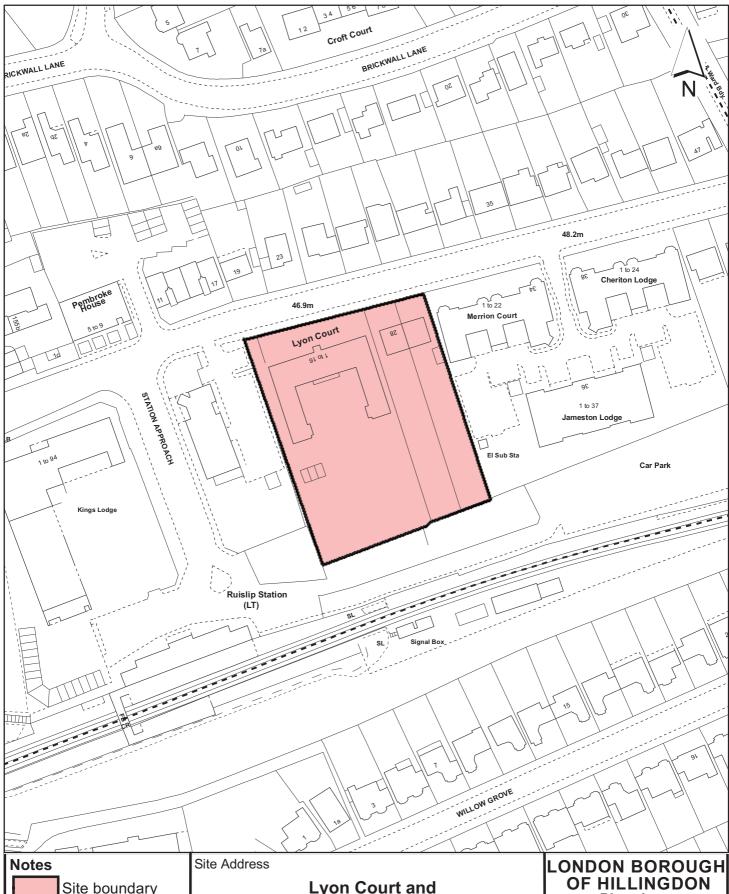
# 10. CONCLUSION

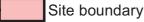
For the reasons provided throughout this report, the application is considered to be appropriate and acceptable and to comply with the relevant policies and planning guidance for the site. Therefore, the application is recommended for approval.

#### 11. Reference Documents

National Planning Policy Framework Hillingdon Unitary development Plan Saved Policies (Spetember 2007) The London Plan July 2011 Representations

Contact Officer: Matt Kolaszewski Telephone No: 01895 250230





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**Lyon Court and** 28 - 30 Pembroke Road Ruislip

Planning Application Ref: Scale 1:1,250 66985/APP/2011/3049 Planning Committee Date May North Page 76

2012

Planning, **Environment, Education** & Community Services Civic Centre, Uxbridge, Middx. UB8 1UW

Telephone No.: Uxbridge 250111

# Agenda Item 8

# Report of the Head of Planning & Enforcement Services

Address ST MARTINS SCHOOL MOOR PARK ROAD NORTHWOOD

**Development:** Single storey front extension.

**LBH Ref Nos**: 664/APP/2012/223

Drawing Nos: 2613A010

Design and Access Statement

Photographs 2613A014 2613A011 2613A012 2655-101 2655-102 2613-BO10 2613-BO22 2613-BO32 2613-BO33

 Date Plans Received:
 31/01/2012
 Date(s) of Amendment(s):
 31/01/2012

 Date Application Valid:
 03/02/2012
 03/02/2012

#### 1. SUMMARY

The application seeks to erect a new reception area to the school which would be in the form of a single storey extension to the eastern flank of the building. The proposal would have a similar architectural style to the main school building and would not impact the character and appearance of the existing build or the surrounding area.

It is considered that the proposal would not lead to an intensification of activities that would merit additional parking. Furthermore there would not be any detrimental impact to the neighbouring properties in terms of noise, disturbance or loss of amenity.

Given the siting of the extension and its relatively modest scale, the proposal is considered to be acceptable development in accordance with the relevant Policies of the UDP Saved Policies September 2007. It is therefore recommended for approval.

#### 2. RECOMMENDATION

# APPROVAL subject to the following:

#### 1 COM3 Time Limit

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 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [2613-BO10; 2613-

BO22; 2613-BO32;AO10 and the Design and Access Statement date stamped 06/02/2012] and shall thereafter be retained/maintained for as long as the development remains in existence.

#### **REASON**

To ensure the development complies with the provisions of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the London Plan (July 2011).

# 3 RES10 Tree 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 BS 3998:2010 'Tree work - Recommendations' 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.

# **INFORMATIVES**

# 1 l52 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.

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
R10	Proposals for new meeting halls and buildings for education, social, community and health services
R16	Accessibility for elderly people, people with disabilities, women and children
AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
LPP 3.18	(2011) Education Facilities
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture

# 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 commision 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).

# 4 I12 Notification to Building Contractors

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

#### 5 I15 Control of Environmental Nuisance from Construction Work

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

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 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 or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

- C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.
- D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council¿s Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

# 6 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 | 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:-

- $\cdot$  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-qb.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-qb.org.

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

#### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site comprises a large school located on the north side of Moor Park Road. The building to which this application relates is situated along the south west boundary of the site (adjacent to 44 Moor Park Road). The building is two storeys high with a gable projection which projects 7m forward of the main bulk of the building. It contains a part hipped, part gable ended roof which includes several box dormers to the side and is finished in white coated render. To the front of the building, there is a car park and vehicular access onto Moor Park Road.

Directly, south west lies No. 44 Moor Park Road, a two storey residential dwelling. While directly east lies the main school building. The site is within a developed area as identified in the Hillingdon Unitary Development Plan (UDP) (Saved Policies September 2007).

# 3.2 Proposed Scheme

The proposal seeks planning permission for a single storey reception area to be situated along the eastern flank of the property. The proposal would infill a square section between the main body of the building and the projecting gable element. It would measure 8.3m wide by 8.3m deep with a pitched roof at a maximum height of 4m and would be integrated with the existing reception via a hallway measuring 2.7m wide by 1.8m deep.

The materials consist of glazed curtain wall around the main bulk of the building and single layer membrane roof. It is also proposed to attached a roof canopy along the southern and eastern flanks which would project a further 1.6m out at a finished height of 2.8m.

# 3.3 Relevant Planning History

664/AK/99/1762 St Martins School Moor Park Road Northwood

Erection of a sports complex comprising sports hall, new swimming pool enclosure and associated changing facilities (involving the demolition of the existing swimming pool enclosure) Details following outline planning permission ref.664AD/96/963 dated 04/04/97

**Decision:** 07-01-2000 Approved

664/APP/2001/162 St Martins School Moor Park Road Northwood

ERECTION OF A REPLACEMENT CLASSROOM BLOCK (INVOLVING DEMOLITION OF EXISTING BLOCK) TOGETHER WITH IMPROVEMENTS TO EXISTING TERRACE AND EMERGENCY VEHICLE ACCESS

Decision: 09-05-2001 Approved

664/APP/2006/1922 St Martins School Moor Park Road Northwood

ERECTION OF A SINGLE STOREY ART/DESIGN AND TECHNOLOGY CLASSROOM

(INVOLVING DEMOLITION OF EXISTING TEMPORARY CLASSROOM).

Decision: 29-09-2006 Approved

664/APP/2006/1923 St Martins School Moor Park Road Northwood

ERECTION OF A TWO STOREY MULTI-USE HALL WITH TWO CLASSROOMS, MUSIC PRACTICE ROOMS AND ANCILLARY OFFICE AND STORES (INVOLVING DEMOLITION OF

EXISTING SINGLE STOREY THEATRE).

Decision: 18-07-2007 Approved

664/APP/2009/1771 St Martins School Moor Park Road Northwood

Details in compliance with conditions 3 (survey plan), 6 (hard and soft landscaping), 9 (access to building entrances), 15 (control of noise) and 17 (boundary fencing) of planning permission ref 664/APP/2006/1923 dated 18/07/2007 (Erection of a two storey multi-use hall with two classrooms, music practice rooms and ancillary office and stores (involving demolition of existing single storey theatre).

Decision: 30-09-2009 Approved

664/APP/2009/859 St Martins School Moor Park Road Northwood

Installation of 16 photovoltaic panels to roof.

Decision: 17-06-2009 Approved

664/APP/2010/976 St Martins School Moor Park Road Northwood

New canopies to front and side and replacement windows.

**Decision:** 05-07-2010 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:

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
R10	Proposals for new meeting halls and buildings for education, social, community and health services
R16	Accessibility for elderly people, people with disabilities, women and children
AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
LPP 3.18	(2011) Education Facilities
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture

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

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:-Not applicable

#### 6. Consultations

#### **External Consultees**

34 neighbouring properties as well as Northwood Residents Association were consulted on the 13th February 2012. 2 representations have been been received, one in favour of the proposal. The other representation in the form of a petition with 20 signatures objecting on the following grounds:

- 1. The proposal is not in keeping with the surroundings and detracts from the overall appearance of the headmaster's house.
- 2. It appears that ten car parking spaces will be lost during construction and it is possible that they may not be fully reinstated following the building of the reception. Parking is already an issue outside the school and this will only add to the problem.

Northwood Residents Association:

An objection has been received from the Northwood Residents Association raising concerns that:

- (i) The proposal is not in keeping with its surroundings and the "modern" architecture would be a stark contrast to the surroundings.
- (ii) Concerns regarding encroachment, which could likely be overcome, and
- (iii) Concers regarding traffic ad parking.

#### **Internal Consultees**

Access Officer:

Having reviewed the development plans and associated Design & Access Statements for the above proposal, it is considered that measures to be introduced would result in a good standard of accessibility.

The details provided on plan and within the Access Statement are commensurate with a development of this scale, and are considered to be acceptable.

Conclusion: acceptable

# 7. MAIN PLANNING ISSUES

# 7.01 The principle of the development

Policy R10 of the UDP (Saved Policies September 2007) states that the local planning authority will regard proposals for new buildings to be used for educational purposes as acceptable in principle provided they comply with other policies in the plan. The proposal does not conflict with any other policies in the plan and therefore complies with Policy R10 of the UDP (Saved Policies September 2007). The proposed alterations and canopy additions would not result in the loss of any play areas. The principle of the development is therefore acceptable as it would comply with policies R10, BE13 and BE19 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.

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

The proposal relates to the erection of a single storey extension along the flank of the existing two storey property. It is considered that the design and positioning of the extension would not cause a detrimental impact to the character and appearance of the existing building and the surrounding area.

The proposal has been amended in the course of the application to remove a large lantern roof feature. The amended plans are now similar in design to the adjacent school building situated directly east. Although, the proposal is contemporary in design in comparison to the attached building, given its function as a reception area and its location adjacent to the main school building, it would not cause a detrimental impact to the overall appearance of the site. The dimensions, scale and design are therefore compatible with the existing building. As such the proposal is considered not to have significant affect upon the visual amenity of the locality. Therefore the proposal would comply with Policy BE13 and BE19 of the UDP (Saved Policies September 2007)

# 7.08 Impact on neighbours

The extension would be situated a significant distance (27m) from the nearest

neighbouring property. 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).

# 7.09 Living conditions for future occupiers

Not applicable to this application.

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

The proposal would not lead to any changes at the school to on-site parking arrangements. The extension is to be used as a reception area to the school and it is envisaged that it would not lead to additional need for parking. At the moment, the school does not benefit from a reception area for either staff, parents, or pupils. The extension would not result in an increase in the numbers of pupils and teaching staff than presently catered for. Nor would it lead to additional visitors to the site than what is normally expected. There is sufficient parking on site for the number of staff presently employed. The requirement of further parking would not be considered necessary. As such, the proposal is considered to comply with policies AM7 and AM14 of the adopted Hillingdon Unitary Development Plan (Saved Policies) September 2007).

# 7.11 Urban design, access and security

Urban Design is dealt with at Section 7.07 above. Access is dealt with in Section 7.12 below and as an extension to the school, there are no additional security considerations.

#### 7.12 Disabled access

The extension would provide suitable access for people with disabilities. The design and access statement indicates that the main entrance would provide a level threshold at the entrance doors and also between the reception and the existing school. The entrance door would have a minimum width of 1.7m, which would be an appropriate standard for accessibility. The Access Officer has no objections to the proposal. As such, the scheme complies with policy R16 of the adopted Hillingdon Unitary Development Plan, (Saved Policies September) 2007.

# 7.13 Provision of affordable & special needs housing

Not applicable to this application.

# 7.14 Trees, Landscaping and Ecology

The proposal would not cause a detrimental impact on any trees or landscaping of importance to the site. Although, the proposal would remove a small ornamental pond and some minor vegetation to the side of the building, this landscaping would not be of merit to the overall appearance of the site. The large boundary trees along the front boundary would not affected by the development. As such, the scheme is acceptable in terms of Saved Policy BE38 of the UDP and in this instance, it would not be necessary to attach a landscaping condition requiring further details of an additional landscaping scheme.

# 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

Concerns have been raised within the consultation regarding the design of the proposed reception and its impact on the attached building. As noted in Section 7.07, the amendments received (removal of lantern roof) would now allow the proposal to blend with the adjoining school. As the site, already contains a mixture of both the historical and modern architectural design, the proposal would not impact the overall character of the site. Given that the attached building is neither listed or within a Conservation Area, the variation of design would be considered acceptable given the function of the development as a reception area. It is considered that the proposed design would not cause adverse visual impact to merit a refusal.

With regards the parking and traffic issues raised, the proposal would not reduce the level of parking available on site.

# 7.20 Planning Obligations

Not applicable to this application.

# 7.21 Expediency of enforcement action

Not applicable to this application.

#### 7.22 Other Issues

There are no other relevant issues raised by this application.

# 8. Observations of the Borough Solicitor

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

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

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

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

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

# 9. Observations of the Director of Finance

Not applicable to this application.

# 10. CONCLUSION

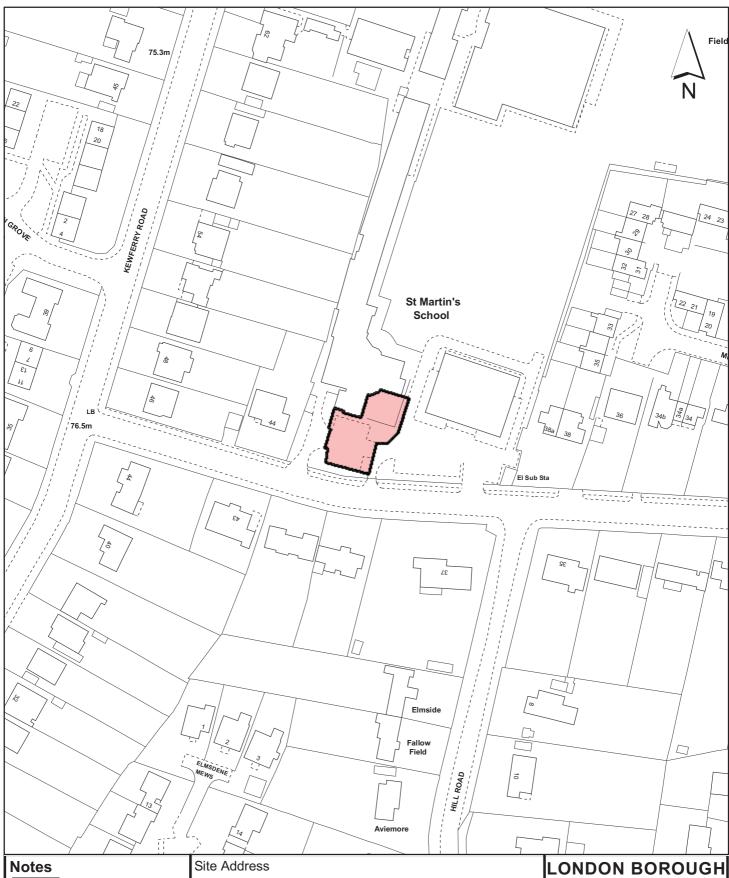
Overall, the proposed reception extension would be of a size, scale and design that would not cause a detrimental impact on the character and appearance of the street scene or the adjacent properties.

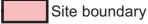
The extension would not cause an adverse impact on the neighbouring properties amenity nor would it lead to need for additional parking. As such the proposal complies with the relevant policies within the Hillingdon Unitary Development Plan (Saved Policies September 2007) and is recommended for approval.

# 11. Reference Documents

The London Plan (July 2011) Hillingdon Unitary Plan Saved Policies (September 2007)

Contact Officer: Eoin Concannon Telephone No: 01895 250230





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# St. Martins School Moor Park Road Northwood

Planning Application Ref:

664/APP/2012/223

Planning Committee

Date

North Page 88 May 2012

# LONDON BOROUGH OF HILLINGDON Planning, Environment, Education & Community Services Civic Centre, Uxbridge, Middx. UB8 1UW

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



# Agenda Item 9

# Report of the Head of Planning & Enforcement Services

Address 11 BRIDGWATER ROAD RUISLIP

Development: Single storey detached outbuilding to rear for use a hobby room

(Retrospective)

LBH Ref Nos: 45285/APP/2012/600

**Drawing Nos:** Location Plan to Scale 1:1250

411.PL1.002 411.PL1.003

Photographs (Supporting Information)

411.PL1.004a

Date Plans Received: 13/03/2012 Date(s) of Amendment(s):

**Date Application Valid:** 16/03/2012

# 1. CONSIDERATIONS

# 1.1 Site and Locality

The application site is located on the north-eastern side of Bridgwater Road and consists of a three-bedroom, two-storey terraced house with a single storey rear extension resulting in a footprint of approximately 45sq.m. There is an outbuilding at the bottom of the rear garden to which this application relates. The application site backs on to a service road with acces to garages for the residential properties.

To the north of the site exists No.9 Bridgwater Road with an existing single storey rear extension and an outbuilding and greenhouse in the rear garden. To the south exists No.13 Bridgwater Road with a single storey rear extension and an outbuilding at the rear of the garden.

The site lies within the Developed Area as identified in the policies of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

# 1.2 Proposed Scheme

Planning permission is sought for the retention of the outbuilding at the bottom of the rear garden for use as a hobby room and bathroom. The outbuilding would be 5.10m wide, 7.20m deep and 2.70m high with a flat roof, resulting in a footprint of approximately 37sqm. There is a door and high level windows to the rear elevation and a door and windows to the front elevation facing the garden and rear elevation of the house. The outbuilding is constructed of concrete block wall and a felt flat roof with timber doors and uPVC windows.

# 1.3 Relevant Planning History Comment on Planning History

The existing building is the subject of an enforcement investigation although an enforcement notice has not been served.

#### 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

Three neighbouring properties and South Ruislip Residents Association were consulted by letter on 20th March 2012 and a site notice was posted on 27th March 2012. Three letters of objection have been received, attached to which is a petition with 37 signatories, making the following points:

- 1. The gardens are small enough without a brick built dwelling of this height and not necessary for a recreation room. It has been built the size of a garden flat with shower/toilet facilities and room for a small kitchen/lounge if needed. This could potentially be converted into live in accommodation.
- 2. The height and closeness of this outbuilding has had an effect on outlook from rear garden and bedroom windows.
- 3. The outbuilding fails to harmonise with the existing neighbouring back garden constructions due primarily to its height, constructional features and intended use. Due to the short length of the rear gardens to the properties on this side of Bridgwater Road this construction looks very intrusive when viewed from neighbouring properties, in conflict with policy BE13 Unitary Development Plan (UDP).
- 4. The building itself looks very bulky and one side of this building is less than a metre away from the neighbouring garage in the rear of the garden at No.13 Bridgwater Road. Here it is actually touching the boundary fence owned by the neighbour at No.13 and therefore considered to contravene with UDP policy BE21.
- 5. The height exceeds neighbouring outbuildings on this side of Bridgwater Road. The building stands 2 feet in excess of those found in other adjoining back gardens.
- 6. The neighbouring properties' privacy to the rear upper floors will be compromised as part of their houses can now be viewed when looking out from the double windows, the garden side, of the said building at 11 Bridgwater Road and therefore in conflict with UDP Policy BE24.
- 7. If the planning application 45285/APP/2012/600 was to be approved this would set a precedent to permit others to construct similar buildings in size. Leading to creating an over-crowding effect to these rear gardens and all nuisances so associated.
- 8. Concerns raised over drainage of waste and sewage may not comply with regulations.
- 9. The application should state clearly what a hobby room is and what hobby the large outbuilding is to be used for and why it requires a toilet/shower room.

Ruislip Residents Association: No comments received.

INTERNAL CONSULTEES

**ENVIRONMENT PROTECTION UNIT** 

The above site is located in the area formerly occupied by a magazine accommodation for National Filling Factory No.7. We are not aware of any specific contamination issues at

the site and there may be large areas where contamination is unlikely. The following informative should be attached to the planning permission.

#### Informative

You are advised this development is on a former National Filling Factory Magazine Accommodation based on information from the local heritage centre. There is a possibility there may be some contaminating substances present in the ground. We have no specific information on the ground conditions. We would advise persons working on site to take basic Health and Safety precautions in relation to any contamination they may find. Please contact the Environmental Protection Unit on 01895 250155 if you require any advice.

# 4. UDP / LDF Designation and London Plan

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

# Part 1 Policies:

# Part 2 Policies:

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
AM14	New development and car parking standards.
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 in determining this application relate to the effect of the outbuilding on the character and appearance of the original dwelling, the impact on the visual amenities of the surrounding area, the impact on residential amenity of the neighbouring dwellings, provision of acceptable residential amenity for the application property and the availability of parking.

Policy BE15 of the UDP Saved Policies September 2007 state that extensions must be in keeping with the scale, form and architectural composition of the original building. BE19 also states that new developments should complement or improve the amenity and character of the area.

Section 9 of the Council's adopted Supplementary Planning Document (SPD) HDAS: Residential Extensions sets out criteria to assess outbuildings against: the requirements are that the proposed should be set back 500mm from the boundaries and positioned as far away from the house as possible, the external materials should be similar to the existing house, that a flat roof should be no higher than 3m and that windows would only

be permitted in elevation facing owners main house.

The outbuilding currently stands immediately adjacent to the side boundaries and is 2.70m high with a flat roof. It is considered that the structure is overlarge given the scale and character of the adjacent neighbouring outbuildings and as such would set an unwelcome precedent in the wider area. Although there are oversized outbuildings in the rear gardens of Manningtree Road, there is no record of any planning permission for these outbuildings that would justify the approval of this current planning application. As such, the proposal would be contrary to policies BE15 and BE19 of the UDP Saved Policies September 2007 and the Supplementary Planning Document (SPD) HDAS: Residential Extensions.

With regards to impact on amenity, Policy BE21 states that planning permission will not be granted for new buildings or extensions which by reason of their siting, bulk and proximity, would result in a significant loss of residential amenity. Adequate distance should be maintained to any area from which overlooking may occur. Concerns have been raised by neighbours regarding overlooking from the front windows of the outbuilding which would result in the overlooking of rear gardens and rear windows of neighbouring properties. As the outbuilding has steps leading to it, the raised height of the outbuilding would result in overlooking neighbouring properties. Therefore it is considered that the proposed scheme would have a detrimental impact on neighbour's amenity and is not in accordance with policies BE21 and BE24 of the UDP Saved Policies September 2007 and the Residential Extensions SPD.

For a three bedroom house, a garden area in excess of 60m2 should be retained in accordance with guidance set out in the Residential Extensions SPD paragraph 9.2 and policy BE23 of the UDP Saved Policies September 2007. As a result of the outbuilding and the existing single storey rear extension, there would be approximately 55sq.m of private amenity space, contrary to policy.

HDAS: Residential Extensions states outbuildings must only be used for normal domestic uses related to the residential use of the main house. The outbuilding is intended to be used a hobby room with a shower room. No further details have been provided as to why a shower room would be required as part of the hobby room. Concerns have also been raised from neighbouring properties regarding the large outbuilding could be used as separate accommodation in the future. However, the use of the outbuilding could be conditioned to prevent it being as a separate residential accommodation.

There would be two parking spaces at the front of the property and therefore the proposal complies with Policy AM14 of the UDP Saved Policies September 2007.

In conclusion, the outbuilding, by reason of its overall size, excessive width, scale and bulk, represents an incongruous form of development that detracts from the appearance of the surrounding area. The outbuilding does not retain gaps to the side boundary, contrary to paragraph 9.2 of the Hillingdon Design & Accessibility Statement: Residential Extensions. There would be some degree of overlooking to neighbouring properties from the window installed on the front elevation and the development would fail to maintain an adequate amount of private amenity space for the occupiers of the existing occupiers. As such it is contrary to policies BE15, BE19, BE21, BE23 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and section 9.0 of the Hillingdon Design & Accessibility Statement: Residential Extensions. This application is therefore recommended for refusal.

#### 6. RECOMMENDATION

# **REFUSAL** for the following reasons:

#### 1 NON2 Non Standard reason for refusal

The detached outbuilding would, by virtue of its overall size, scale, bulk, proximity to side boundaries and windows on front elevation, result in an incongruous form of development to the visual detriment of the adjoining occupiers and an unacceptable degree of overlooking of the neighbouring properties and as such would constitute an unneighbourly form of development. Therefore the proposal would be contrary to policies BE19, BE21 and BE24 of the Unitary Development Plan (Saved Policies, September 2007) and the Council's adopted Supplementary Planning Documents HDAS Residential Extensions.

# 2 NON2 Non Standard reason for refusal

The outbuilding would, by virtue of its failure to maintain an adequate amount of private usable external amenity space for the occupiers of the existing property, result in over-development of the site detrimental to the residential amenity of the existing occupiers. The proposal is therefore contrary to policies BE19 and BE23 of the Unitary Development Plan (Saved Policies, September 2007) and the Council's adopted Supplementary Planning Documents HDAS Residential Extensions.

# **INFORMATIVES**

#### **Standard Informatives**

- 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).
- 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, and to all relevant material considerations, including Supplementary Planning Guidance:

  Policy No.

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

AM14 New development and car parking standards. LPP 5.3 (2011) Sustainable design and construction

HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement,

Supplementary Planning Document, adopted December 2008

Contact Officer: Mandeep Chaggar Telephone No: 01895 250230





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# 11 Bridgwater Road, Ruislip

Planning Application Ref: Scale 1:1,250 45285/APP/2012/600 Planning Committee Date May North Page 95 2012



Planning,

**Environment, Education** 

& Community Services

Civic Centre, Uxbridge, Middx. UB8 1UW

Telephone No.: Uxbridge 250111

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# Agenda Item 10

# Report of the Head of Planning & Enforcement Services

Address 206 FIELD END ROAD EASTCOTE

**Development:** Change of use from Use Class A1 (Shops) to Use Class A5 (Hot Food

Takeaway) involving installation of extractor duct to rear

**LBH Ref Nos:** 14770/APP/2012/50

**Drawing Nos:** Design & Access Statement

268A/2011 268/2011 268B/2011

Location Plan to Scale 1:1250

268C/2011

Date Plans Received: 09/01/2012 Date(s) of Amendment(s):

**Date Application Valid:** 09/01/2012

# DEFERRED ON 13th March 2012 FOR FURTHER INFORMATION.

This application was withdrawn from the North Planning Committee agenda of the 13th March for officers to ascertain up to date information relating to the percentage of non-retail uses within the secondary parade, including the implementation of any permissions since the shopping survey was undertaken in July 2011. Your officers have checked the planning histories for all the properties in the Secondary shopping frontage and whilst permission was granted in December 2010 for the change of use of 176 Field End Road from retail to financial and professional services (A2) this permission was already implemented by the time the survey was undertaken in July 2011. There are no other proposals for non-retail uses within the secondary frontage that have not been implemented which would alter the balance. The current position is therefore as set out in Section 7.01.

#### 1. SUMMARY

Planning permission is sought for a change of use from Class A1 (retail) to a Class A5 (hot food 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 considered that the proposal would not 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 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 Policies BE13 and BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### 3 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 and also details of the control of noise, vibration and odour emanating from the site have been submitted to and approved in writing by the Local Planning Authority. The use shall not commence 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).

# 4 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).

#### 5 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 be fully implemented before the development is occupied/the use commences and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

#### REASON

To protect the amenities of the occupiers of residential accommodation in the vicinity in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Plans (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).

OM15

No development shall the plad Little A Nasterne 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 NONSC Non Standard Condition

Development shall not commence until details of access to building entrances and w.c. facilities (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 adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan Policies (February 2008) Policies 3.1 and 7.2.

# 9 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).

# **INFORMATIVES**

#### 1 | 152 | Compulsory Informative (1)

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

# 2 I53 Compulsory Informative (2)

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

relevant material considerations, including the London Plan (July 2011) and national quidance.

S6	Change of use of shops - safeguarding the amenities of shopping areas
S12	Service uses in Secondary Shopping Areas
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
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.
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 2.15	(2011) Town Centres
LPP 3.1	(2011) Ensuring equal life chances for all
LPP 4.7	(2011) Retail and town centre development
LPP 4.8	(2011) Supporting a Successful and Diverse Retail Sector
LPP 7.15	(2011) Reducing noise and enhancing soundscapes
LPP 7.2	(2011) An inclusive environment

3

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

# 3. CONSIDERATIONS

# 3.1 Site and Locality

The application site is located on the south west side of Field End Road, south of its junction with Elm Avenue and forms part of a terrace of 7 commercial units on the ground floor with two upper floors in residential use, accessed from the rear. The application property has a single storey rear extension with a rear yard beyond, providing off-street parking. To the north lies 204 Field End Road, in retail use and to the south lies 208 Field End Road also in retail use. The rear of the terrace backs onto a service road.

The street scene is commercial in character and appearance and the application site lies within the secondary shopping area of the Eastcote Town Centre, as designated in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

# 3.2 Comment on Relevant Planning History

None

# 3.3 Relevant Planning History

14770/ADV/2011/87 206 Field End Road Eastcote

**ADVERT** 

**Decision:** 20-12-2011 NFA

14770/ADV/2012/2 206 Field End Road Eastcote

Installation of 1 x internally illuminated fascia sign and 1 x internally illumintated projecting sign

Decision: 05-03-2012 Approved

14770/APP/2011/2609 206 Field End Road Eastcote

CHANGE OF USE

**Decision:** 20-12-2011 NFA

# 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:

S6	Change of use of shops - safeguarding the amenities of shopping areas
S12	Service uses in Secondary Shopping Areas
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
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.
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 2.15	(2011) Town Centres
LPP 3.1	(2011) Ensuring equal life chances for all
LPP 4.7	(2011) Retail and town centre development
LPP 4.8	(2011) Supporting a Successful and Diverse Retail Sector
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**

34 neighbouring properties and the Eastcote Residents Association were consulted on 16 January 2011.

One letter was received raising objection to the schemeon the following grounds:

- i) food waste would encourage vermin and infections;
- ii) limited space to the rear would mean bins may block the accessway;
- iii) tenants above the shops would also use the bins, which may then overflow;
- iv) the extractor duct would lead to smell/pollution issues;
- v) there are already numerous fast food outlets in the area (area is saturated already);
- vi) fast food is unhealthy and leads to obesity and associated health problems with costs to the NHS;
- vii) the addition of new restaurants will depress trade in existing restaurants.

#### **Internal Consultees**

**Environmental Protection Unit:** 

No objections. Recommends conditions relating to details of the flue, hours of operation and sound insulation, which are attached to the recommended conditions.

#### Access Officer:

As the application appears to be for a straightforward change of use with no material alterations proposed, no accessibility improvements could reasonably be required within the remit of planning.

Conclusion: acceptable and informative recommended to be attached to any grant of planning permission.

Local Development Framework Team:

The Council policy on Shopping and Town Centres refer to shop frontages and not shop units. As such, the analysis is based on shop frontages. The latest survey was conducted on 18th July 2011.

The average frontage for the period 2006 to 2011 (retail, leisure and vacant shop frontage) is approximately 334.4m and 709.5m in retail use, measured across primary area and secondary area frontages respectively, as identified in the London Borough of Hillingdon UDP Saved Policies, September 2007.

Primary shopping area: The share of A1 use has remained at 67% in the last 4 years. A5 use occupies 2% of the overall frontages for the first in the last 5 years in 2009 and remained so in 2011. The other uses have remained more or less the same during the same period. The percentage of vacant (V) frontages is an average 0.5% in the same period but there has been no vacant frontage recorded in the last 3 years. The share of the overall frontages for A1 use is slightly below the minimum 70% threshold stipulated in the Saved UDP.

Secondary shopping area: The share of A1 rose by 4% in 2007/2008 to 54% and then fell by 2% in

2009 to 52%, which is also the case in 2011, of the overall frontages. A5 use rose by 2% in 2007/2008 to 3% and by 1% in 2010. With the exception of vacant (V) frontages which dropped by 4% in 2009/2010 there has been no significant changes to the percentage share of the other uses. The percentage of A1 use is above the minimum 50% threshold stipulated in the Saved UDP.

#### Conclusions

Eastcote has a total frontage of 1043.5m within its boundary made up of 334.4m (50 units) in primary and 709.5m (98 units) in secondary shopping areas. There has been no A4 use frontage in its primary shopping area in the last 5 years and the share of A1 use (67%) in the area has also remained constant during this period. The percentage share of A1 use in the secondary shopping area in the last 5 years has not dipped below the 50% threshold.

The overall position seems to be that the centre continues to have a very low vacancy rate and relatively healthy A1 retail presence.

#### 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 Council will expect at least 50% of the frontage to be in Class A1 use.

Policy S12 establishes that it is acceptable for 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.

The 2011 shopping survey shows that the overall position is that the centre continues to have a very low vacancy rate and relatively healthy A1 retail presence (66.1% of the frontages in the primary shopping area and 50.5% in the secondary shopping area). In the primary shopping area the share of A1 use has remained at 67-66% in the last 4 years. A5 use occupies 1.8% of the overall frontages. The share of the overall frontages for A1 use is slightly below the minimum 70% threshold stipulated in the Saved UDP.

In the secondary shopping area, the share of A1 rose by 4% in 2007/2008 to 54% and then fell by 2% in 2009 and in 2010 to 52%. It is currently at 53.1%. A5 use rose by 2% in 2007/2008 to 3% and by 1% in 2009/2010. With the exception of vacant frontages which dropped (which is a good situation) by 4% in 2009/2010 there has been no significant changes to the percentage share of the other uses. The percentage of A1 use is currently above the minimum 50% threshold stipulated in the Saved UDP.

The proposed change of use would be in a secondary frontage and would mean there would be 52.3% of the frontages as A1. The scheme would result in a drop in the proportion of frontage in A1 use by 0.8%. There are no other proposals for A5 takeaway use within this frontage that have not been implemented which would alter the balance.

The change of use would not result in a break in the retail frontage above the guidelines of 12m. Overall, it is considered that the change of use would not harm the vitality and attractiveness of Eastcote Town Centre and that it would comply with Policy S12 of the

Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and Policy 2.15 of the London Plan (2011).

#### 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.

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

No alterations are proposed to the front elevation, excluding signage which is considered within another advertising application.

The proposed flue shown on plans would be sited to the rear of the property. It would be aligned vertically, following the rear wall of the main building. It would measure 0.3m in diameter and project 1.3m above the eaves line, stopping 1m below the ridgeline of the roof. The flue would be viewed amongst a backdrop of aerials and other paraphernalia commonly seen in rear service yards. The proposed flue would not be out of place in this environment.

The supporting documents accompanying the application state that the flue details would be finalised once the applicant knows planning permission is in place. As such, notwithstanding the details shown on plans a condition is recommended to ensure full details of the extraction system are provided and approved before any development commences.

The proposal is therefore considered to not harm the appearance of the street scene or of the views of the rear service yard. 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, behind 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. This is the approach that was taken other recent approvals within Field End Road.

Subject to conditions, 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 Hot Food Takeaway 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 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

See paragraphs 7.08 and 7.10.

#### 7.12 Disabled access

A condition requiring details of is recommended to ensure that access and facilities for disabled people are provided.

#### 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

There is space to the rear where waste and recycling storage facilities could be loacted without causing problems. A condition is recommended in order to ensure waste is properly stored and managed.

#### 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

A condition is recommended seeking details of extract flues, in order to ensure smells and noise nuisance are reduced.

#### 7.19 Comments on Public Consultations

i) food waste would encourage vermin and infections

Subject to conditions waste and recycling facilities could be adequately controlled.

ii) limited space to the rear would mean bins may block the accessway

The case officer attended the site and has observed sufficient space to accommodate bins Subject to conditions waste and recycling facilities could be adequately controlled

iii) tenants above the shops would also use the bins, which may then overflow

This issue is one which can be dealt with through adequate waste management and regular removal of waste. Conditions are reccomended to deal with this.

iv) the extractor duct would lead to smell/pollution issues

COMMENT: Subject to conditions smell/pollution could be adequately controlled.

v) there are already numerous fast food outlets in the area (area is saturated already)

COMMENT: The impact of the proposal on the town centre is considered in the main report.

vi) fast food is unhealthy and leads to obesity and associated health problems with costs to the NHS

COMMENT: This is not a planning issue.

vii) the addition of new restaurants will depress trade in existing restaurants.

COMMENT: It would not be reasonable to refuse the scheme due to it increasing competition between businesses.

#### 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.

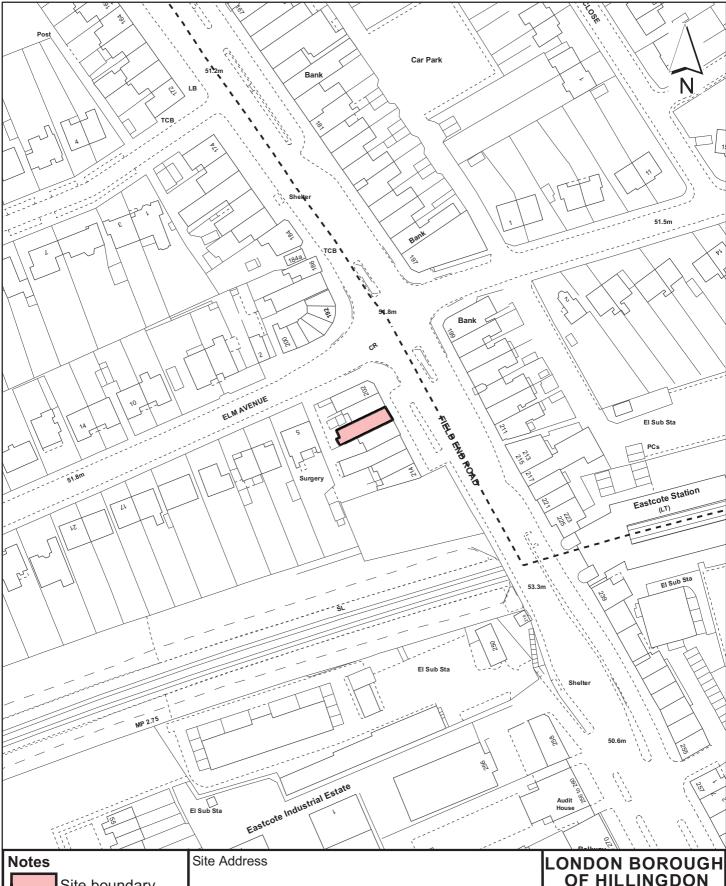
#### 10. CONCLUSION

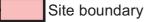
The proposal is considered acceptable in principle. In this case, subject to conditions, impacts to neighbours could be controlled. No objection is raised in terms of parking. The proposal is therefore considered acceptable in this instance.

#### 11. Reference Documents

Hillingdon Unitary Development Plan (Saved Policies September 2007). London Plan 2011.

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#### 206 Field End Road **Eastcote**

Planning Application Ref: 14770/APP/2012/50

Planning Committee

NorthPage 108

#### Scale

1:1,250

Date

**February** 2012

## OF HILLINGDON Planning, **Environment, Education** & Community Services

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



## Agenda Item 11

#### Report of the Head of Planning & Enforcement Services

Address LYNTON BELFRY AVENUE HAREFIELD

**Development:** 2 x two storey, 4-bed, detached dwellings with associated parking and

amenity space involving the demolition of existing bungalow and outbuildings

**LBH Ref Nos:** 17663/APP/2012/368

Drawing Nos: 10/54/07 Rev. A

Photographs

Location Plan to Scale 1:1250 Design and Access Statement

Arboricultural Survey

10/54/08

Date Plans Received: 17/02/2012 Date(s) of Amendment(s):

**Date Application Valid:** 07/03/2012

#### 1. SUMMARY

The application is for the replacement of an existing extended bungalow and detached garage with two, 2 storey, 4 bed detached houses.

Part of the site falls within designated Green Belt land, for which residential development is normally unacceptable in principle. The development would also result in an overdevelopment of the site that would be harmful to the openness of the surrounding Green Belt.

There are also concerns regarding the impact of the development on the amenities of the occupiers of the adjoining bungalow.

The application is therefore recommended for refusal.

#### 2. RECOMMENDATION

#### **REFUSAL** for the following reasons:

#### 1 NON2 Non Standard reason for refusal

The proposed development, by reason of the siting of the buildings and their overall size, bulk and scale would significantly increase the built up appearance of the site and result in an encroachment into the open space surrounding the existing building and the adjoining Green Belt. The proposal would therefore constitute inappropriate development in the Green Belt, and would be harmful to the openess and visual amenities of the surrounding Green Belt, without any very special circumstances to justify the harm. The development would be contrary to Policies OL1 and OL4 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007), Policy 7.16 of the London Plan (2011) and the National Planning Policy Framework.

#### 2 NON2 Non Standard reason for refusal

The proposed development by reason of its size, scale, bulk and design would adversely affect the amenities of the adjoining property by reason of an overbearing impact, visual intrusion, loss of privacy and loss of light, contrary to Policies BE19, BE20, BE21 and

BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and the Hillingdon Design & Accessibility Statement (HDAS): Residential Layouts.

#### 3 NON2 Non Standard reason for refusal

The development is estimated to give rise to a 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) and updated Education Chapter 4 (August 2010).

#### 4 NON2 Non Standard reason for refusal

The proposal would fail to meet all relevant Lifetime Home Standards, contrary to Policies 3.1, 3.8 and 3.9 of the London Plan (2011) and the Council's adopted Supplementary Planning Document HDAS: Accessible Hillingdon.

#### **INFORMATIVES**

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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.

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.
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL4	Green Belt - replacement or extension of buildings
H4	Mix of housing units
H5	Dwellings suitable for large families
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.

R7	Provision of facilities which support arts, cultural and entertainment activities
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.1	(2011) Ensuring equal life chances for all
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 3.9	(2011) Mixed and Balanced Communities
LPP 5.13	(2011) Sustainable drainage
LPP 5.3	(2011) Sustainable design and construction
LPP 6.13	(2011) Parking
LPP 7.16	(2011) Green Belt

#### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site is located on the northern side of Belfry Avenue at a point in the road where there is a sharp right angle bend in the road as the road changes from an east-west direction to that of a north-south direction.

The site is currently occupied by a bungalow that has in the past been substantially extended. There is also a detached garage to the rear of the bungalow.

The property sits in an extended plot, with the land to the east of the bungalow having been transferred from the playing fields to the east into the residential curtilage of the property.

The surrounding area is residential in character, although there are signficant amounts of open land in the vicinity of the site, contributing to the semi-rural character of the area and the village of Harefield. The site abuts open land to the north and to the east. These boundaries are generally well screened by trees and vegetation, with a wooded area extending into the open space beyond.

The western boundary abuts "Brillig" a detached bungalow set at a slightly lower level than the application property, and separated by a close boarded fence. "Brillig" has a number of windows to habitable rooms running alongside the eastern elevation, facing towards the application site.

There is a varied mix of residential houses in the area, comprising some flats, but predominantly houses and bungalows, with much infill and recent development.

With respect to land designations as identified within the Unitary Development Plan, the majority of the site lies within the Developed Area. However, the eastern side of the site (which was aquired from the adjoining open space) is designated as Green Belt land, as is the playing fields to the east of the site. The north-south stretch of Belfry Avenue that abuts the open space is also designated as Green Belt land. The land to the rear of the site is also designated as an Area of Nature Conservation.

#### 3.2 Proposed Scheme

The application is for the demolition of the existing bungalow and garage and their replacement with two detached houses.

Each house would have an overall width of 10m and a depth of 11m. The main bulk of the house would extend 7m in depth, with a two storey rear return extending a further 4m, with a single storey conservatory to the side of the return.

Each dwelling would be set in from the side boundary by 1.5m with a 2m gap between each of the new dwellings.

The dwellings would be of brick and tile construction, with gable ends to the side of each dwelling.

The existing access is to be retained to provide a shared crossover for the new dwellings. Two parking spaces would be provided to the front of each of house, with a shared driveway and turning area.

The applicant has indicated that the ground floor of each dwelling would be capable of wheelchair access.

#### 3.3 Relevant Planning History

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

There is no planning history in relation to the application site.

#### 4. Planning Policies and Standards

The London Plan (2008) under Policy 3.4 (Maximising the potential of sites) seeks to ensure that development proposals achieve the maximum intensity of use compatible with local context, the design principles in Policy 7.1 and with public transport capacity. The London Plan: Interim Housing Supplementary Planning Guidance dated April 2010 provides further guidance on the interpretation of density guidelines, emphasising the importance of considering local context.

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

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

#### Part 1 Policies:

#### Part 2 Policies:

BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
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LPP 6.13	(2011) Parking
LPP 7.16	(2011) Green Belt

#### 5. Advertisement and Site Notice

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

#### 6. Consultations

#### **External Consultees**

15 adjoining and nearby properties have been notified of the application by means of a letter dated 9th March 2012. A site notice has also been displayed. In response, 5 representations have been received and these are summarised below.

- 1. Have no objection to one 2-storey, 4 bed, detached dwelling, but feel that two is not in keeping with the existing dwellings in the road.
- 2. When and for how long do you expect the demolition to take place? a) We would like to stipulate the time of day for working (Monday Friday 9am 3.30pm) and that no work is carried out at the weekend. The same for the building of the new properties no work to be carried out at the weekend and Mon Fri 9am 3.30pm). Please clarify what the scale of traffic is likely to be with regards to building trucks and access. I am pregnant and my baby will be due in Oct 2012 and so I do not want nap times to be upset by noise levels, or any adverse affects due to air pollution. I also have a 4 year old girl who likes to play outside on her bike so do not want any disturbance regarding access to Belfry Ave. We need to have assurance that it will be safe.
- 3. We are concerned about the impact of the 2 new 2 storey buildings. Firstly we feel that the new construction will adversly effect the daylight to the front of our property which is already impaired as

we are at least 1m under the ground level of "Lynton". Belfry Ave has predominantly bungalow type properties and as such it is felt that 2 storey buildings will have overbearing impact on the neighbourhood. The plans show that the new buildings are very near to our property "Brillig" which will efect our privacy as well as privacy of Lynton. Therefore should permission be granted we would insist for a new 2m high timber fence to be put up on our common boundary. Also we would like to see a daylight study with regards to our property as well as a study of any impact on our foundations as the properties are planned so near. Our main concern is subsidence. Another concern is a noise and obstruction of the road by the construction vehicles. We would like to see restricted hours on deliveries and building work, ie no construction taking place over the weekend. Belfry Avenue is a very narrow road which is already in bad state of repairs, the construction trafic by HGV will no doubt speed up deteriotion of the road. Is there any guarantee should construction go ahead that the road will be resurfaced?

4. No street elevation incorporating the adj. bungalow "Brillig" and therefore unable to see whether the new properties will have an overbearing impact on the street scene. We believe it will as the ground floor base is already around 1m higher than the ground floor of Brilling and based on the height of a 2 storey house this will dominate the outlook and setting of this property. - No daylight assessment has been submitted to show how the substantially taller property on Plot 1, will impact on the light currently enjoyed by Brillig -With the application site being at the top of the hill 2 storey properties in this location will be overbearing and will not fit in with the other properties in the immediate location. There are, as defined in the d&a, some 2 storey properties in Belfry Ave but these are not at the peak of the hill and therefore do not have an overbearing impact on their neighbouring properties. Reference has also been made to other bungalows in the area being demolished and replaced on a 2 for 1 basis but this again has been further down the hill where they do not have a substantial impact on the street scene and adjacent properties. - Whilst our property opposite has been extended recently this has all been at ground floor level. In the past (16582/D/97/0726 and 16582/C/96/1872) applications to add a first floor to our property have been declined due to the height and its impact on the properties in the immediate vicinity. - Whilst not a planning issue, we are aware that the land currently to the right of the site (where Plot 2 is to be located) was obtained from the local council back in the 1990s and that a restrictive covenant was placed on this parcel of land stating that it could only be utilised as an extension to the garden of 'Lynton' and no buildings (except sheds, greenhouses) could be constructed upon this land. These proposals are obviously in direct contradiction of this covenant. Should planning permission be granted we would expect that the following conditions/actions would be incorporated: No further permitted development rights to be allowed so no future roof conversion will be possible. A TPO to be placed on T12 to prevent a direct view into our garden which would be overlooked from 1st flr of plot 1 should the tree be removed. A limit on pruning of the trees that lie outside the boundary to the right of the site, which currently overhang the site boundary, in order to maintain the views and appearance of the corner of Belfry Avenue when viewed along its length. Confirmation that Belfry Ave's road surface will be fully resurfaced once construction had been completed. The road has been substantially sub standard for several years despite numerous complaints by the residents of Belfry Ave. Any repairs to this road (including those done recently) are clearly sub-standard and will only temporarily survive. Increased construction traffic will clearly damage the road surface further to the detriment of all residents. A satisfactory proposal to be submitted and agreed as to construction times, delivery times and parking of construction vehicles. This is a narrow road which is already regularly parked on by local dog walkers including blocking of the emergency entrance to the field and further construction vehicles will only serve to increase the inconvenience to residents. Damage to the verges along the side of our bungalow has already occurred due to cars being parked and this will only worsen with more traffic along the road. Any damage to this land should also therefore be repaired post-construction. Being the direct route for local residents to the open land adjacent to the site, frequented by dog walkers, children etc, daily, there is a concern that extra traffic along this road adds an extra risk to the welfare of residents and walkers alike (especially local children) who use this road safely due to the limited traffic that currently uses it.

5. Has the land to the right of the bungalow next to the trees/field been purchased by the owner, given to the owner or land grabbed?

#### **Internal Consultees**

#### **HIGHWAYS**:

Belfry Avenue is accessed from either Park Lane or Shelley Avenue and is benefiting from 5.0m wide carriageway and 2.0m wide grass verge either side with no official hard standing footway. The site is located near the right angle bend of Belfry Avenue, adjacent to a section of land which identified by the GIS as being the Belfry Avenue sports ground, belonging to the Green Spaces of the London Borough of Hillingdon.

Proposal is to demolish existing building and construct 2 x 2 storey detached four bedroom dwellings with its associated four off street car parking spaces using the existing vehicle cross-over which complies with minimum standard required by the Council's UDP and is therefore unlikely to result in an additional on street demand for car parking to the detriment of highway and pedestrian safety.

However, submitted ordnance survey map shows part of Belfry avenue sports ground east of the applicant's site is within the site boundary of the applicant, which is contrary to the information obtained from the GIS.

Notwithstanding the issue of the site boundary or ownership of land, 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 access for the proposed car parking shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays 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.

#### TREES AND LANDSCAPE:

There is a line of mature Leyland Cypress along the northern part of the site's eastern boundary. Although the trees provide a screening value, the site is adjacent to an open sports ground bordered by mature, deciduous trees and therefore the Leyland Cypresses do not constrain development.

Significant trees/other vegetation of merit in terms of Saved Policy BE38 (off-site): There is a mature Cappadocian Maple (managed by pollarding) and a mature Beech on the adopted Highways verge to the front of the site. The trees are features of merit and should be afforded protection during development.

To this end the proposed parking spaces (for the western-most proposed house) should be moved further north and the amenity/landscaped area to the north of the boundary (and mature trees) should be extended north. This enlarged area should be protected/fenced off (in accordance with BS 5837:2005) during construction.

Scope for new planting: There is scope to incorporate soft landscaping into the scheme. This matter can be dealt with by condition at a later stage.

Does scheme conform to HDAS: No details have been provided at this stage, however this can be dealt with by condition.

Does scheme conform to SUDS: No details have been provided at this stage, however this can be dealt with by condition.

Recommendations: The plans should be amended to show the parking areas (for the western-most proposed house) moved further towards the house and the proposed soft landscaped area to the north of the highway verge should be enlarged. The plans should show root protection (in accordance with BS 5837:2005) to protect the roots of the off-site trees (i.e. a tree survey and tree protection plan should be provided).

Conclusion (in terms of Saved Policy BE38): Acceptable, subject to conditions RES6, RES8 (tree protection), RES9 (Landscaping - excluding sections 3, 3.a and 3.b), and RES10 (Trees to be retained).

#### **ACCESS OFFICER:**

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

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

The following access observations are provided:

- 1. Level access should be achieved. Entrances to the proposed dwelling houses appears to be stepped, which would be contrary the above policy requirement.
- 2. The entrance level WCs do not conform to the Lifetime Home Standards due to their small size and layout. At least 700mm should be provided to one side of the toilet pan, with 1100mm between the front edge and any obstruction opposite. Floor gully drainage, to allow for the future installation of a shower, should be shown on plan.
- 3. A minimum of one bathroom at first floor level should provide 700mm to side of the WC, with 1100mm provided between the front edge of the toilet pan and a door or wall opposite. To allow the same bathroom to be used as a wet room in future, plans should indicate floor gully drainage.
- 4. The plans should indicate a convenient location of a future through the ceiling wheelchair lift.

Conclusion: Unacceptable.

#### 7. MAIN PLANNING ISSUES

#### 7.01 The principle of the development

The majority of the site is within an established residential area where there would be no objection in principle to new residential development, subject to the scheme satisfying other relevant planning considerations. These are dealt with elsewhere in this report.

However, part of the site falls within designated Green Belt land, to which there is an objection to new residential development. It would appear that the original plot of land

within which the bungalow was constructed was extended to include a strip of land to the east of the original plot, originally forming part of the adjoining playing fields. It is this parcel of land that is designated as Green Belt land.

Therefore whilst the development of the original curtilage of the bungalow may be acceptable, the infingement of the new development onto designated Green Belt land is considered unacceptable. The impact of the proposal on the Green Belt is considered in Section 7.05 of this report, but given the encroachment onto Green Belt land the proposal, in principle, is unacceptable.

#### 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 density matrix is only of limited value when looking at small scale development such as that proposed with this application. In such cases, it is often more appropriate to consider how the scheme harmonises with its surroundings.

In this case the site is located within a semi-rural area with a low Public Transport Accessibility Level (PTAL). However, the density of the development is similar to that which has been permitted elsewhere in the area and in this respect it is considered appropriate for this location.

#### 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

The site is situated within Green Belt land. The National Planning Policy Framework (NPPF) and local planning policies give clear guidance as to what is appropriate development in the Green Belt. The NPPF essentially does not alter the Government's previous guidance and advice contained within the former Planning Policy Guidance Note 2 on Green Belts.

The NPPF therefore clarifies that the construction of new buildings in the Green Belt is inappropriate development unless it is for agriculture, forestry, essential facilities for outdoor sport and recreation, the limited extension or replacement of existing dwellings, limited infilling in existing villages or limited infilling of major developed sites.

This advice is reflected in Policy OL1 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) which states that the local planning authority will not grant planning permission for new buildings other than for purposes essential for and associated with the uses specified. The application proposal does not comprise any of these, and is therefore, by definition inappropriate development in the Green Belt.

The NPPF also states that such appropriate development in the Green Belt must still not prejudice the openness of the Green Belt. This site is adjacent to playing fields that are themselves within the Green Belt. The proposal would result in an increase in the size, scale, height and bulk of building being within and up to the Green Belt boundary with the playing fields. It is considered that the building would appear dominant against the

boundary, albeit that there would remain a significant amount of intervening vegetation. However, by the buildings being so close to the boundary and increasing its height, size, bulk and scale, and clearly visible from the road and from within the Green Belt (noting that the road is within Green Belt land), it is considered that the nearness of the building would prejudice its openness and therefore be harmful to the character and openness of the Green Belt. The encroachment onto the Green Belt land and its impact on the openness and visual character odf the Green belt is therefore unacceptable and contrary to Policies OL1 and OL4 of the Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007), Policy 7.16 of the London Plan 2011 and the National Planning Policy Framework (NPPF).

#### 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.

This part of Harefield has been subject to some development over recent years and there is a varied mix of dwelling types within the village. This includes a number of small estates where the nature of the development is fairly compact. The proposal would be consistent with the estates in the vicinity, and would not therefore be unduly out of character with the surrounding area. However, the site is located on the side of the playing fields where there is very little development, and it would therefore appear out of context with its immediate environment and the need to preserve the open character of this side of the playing fields.

On balance and notwithstanding the Green Belt and other concerns, it is considered that the proposed houses in themselves would not detract from the character and appearance of the street scene generally but would clearly impact upon the Green Belt as set out above.

#### 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.

In this case there are a number of windows in the side elevation of "Brillig" which lies to the west of the application site and approximately 1m lower than the application site. Whilst there is some separation between the buildings it is considered that the two storey element of the most western house, being within 2m of the boundary would appear dominating and imposing on "Brillig".

It would have an unacceptable impact on the residential amenities of the occupiers of the adjoining properties through overdominance, visual intrusion and overshadowing. The proposals are therefore not in accordance with policies BE20, BE21 and BE24 of the

adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) nor paragraphs 4.9 and 4.12 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Layouts.

#### 7.09 Living conditions for future occupiers

HDAS SPD: Residential Layouts, states careful consideration should be given to the design of the internal layout, and that satisfactory indoor living space and amenities should be provided. Habitable rooms should have an adequate outlook and source of natural light. Both the London Plan (July 2011) and the Council's HDAS: 'Accessible Hillingdon' establish minimum floor space standards.

For a four bedroom, two storey house, a minimum internal floor area of 107sqm is required under the London Plan. The internal floor area of the proposed house at over 180sq m would clearly exceed this minimum requirement.

With a rear garden length of approximately 19m for each of the dwellings and a plot width of 12.5m, each of the gardens would exceed 237sq.m in area. This exceeds the 100sq.m specified in the Council's HDAS: Residential Layouts.

The proposed habitable rooms all would provide adequate outlook and natural lighting for its future occupiers.

As such, the proposal would provide adequate amenities for its future occupiers.

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

The area has a PTAL accessibility rating of 1, 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 the proposed dwelling.

The proposed front driveway can accommodate 2 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.

It is considered that the proposal would not give rise to any concern regarding traffic impact or highway safety. The creation of a new dwelling would not result in any significant additional increase in traffic generation in the area.

The proposal would therefore comply with Policies AM14 of the saved UDP and the Council's adopted Car Parking Standards (Annex 1, adopted Hillingdon Unitary Development Plan, Saved Policies, September 2007).

#### 7.11 Urban design, access and security

These issues have been covered in Sections 7.05, 7.07 and 7.12.

#### 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 there are a number of concerns in relation to the development as proposed in this respect.

The proposal fails to comply with the Lifetime Home Standards for the following reasons:

- · Entry to the proposed dwelling house appears to be stepped and would not provide level access:
- $\cdot$  The front door entrance level WC does not conform to the Lifetime Home Standards due to its small size and layout. At least 700mm should be provided to one side of the toilet pan, with 1100mm between the front edge and any obstruction opposite. Floor gully drainage, to allow for the future installation of a shower, should be shown on plan.
- · A minimum of one bathroom at first floor level should provide 700mm to side of the WC, with 1100mm provided between the front edge of the toilet pan and a door or wall opposite. To allow the same bathroom to be used as a wet room in future, plans should indicate floor gully drainage.
- · The plans should indicate a convenient location of a future through the ceiling wheelchair lift.

The scheme would therefore fail to satisfy Lifetime homes standards and is considered contrary to Policies 3.1, 3.8 and 3.9 of the London Plan (July 2011) and the Council's upplementary Planning Document: Accessible Hillingdon (January 2010).

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

Not applicable to this application.

#### 7.14 Trees, Landscaping and Ecology

The Council's Trees Officer has commented on the application, noting that the front parking area could have some impact on the trees within the vicinity of the site. This could be addressed through a condition attached to any planning permission.

Subject to appropriate tree protection measures, it is considered that there would be no adverse impact on ecology within the area arising from the use of the site, which is already primarily in residential use. Whilst the existing garden may offer some habitat value, the proposed development would not result in any adverse impact on ecology matters, subject to appropriate conditions being imposed.

#### 7.15 Sustainable waste management

There is no requirement for proposals for houses with individual curtilages to identify where refuse will be stored as this would be largely a matter for the new occupiers.

#### 7.16 Renewable energy / Sustainability

A condition could be added to any permission, requiring details of a scheme to demonstrate how Code 4 for Sustainable Homes could be satisfied.

#### 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

Not applicable to this application.

#### 7.19 Comments on Public Consultations

Comments have been considered throughout this report.

#### 7.20 Planning Obligations

The proposed development would result in an increase of more than 6 habitable rooms and therefore would fall within the threshold for seeking a contribution towards school places as required by Policy RO7.

Given that a legal agreement has not been offered or secured the proposal is contrary to Policy R17 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Council's Planning Obligations SPD.

#### 7.21 Expediency of enforcement action

Not applicable to this application.

#### 7.22 Other Issues

There are no other issues raised by this application.

#### 8. Observations of the Borough Solicitor

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

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

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

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

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

#### 9. Observations of the Director of Finance

Not applicable to this application.

#### 10. CONCLUSION

For the reasons outlined above the proposed development fails to comply with all of the policies of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007), the London Plan (2011), the NPPF and the adopted SPD HDAS: Residential Layouts, this application is recommended for refusal.

#### 11. Reference Documents

London Plan 2011.

Hillingdon Unitary Development Plan (Saved Policies September 2007).

Hillingdon Design and Accessibity Statement: Residential Layouts.

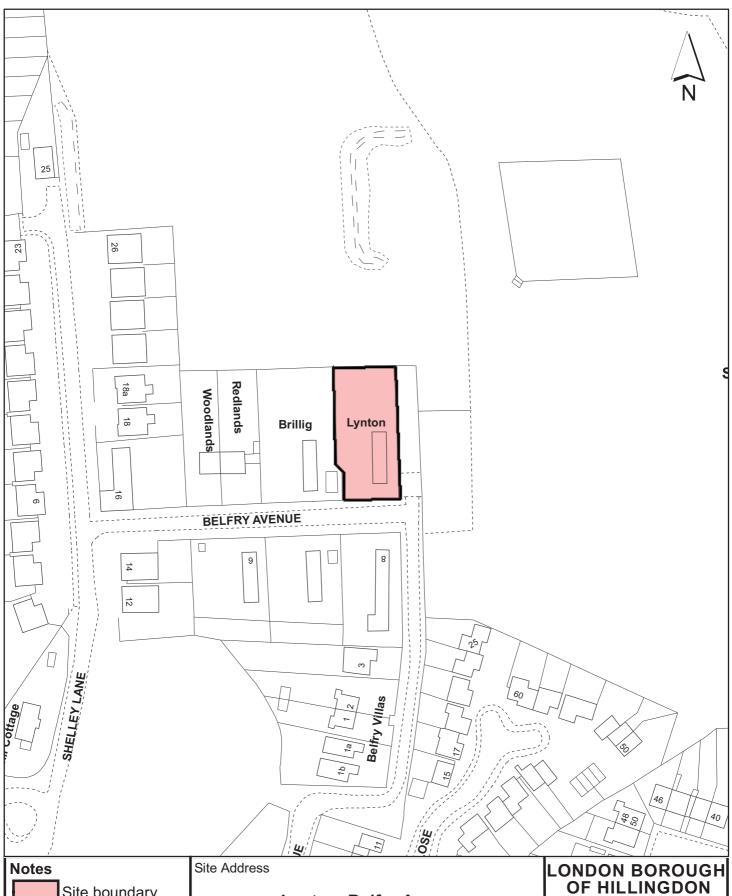
Hillingdon Design and Accessibity Statement: Acessible Hillingdon.

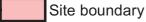
Hillingdon Planning Obligations Supplementary Planning Document July( 2008) and updated chapter 4 Education (August 2010).

Council's Adopted Car Parking Standards (Annex 1, Hillingdon Unitary Development Plan,

Saved Policies, September 2007). National Planning Policy Framework. Consultation Responses.

Contact Officer: Warren Pierson Telephone No: 01895 250230





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### Lynton, Belfry Avenue Harefield

Planning Application Ref: Scale 1:1,250 17663/APP/2012/368 Planning Committee Date May North Page 123

LONDON

Planning,

**Environment, Education** 

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

2012

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## Agenda Item 12

#### Report of the Head of Planning & Enforcement Services

Address 17 EAMONT CLOSE RUISLIP

**Development:** Single storey rear extension

LBH Ref Nos: 68141/APP/2011/2587

Drawing Nos: 1/SM/01 Rev. A

Date Plans Received: 24/10/2011 Date(s) of Amendment(s): 29/03/2012

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

#### 1. CONSIDERATIONS

#### 1.1 Site and Locality

The application property is a mid terrace dwelling situated on the southern side of Eamont Close, backing onto Glovers Grove. It is within a terrace of 4 within an estate of similar dwellings.

It is a relatively small family dwelling, being 4m wide, and has a flat south facing garden some 16.5m in depth.

The adjoining property to the east (No.16) is set slightly forward of the application property, and has a rear conservatory that extends 2m beyond the rear elevation of the application property.

The adjoining property to the west (No.18) is in line with the application property and has a large open canopy on the rear elevation. The properties to the west of that property (Nos. 19 and 20) extend slightly behind the rear elevation of No.18.

The streetscene is residential in character and appearance comprising two storey terraced houses and flats and the application site lies within the Developed Area as identified in the saved UDP, September 2007.

#### 1.2 Proposed Scheme

The application is for a single storey rear extension 3m deep x 3.6m wide x 2.9m high with a flat roof, retaining a 0.25m gap to each of the side boundaries. Elevations would be finished in facing brick to match the main house.

# 1.3 Relevant Planning History Comment on Planning History

None.

#### 2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- Not applicable

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

#### 3. Comments on Public Consultations

9 adjoining and nearby properties were notified of the application (as originally submitted) by means of a letter dated 27th October 2011. 3 responses have been received objecting to the proposal on the following grounds:

- 1. As we live next door to the applicant, and we ourselves have an extension, this is the only way of natural light to enter the premises. The house is dark enough as it is and we feel that this would put our expenses up due to using more electric lighting up the property. Therefore noticing the planned extension is going to be beyond our conservatory, I therefore must object to this planned extension. If the extension must go ahead, my partner and I feel it should be at the same length as ours and no further.
- 2. I would like to make a strong objection to this application for the following reasons. I believe that the extension would overshadow my habitable rooms and my garden patio area considerably.
- 3. My amenities would be deprived of significant natural daylight and sunlight, due to the siting and size of the extension. I believe I have a Right To Light and this proposal would adversely affect my daily living conditions, affecting me 24/7 as this is my home and workplace, where I reside all day, every day.
- 4. The extension would greatly overshadow my patio garden seating area also, as well as preventing natural light and also sunlight entering my kitchen diner and lounge area. I currently have the morning sun rise and stream onto my patio and into my kitchen up to lunchtime, which would be completely blocked out by the extension. Having recently gone to the expense of having patio doors installed to maximise the penetration of light, this would be severely reduced.
- 5. I currently have a 7ft (2.103 Metres) solid protrusion on my right hand side of my patio, where my property adjoins a 1 bedroom house (120cm brick, and then 90cm wooden porch with sloping roof), which is staggered further forward than my property. This would mean I also have a 3 metre solid brick wall on the other side, effectively making an oppressive tunnel effect on my patio. I have an open canopy attached to my own property.
- 6. It is my understanding that no other extensions, such as this, currently exist on this estate. If this application is granted, I believe it would set a precedent, and that many other mid-terraced properties on the Glovers Grove estate would apply for planning of a similar solid construction, which may alter the feel of the estate and also cause lack of light to other neighbouring houses, as it would do to my own property. I also have concerns that the proposed extension may be used more often for tap dancing lessons, possibly on a larger scale, with more clients, which could cause a significant increase in noise level than I currently endure. This already has a negative impact on my enjoyment of my home, so I would have concerns if it was for this purpose in mind. This would also

cause further parking issues within Eamont Close.

7. As you may appreciate, the noise of the building work would cause me considerable stress, due to being in such close proximity, and due to me being at home all day.

In conclusion, I feel this extension would have an overbearing and detrimental impact on my daily living, significantly reducing my Right to Light, which I currently enjoy.

8. I also live in a mid-terrace on the Glover's Grove estate and am surprised an application has been submitted for a rear brick extension and am concerned it may set a precedent on the estate. To my knowledge no other property on the estate has a brick extension (they are mainly conservatories). If agreed and others follow suit it would considerably affect the amount of daylight reaching houses and gardens to those affected, especially those with an adjoining staggered property to one side.

Further comments have been received on the amended plans (although no formal consultation has been undertaken or is required to be undertaken). These comments reiterate and retain the concerns raised above.

Ruislip Residents Association: No comments received.

#### THAMES WATER

Comment on the application in relation to water and sewerage drainage, although the comments made are not relevant planning considerations to this application.

#### WARD COUNCILLOR

Requests that the application be reported to the Planning Committee if Officers are minded to recommend approval of the application.

#### **ENVIRONMENTAL PROTECTION UNIT:**

The site was on a former sewage works developed by Laing Homes in the early 1980's. Laing Homes would have most likely carried some work out at the site. We would like to add the informative as a precaution as we do not have any details on remediation works if undertaken at the time of building the houses.

Informative: You are advised this development is on the location of a former sewage works. We are not aware that any houses and gardens are affected by contaminated soil. However we would advise persons working on site to take basic precautions in case any unknown potential contamination were to be found at depth. Please contact the Environmental Protection Unit on 01895 250155 if you require any advice.

#### 4. UDP / LDF Designation and London Plan

The following UDP Policies are consider	ered relevant to the applicati	on:
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Part 1 Policies:

Part 2 Policies:

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
AM14	New development and car parking standards.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 5.3	(2011) Sustainable design and construction

#### 5. MAIN PLANNING ISSUES

The main planning issues are the impact of the development on the character of the house and the area in general, and also the impact on the amenities of the adjoining occupiers. The impact on parking provision and amenity space also needs to be considered.

The proposal would not be particularly visible from the streetscene, and as such there would be no impact in this respect.

The extension would extend 3m in depth from the main rear elevation of the house. HDAS suggests that 3.3m is acceptable for terraced houses such as this where the plot is less than 5m wide.

HDAS also suggests that flat roofs on extensions are acceptable up to 3m in height (with parapet up to 3.1m) or that pitched roofs are acceptable up to 3.4m in height. The proposal as amended now accords with this guidance. It should be noted here that the SPD on residential extensions sets out various criteria and size requirements in order to ensure that extensions are built to an appropriate scale. The dimensions as set out are designed to ensure a fair balance between the wishes of householders to extend their property and the need to limit the impact of any such extension on adjoining occupiers, in terms of over-domination, loss of daylight and loss of sunlight.

In this case the properties are small, with a close relationship between properties. However, given that the extension complies with guidance it is considered that the extension would not be so harmful to the amenities of the adjoining occupiers through loss of light and visual intrusion to justify a reason for refusal of the application.

As such, it is considered that the proposal would not be an unneighbourly form of development and in this respect would comply with Policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and Section 3.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

The proposal would result in the reduction of amenity space for the property. With a garden width of 4m and a depth of 16.5m the existing garden has an area of 66m2. The extension would reduce the remaining garden area to 54m2. This still exceeds the minimum 40m2 stated in HDAS guidance. The remaining space is therefore considered adequate for the enlarged property and would be in accordance with paragraph 3.13 of the HDAS: Residential Extensions and Policy BE23 of the saved UDP September 2007.

Given that the extension is at the rear of the property, there would be no impact on parking or vehicular access arrangements which are at the front of the property. The proposal would not therefore conflict with Policy AM14 of the saved UDP, September 2007.

It is therefore recommended that planning permission be granted.

#### 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 Policies BE13 and BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### 3 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 side walls of the development hereby approved.

#### **REASON**

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

#### 4 HO7 No roof gardens

Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, balcony, patio 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).

#### **INFORMATIVES**

The site was on a former sewage works developed by Laing Homes in the early 1980's. Laing Homes would have most likely carried some work out at the site. We would like to add the informative as a precaution as we do not have any details on remediation works if undertaken at the time of building the houses. Contamination Informative You are advised this development is on the location of a former sewage works. We are not aware that any houses and gardens are affected by contaminated soil. However we would advise persons working on site to take basic precautions in case any unknown potential contamination were to be found at depth. Please contact the Environmental Protection Unit on 01895 250155 if you require any advice.

#### Standard Informatives

- The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
- The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

  Policy No.

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
AM14	New development and car parking standards.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement,

#### Supplementary Planning Document, adopted December 2008

#### LPP 5.3 (2011) Sustainable design and construction

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

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

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

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

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

- You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act.
- To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy

resources which do not produce any extra carbon dioxide (CO2) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.

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

Contact Officer: Warren Pierson Telephone No: 01895 250230



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# Ruislip

Planning Application Ref: Scale 1:1,250 68141/APP/2011/2587 **Planning Committee** Date May NorthPage 134

2012



**Environment, Education** & Community Services

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

# Agenda Item 13

#### Report of the Head of Planning & Enforcement Services

Address PEMBROKE HOUSE, 5 - 9 PEMBROKE ROAD RUISLIP

**Development:** Change of use of ground and first floor from Use Class B1 (Business) to Use

Class D1 (Non-Residential Institutions) for use as a nursery

**LBH Ref Nos:** 38324/APP/2012/42

**Drawing Nos:** SB/B46/1A

SB/B46/2A SB/B46/3

Location Plan to Scale 1:1250 Design and Access Statement

**Transport Statement** 

Date Plans Received: 10/01/2012 Date(s) of Amendment(s):

**Date Application Valid:** 24/01/2012

#### 1. SUMMARY

Planning permission is sought for the change of use of part of this vacant office building for use as a childrens's day nursery. The proposal relates to the ground and first floors only.

Whilst originally an office building, planning permission has been granted for the use of the upper floors for residential accommodation, and for the ground floor to be used for retail purposes. This permission has not been implemented. A legal agreement is recommended to prevent the previous permission being implmented alongside the proposed development.

There is no objection in principle to the conversion of the ground and first floors to a day nursery use. A satisfactory standard of play space within the building can be created and the applicants have confirmed that there is no intention or requirement to provide an external play area.

Adequate parking and drop-off arrangements can be made available for the proposed use and there would be no significant increase in traffic generation that would result, nor are there any concerns relating to pedestrian and vehicular safety in the vicinity of the site.

The proposal would not adversely affect the residential amenity of adjoining occupiers, particularly in the light of the existing use for office purposes and the previously approved use for retail purposes.

It is therefore considered that the proposal would not conflict with any of the Council's planning policies and approval is recommended subject to appropriate conditions.

#### 2. RECOMMENDATION

- 1. That delegated powers be given to the Head of Planning, Sport and Green Spaces to grant planning permission, subject to the following:
- a) That the Council enters into an agreement with the applicant under Section 106

of the Town and Country Planning Act 1990 (as amended) and/ or other appropriate legislation to secure:

- i) 10 Year Green Travel Plan in accordance with TfL guidance.
- ii) Car Parking Management Scheme, including stagger pick up/drop off times.
- iii) To prevent the implementation of this planning permission alongside planning permission 38324/APP/2011/786.
- b) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 Agreement and any abortive work as a result of the agreement not being completed.
- c) That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.
- d) That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised within 6 months of the date of this committee resolution, or any other period deemed appropriate by the Head of Planning, Sport and Green Spaces to grant planning permission, then the application may be referred back to the Committee for determination at the discretion of the Head of Planning, Sport and Green Spaces.
- e) That subject to the above, the application be deferred for determination by the Head of Planning, Sport and Green Spaces under delegated powers, subject to the completion of the legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers with the applicant.
- f) That if the application is approved, the following conditions

#### 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 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers SB/B46/1A, SB/B46/2A, SB/B46/3 and Location Plan and shall thereafter be retained/maintained for as long as the development remains in existence.

#### **REASON**

To ensure the development complies with the provisions of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the London Plan (July 2011).

#### 3 COM12 Use Within Same Use Class

The premises shall be used as a day nursery only and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987).

#### **RFASON**

To ensure that the use remains appropriate to the site and to protect the amenities of the nearby residential occupiers as required by Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the London Plan (July 2011).

#### 4 COM5 General compliance with supporting documentation

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:

Car Parking Spaces and Layout (Drawing: SB/B46/3), and Refuse and Recycling Facilities (Drawing: SB/B46/3)

Thereafter the development shall be retained/maintained in accordance with these details for as long as the development remains in existence

#### REASON

- 1. To ensure that the development provides adequate parking in accordance with Polices AM7 & AM14 of the Hillingdon Unitary Development Plan Saved Polciies (September 2007); and
- 2. To ensure that the development is served by adequate refuse facilties in accordance with Policy 5.17 of the London Plan (July 2011).

#### 5 HLC3 Hours of Use

The day nursery shall only operate between the between the hours of 07:00 and 20.00. 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).

#### 6 NONSC Cycle Parking

The use hereby approved shall not commence until details of facilities to be provided for the covered, appropriately sign posted, secure and screened storage of cycles at the premises have been submitted to and approved in writing by the Local Planning Authority. The use hereby approved shall not commence until the facilities have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained for so long as the use remains in existence.

#### **REASON**

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

#### **INFORMATIVES**

#### 

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8

(right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

#### 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.

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.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE26	Town centres - design, layout and landscaping of new buildings
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM3	Proposals for new roads or widening of existing roads
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM16	Availability for public use of parking spaces in commercial
	developments in town centres and other areas
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
OE12	Energy conservation and new development
R2	Provision of recreation, entertainment and leisure facilities in Town Centres
R10	Proposals for new meeting halls and buildings for education, social, community and health services
R12	Use of premises to provide child care facilities
R13	Use of residential accommodation for educational and child care
	premises
R14	Provision child care facilities in shopping and other large developments
R16	Accessibility for elderly people, people with disabilities, women and children
LE6	Major officer and other business proposals in town centres

#### 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 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 which are audible at the site boundary shall only be carried out between the hours of 08.00 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 or Public Holidays.
- B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.
- C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.
- D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council¿s Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) 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 | 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.

#### 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, formely used for B1 (office) purposes and currently vacant. However, the ground floor has planning permission for retail use and the first, second and third floors of the building have permission for residential use.

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 shops are to the west on the High Street (A4180).

The application site has a parking area to the rear accessed via a shared drive along the north eastern boundary with 11-17 Pembroke House which comprises a three storey flat development also with car parking to the rear.

There are no significant landscape features on the site which constitute a constraint on this change of use application.

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 the existing offices on the ground and first floor for use as a childrens's day nursery.

The total gross internal floor space for the proposed nursery would be 476 square metres.

At ground floor level the existing open plan office would be divided by partition walls to create a series of play spaces for 2-3 years olds and 3-5 year olds, a nappy changing area and toilet and staff accommodation.

At first floor level the existing accommodation would be adapted to provide rooms for under 1 year olds and 1-2 year olds, together with a nappy changing area and kitchen facilities.

The nursery would be accessed from the existing front entrance to the property, and would have access to the lift that already exists within the building.

The applicant proposes that 5 parking spaces would be provided within the existing car park at the rear of the site for drop off and pick up purposes. Two external refuse stores are proposed.

The applicant estimates that up to 87 children could be accommodated within the nursery which would require up to 25 staff. This would not necessarily be all at the same time.

The proposed hours of use would be 7am to 7pm Mondays to Saturdays.

#### 3.3 Relevant Planning History

38324/APP/2011/786 Pembroke House, 5 - 9 Pembroke Road 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, alterations to elevations, new fenestration to upper floors, demolition of existing external fire escape and alterations to existing vehicular crossover.

Decision: 20-12-2011 Approved

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

There is some recent planning history of relevance to this application.

38324/APP/2011/786 - Planning permission was granted in December 2011 for the part conversion of the premises 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, alterations to elevations, new fenestration to upper floors, demolition of existing external fire escape and alterations to existing vehicular crossover.

This permission approved a retail use on the ground floor, and the provision of residential flats on the upper floors. The residential flats were proposed to be accessed via the existing front entrance to the building, whilst the planted areas to the front of the building were proposed to be removed to allow a separate access to the retail unit on the ground floor. This permission has not been implemented, although some works appear to be taking place within the building.

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 not 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:

Part 2 Policies:

R12

#### **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. BE24 Requires new development to ensure adequate levels of privacy to neighbours. **BE26** Town centres - design, layout and landscaping of new buildings AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity AM3 Proposals for new roads or widening of existing roads AM7 Consideration of traffic generated by proposed developments. AM14 New development and car parking standards. AM15 Provision of reserved parking spaces for disabled persons AM16 Availability for public use of parking spaces in commercial developments in town centres and other areas OF1 Protection of the character and amenities of surrounding properties and the local OE3 Buildings or uses likely to cause noise annoyance - mitigation measures OE5 Siting of noise-sensitive developments **OE12** Energy conservation and new development R2 Provision of recreation, entertainment and leisure facilities in Town Centres R10 Proposals for new meeting halls and buildings for education, social, community and health services

North Planning Committee - 17th May 2012 PART 1 - MEMBERS, PUBLIC & PRESS

Use of premises to provide child care facilities

R13	Use of residential accommodation for educational and child care premises
R14	Provision child care facilities in shopping and other large developments
R16	Accessibility for elderly people, people with disabilities, women and children
LE6	Major officer and other business proposals in town centres

#### 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- 29th February 2012

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

#### 6. Consultations

#### **External Consultees**

82 adjoining/nearby occupiers were consulted on 26th January 2012. 5 representations have been received, 3 of which object/raise concerns, 2 of which support the application:

- 1. It appears to be a good location (very near public transport) and use of premises but I am concerned that there is no outdoor provision for the youngsters garden/play area.
- 2. We are against the plans as we feel that this could cause serious parking problems entering and leaving Neyland Court at peak times of the day and the sheer amount of cars dropping off and picking up children. We are also worried about the ammount of noise during the day this would cause.
- 3. This service is much needed and we should encourage small businesses in the area to create jobs.
- 4. I fully support this application. The area desperately needs more childcare provision.
- 5. There is no outside area for children, there would be a significant amount of additional traffic, the 90 places will be taken by working parents, therefore vehicles will be parked in surrounding roads, with the 27 staff also looking for parking. 6 parking bays are inadequate for each of the norming or afternoon sessions, and cars dropping off at the front of the premises will cause havoc. The amenity space for the residential flats above would be compromised by the proposed use and cannot be used twice for two different purposes, the site plan is incorrect, and the use of the local park as outdoor space is unacceptable as it would be taken over by nursery children.

#### RUISLIP RESIDENTS ASSOCIATION:

Planning consent has recently already been granted for conversion of first, second and third floors to residential use and it would appear that work has already commenced on this. Should this be the case what is the position regarding planning consent for another use i.e. is the residential consent still valid?

The approval for residential use included an amenity space however the current application shows that this will be taken over for car parking. The application does not show the layout of other parking and infers that the space would be used as a drop off and pickup point. This would be impractical and encourage parents to stop in Pembroke Road. Again this would be impractical (yellow line restrictions opposite Station Approach and close to traffic lights.)

Social Services/Education departments should confirm that if 90/children/27 carers is acceptable

and

space/toilet etc facilities appropriate. There is also a lack of secure amenity/play area space and no direct connection between floors the only access being via stairs or lift available to other occupants of the building.

We believe that this would be an inappropriate site for such a venture and would oppose it on the grounds stated in support of nearby residents who share similar concerns.

#### **Internal Consultees**

#### TREES AND LANDSCAPE TEAM:

The site is occupied by an office block opposite Station Approach. Vehicle access to the side provides access to a small car park to the rear, which is delineated by kerbs and white lines with a limited area of soft landscape. An off-site conifer hedge along the northern boundary provides privacy and screening. There are no trees, protected or otherwise, close to the site. However, it is just outside a Conservation Area.

The proposal is to change the use of the first and ground-floors from business to use as a nursery. 5 No. parking spaces are indicated at right angles to the rear of the building together with two refuse bins. The location of the car spaces indicates that a change to the car parking layout is proposed.

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 of merit will be affected by the development and the proposal will have little impact when viewed from the front.

The proposed change to the rear access and the car park layout should be shown. The opportunity should be taken to secure soft landscape enhancement (tree planting) in association with the new layout.

External storage for the refuse bins can have a detrimental visual impact on the landscape. Where possible they should be sited discretely in a sheltered compound which should be screened by planting.

A landscape management/maintenance plan should be submitted to ensure that the landscape of this communal area established and maintained in accordance with good practice.

No objection, subject to the above considerations and conditions TL5, TL6 and TL7.

#### URBAN DESIGN AND CONSERVATION:

This is a modern block of offices adjacent to the Ruislip Village Conservation Area. Permission for part conversion of the building and elevation changes has already been given. The proposed alterations are internal and would not have an impact on the Conservation Area. It is, therefore, acceptable. No objections from a conservation point of view.

#### **ENVIRONMENTAL PROTECTION UNIT:**

I spoke to the agent Mr Benaim on the 31st January 2012 to enquire about the provision of an external play area as this is not indicated on the submitted drawings. It is this element of these types of proposals which, in certain locations adjacent to residential dwellings, give rise to noise disturbance.

(OFFICER COMMENT: The applicant has since confirmed that no external play area is proposed or required to be provided).

#### HIGHWAYS:

No objection, there is sufficient parking to service the proposed development and impacts on the highway network will be acceptable. A legal agreement should be secured requiring the implementation of a green travel plan and a management scheme for car parking, including stagger drop off and pick up times.

#### 7. MAIN PLANNING ISSUES

#### 7.01 The principle of the development

The loss of the office accommodation has been considered acceptable in the granting of the previous application which permits the change of use of the premises to residential and retail. There has been no change in policy since that decision (December 2011) to warrant a different conclusion now being reached in this respect.

Whilst the National Planning Policy Framework (NPPF)(March 2011) encourages economic growth, it does not seek to prevent the loss of office accommodation in locations such as this. Moroever, it encourages the good use of existing buildings for alternative and appropriate uses. It is considered that the proposed use would be a "sustainable development" which the NPPF clearly advocates.

It is also considered that the proposed use within the town centre with its reasonably good public transport accessibility would help enhance the vitality of Ruislip Town centre. It would provide a complementary service to the shops and work places in the area, and its location is suited to encouraging linked or combined trips (either to the shops or public transport).

There is therefore no objection in principle of the development on the site, subject to the proposal satisfying other policies within the UDP.

Were this application to be granted it is assumed that the previously permitted scheme for residential and retail use would not be implemented, as that proposal, as approved and subject to conditions, could not be implemented in conjunction with the proposed day nursery use unless a revised plan were submitted to the Council for consideration. Whilst this day nursery application provides little information on the use of the remaining upper floors, it is assumed that the upper floors are to remain in their current use as office accommodation. Whilst some internal works appear to be being undertkaen at the application premises, no applications have been submitted to discharge the conditions attached to the previous approval which is a pre-requisite of the commencement of that development.

#### 7.02 Density of the proposed development

Not applicable to this application.

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

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. Whilst the site is located adjacent to the Ruislip Village Conservation Area the Council's Conservation Officer has been consulted on the application and stated that the use would not be 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 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 gualities.

The proposal does not result in any external changes to the site, and as such the proposal would not result in any adverse impact on the character and appearance of the area.

The Council's 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 the National Planning Policy Framework.

#### 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. Policy OE1 seeks to ensure that new uses are not detrimental to the amenities of surrounding properties through traffic generation or other noise and disturbance.

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 nearest residential properties on the High Street are set some 25m from the application building and the properties to the rear on Brickwall Lane are set some 35m to 45m away.

The proposal does not result in any external changes to the building and thus there would be no concerns in relation to overlooking or loss of privacy arising from the proposed change of use.

The proposed use would result in a number of children visiting the premises, either on foot or by car. However, a designated parking/drop off area would be provided to the rear of the building, and it is considered that the arriving and departing of children and their carers, which would be staggered throughout the day, would not give rise to any signficant increase in noise and disturbance that would adversely affect the amenities of surrounding residents. The number of movements is unlikely to be any greater than that which might be experienced were the proposed floors retained as office accommodation or the approved retail/residential use and would be commensurate with that which would be expected in this town centre location.

No external play space is proposed, and the applicant has confirmed that there is no statutory requirement for them to do so.

The proposed use would therefore not cause any significant harm to the amenities of the surrounding occupiers and is considered to comply with Policies OE1, BE20, BE21 and BE24 of the Hillingdon UDP (Saved Policies, September 2007).

#### 7.09 Living conditions for future occupiers

Not applicable to this application.

# 7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policies AM2 and AM7 are concerned with traffic generation, and access to public transport. 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.

Further to the Highways Engineer's initial comments, the applicant has submitted a Transport Statement to demonstrate the limited impact of the proposed use. This suggests that there would be no more traffic generation or parking issues compared with the existing permitted use of the premises.

The proposal envisages the provision of 5 parking spaces for the sole use of the nursery within the existing parking and turning area at the rear of the site. This is considered acceptable, although additional parking spaces within this area are also likely to be available.

It is however recommended that a Green Travel Plan be provided during the lifetime of the development so as to encourage users and staff to use alternative modes of transport other than the car. A parking management scheme, including a requirement for staggered drop off and pick up times is also recommended. These aspects could be secured by way of an appropriate legal agreement.

As such, it is considered that the development would not be prejudicial to highway and pedestrian safety and that it would comply with Policies AM7(ii) and AM14 of the Hillingdon UDP (Saved Policies, September 2007). Traffic associated with the development 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).

#### 7.11 Urban design, access and security

There are no changes proposed to the external appearance of the building and hence there are no dsign issues that arise. The Design and Conservation Officer raises no objection to the proposal

The existing access arrangements to the building would be retained, with a separate internal entrance to the nursery accommodation. Level and lift access are provided as appropriate.

#### 7.12 Disabled access

The applicant has stated that the scheme will enable disabled access and level thresholds. 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.

In this respect no changes are proposed to the external appearance of the building or the site, other than in respect of the location of a bin store within the existing car parking area. The appearance of this can be secured by means of an appropriate condition.

The proposal is therefore considered to comply with Policy BE38 of the Hillingdon UDP (Saved Policies, September 2007).

# 7.15 Sustainable waste management

A bin store area is proposed within the existing car parking 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. 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.

It is considered that the arriving and departing of children, and the proposed use, would not result in any significant increase in noise and disturbance to the surrounding residential occupiers. It would therefore not conflict with Saved Policy OE5 of the Hillingdon UDP (Saved Policies, September 2007).

#### 7.19 Comments on Public Consultations

These have been addressed in the consideration of this report.

#### 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. However, the proposed change of use does not generate a requirement for any such obligation in this case.

## 7.21 Expediency of enforcement action

Not applicable to this application.

#### 7.22 Other Issues

Concern has been raised by objectors that no outdoor play space is proposed. This has been discussed with the applicants who are of the view that there is no statutory requirement for such provision. The Outdoor Space requirements from the Early Years Legal Framework suggests that it should be the norm for outdoor space to be provided although where it cannot, then outings should be planned and taken on a daily basis. The applicant accepts this arrangement.

With regard to the previous planning permission it is considered that were this application to be granted for a nursery, then only one of the permissions could be implemented. Otherwise there would be potential conflict between the entrances to the uses, and issues relating to the provision of parking and amenity space. It should therefore be assumed that the upper floors of the premises would remain in office use were the permission for the day nursery granted and implemented. The previous planning permission for a residential use of the upper floors would need to be amended to reflect the day nursery below, which would require a fresh planning application to be submitted to the Council for consideration.

# 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 considered that the proposed development would not be out of keeping with the character or appearance of the surrounding area nor would there be any adverse impact on the amenity of adjoining properties. A satisfactory form of accommodation would be provided andcar 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), the London Plan (July 2011) policies and the NPPF. Approval of planning permission is recommended subject to conditions.

#### 11. Reference Documents

**NPPF** 

London Plan (July 2011)

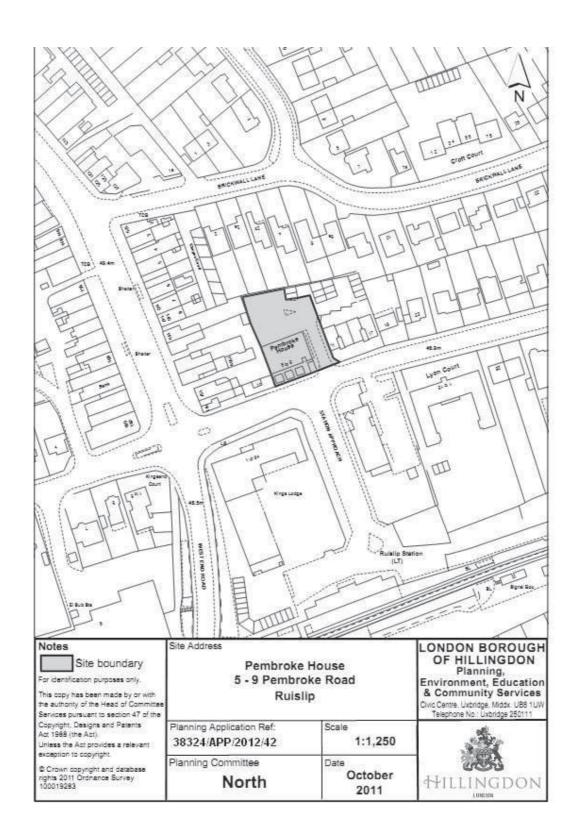
Hillingdon Unitary Development Plan Saved Policies (September 2007)

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: Warren Pierson Telephone No: 01895 250230



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# Agenda Item 14

By virtue of paragraph(s) 6 of Part 1 of Schedule 12A of the Local Government (Access to Information) Act 1985 as amended.

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# Plans for North Planning Committee

17th May 2012





# Report of the Head of Planning & Enforcement Services

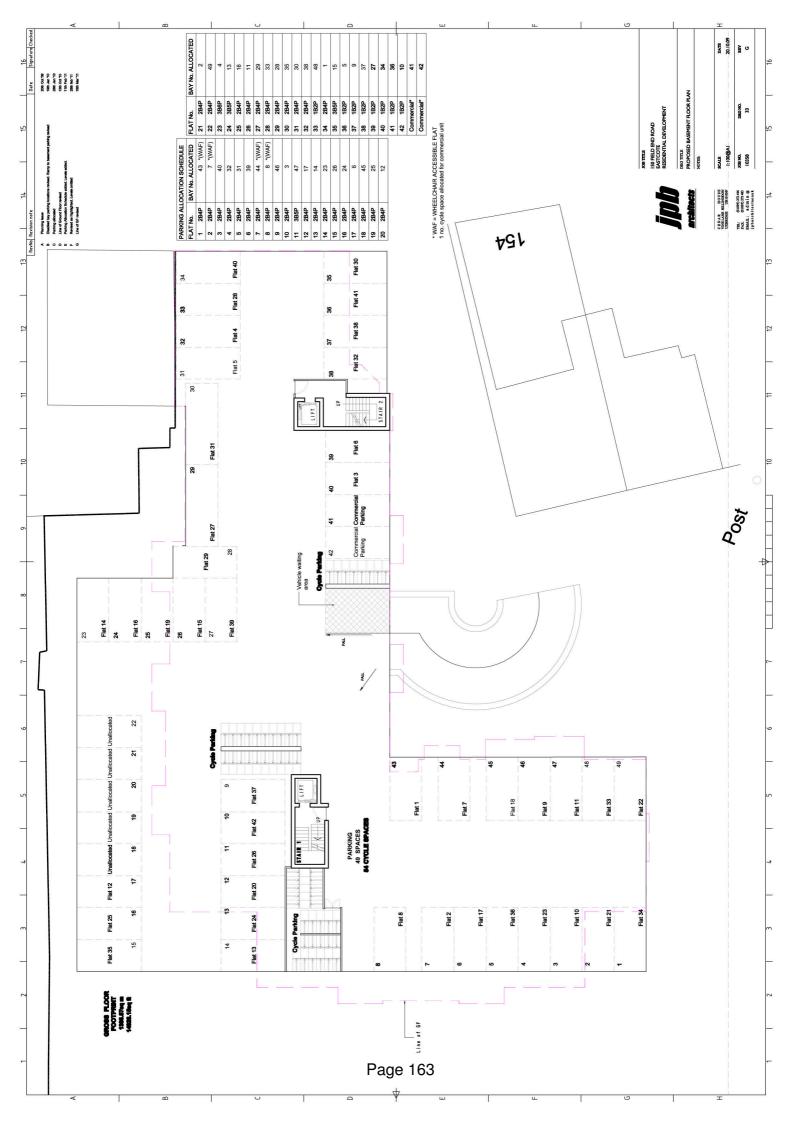
Address 150 FIELD END ROAD, EASTCOTE, PINNER

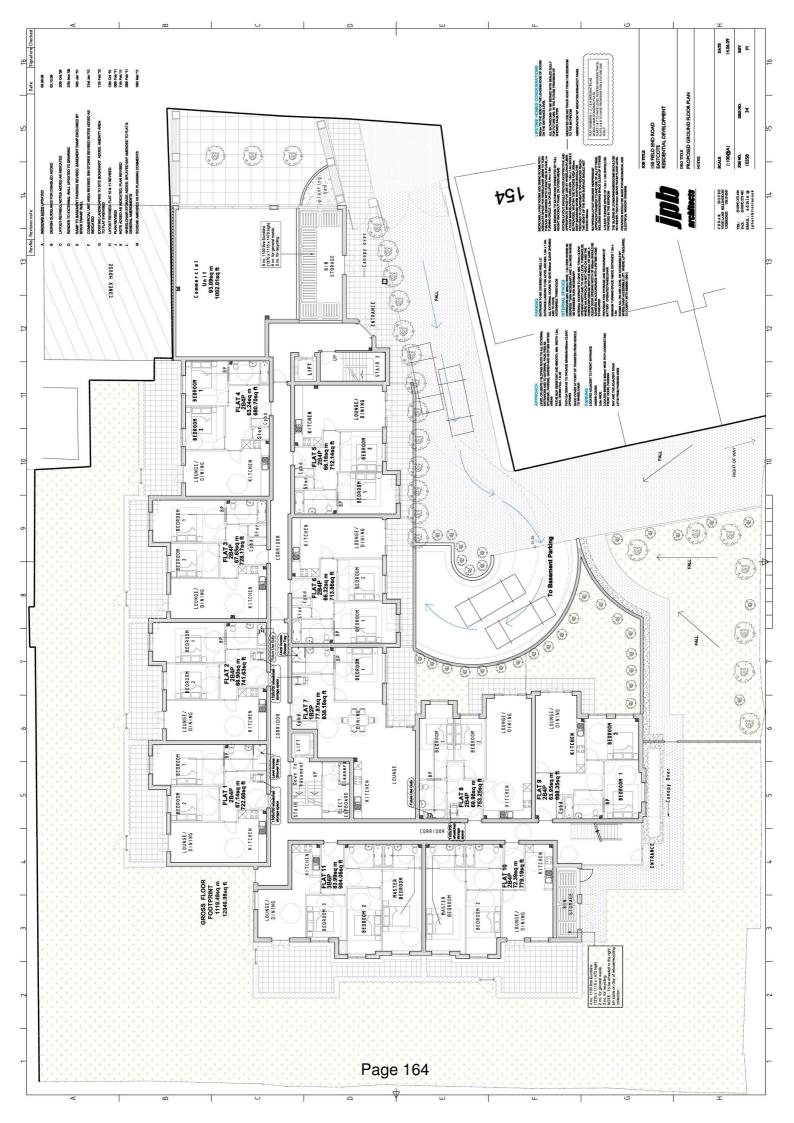
**Development:** Erection of a three storey building with basement parking, comprising

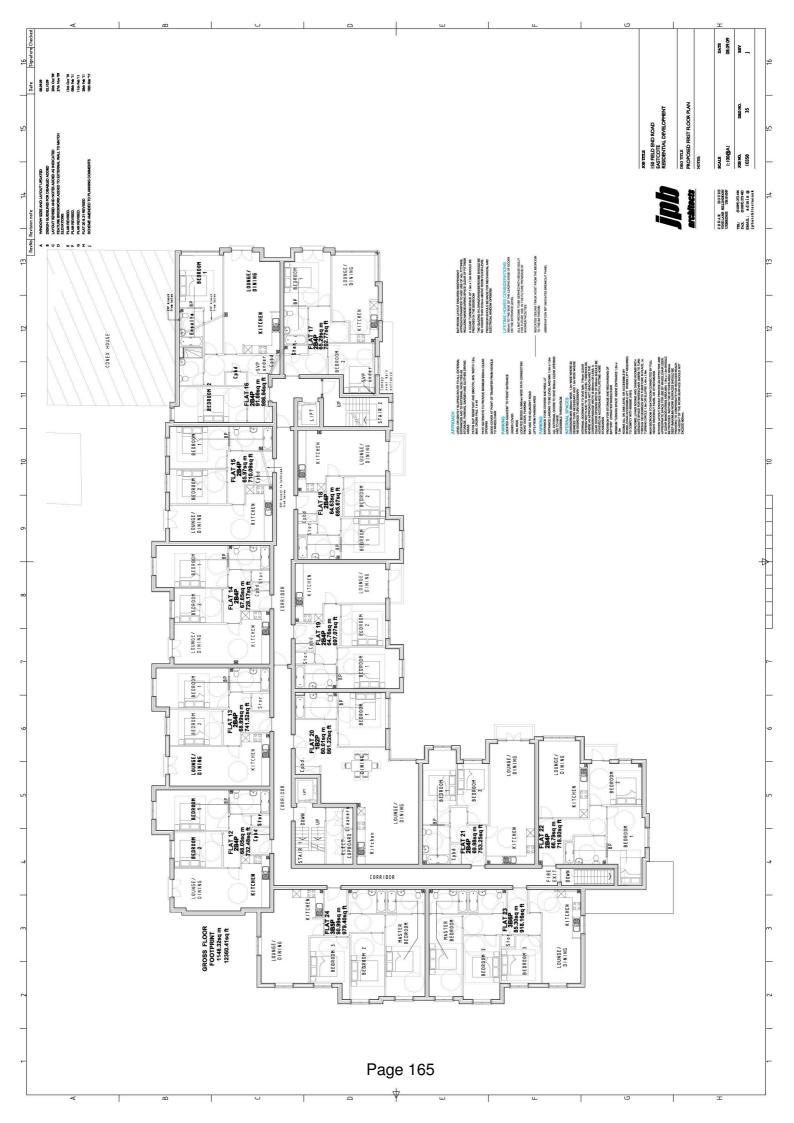
10 one bedroom, 27 two bedroom and 5 three bedroom residential flats and a commercial unit on the ground floor fronting Field End Road.

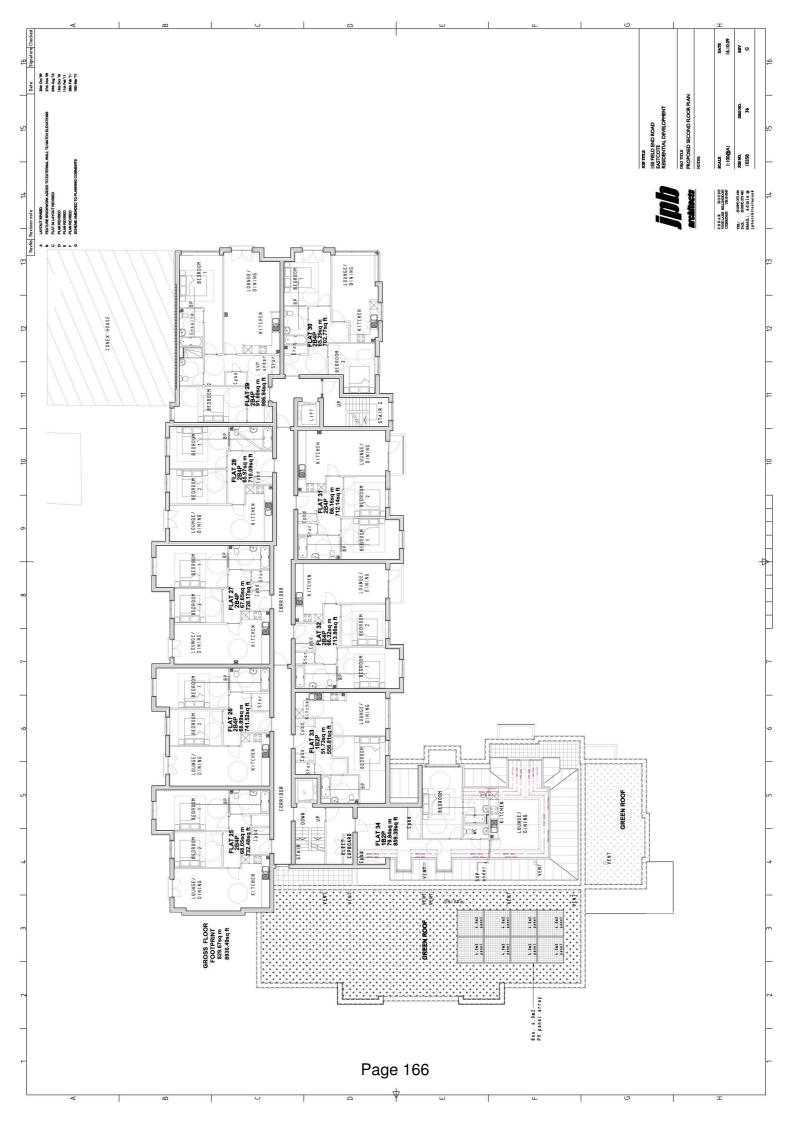
(Involving demolition of the existing building)

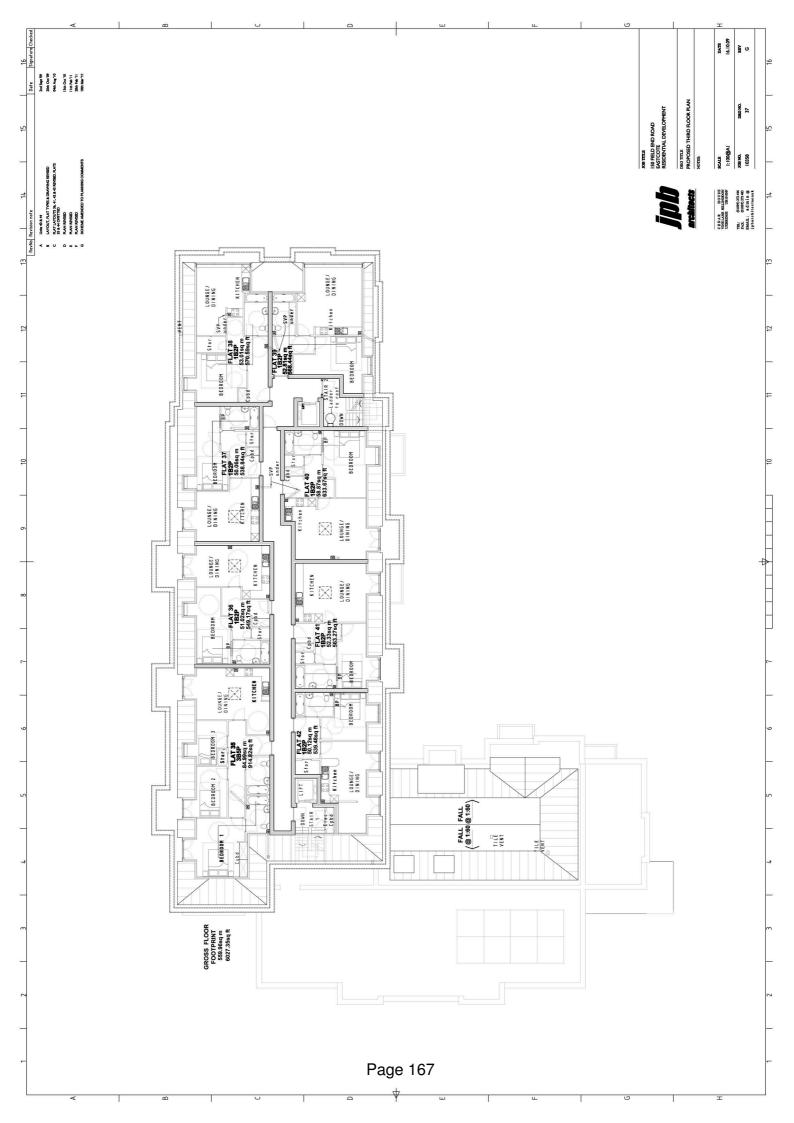
**LBH Ref Nos**: 25760/APP/2010/2410

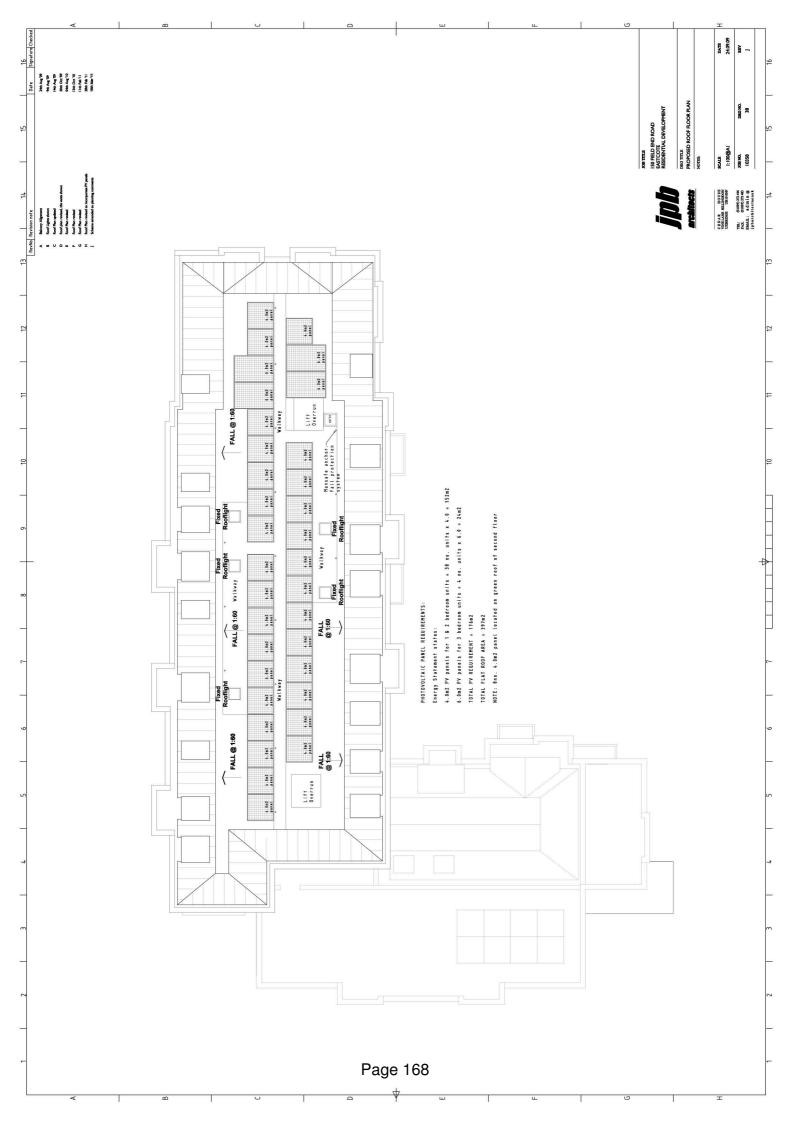


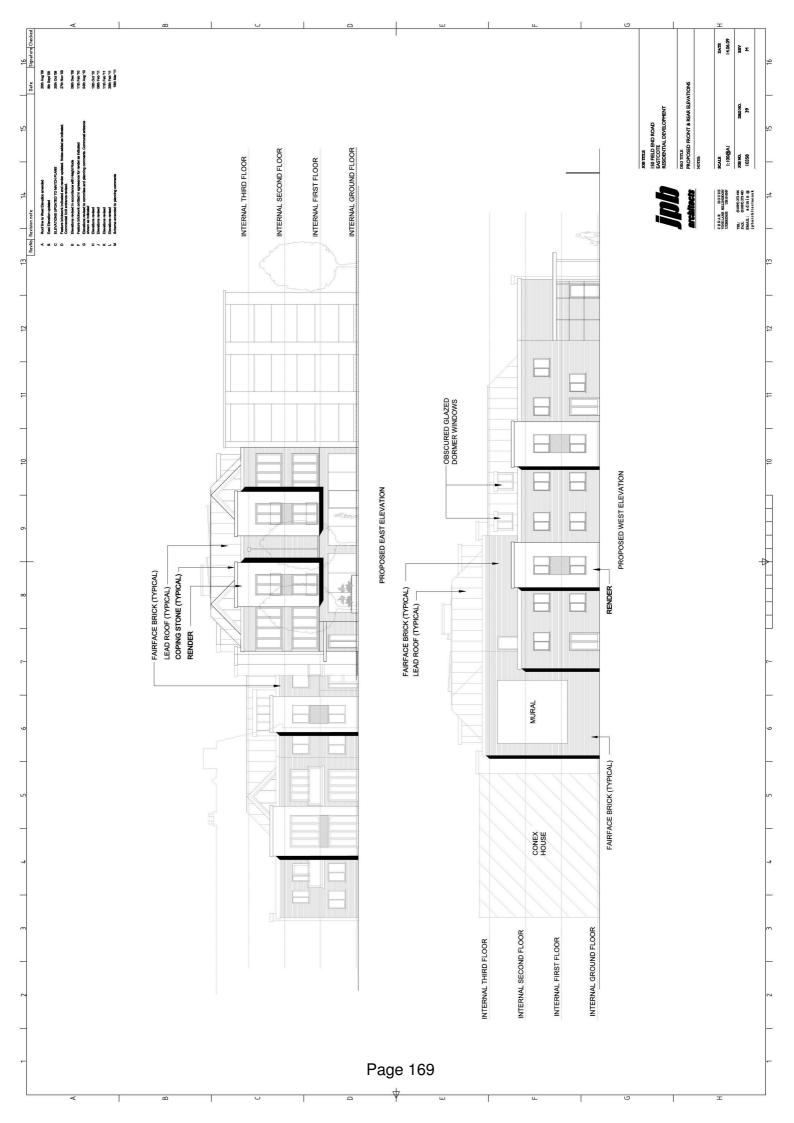


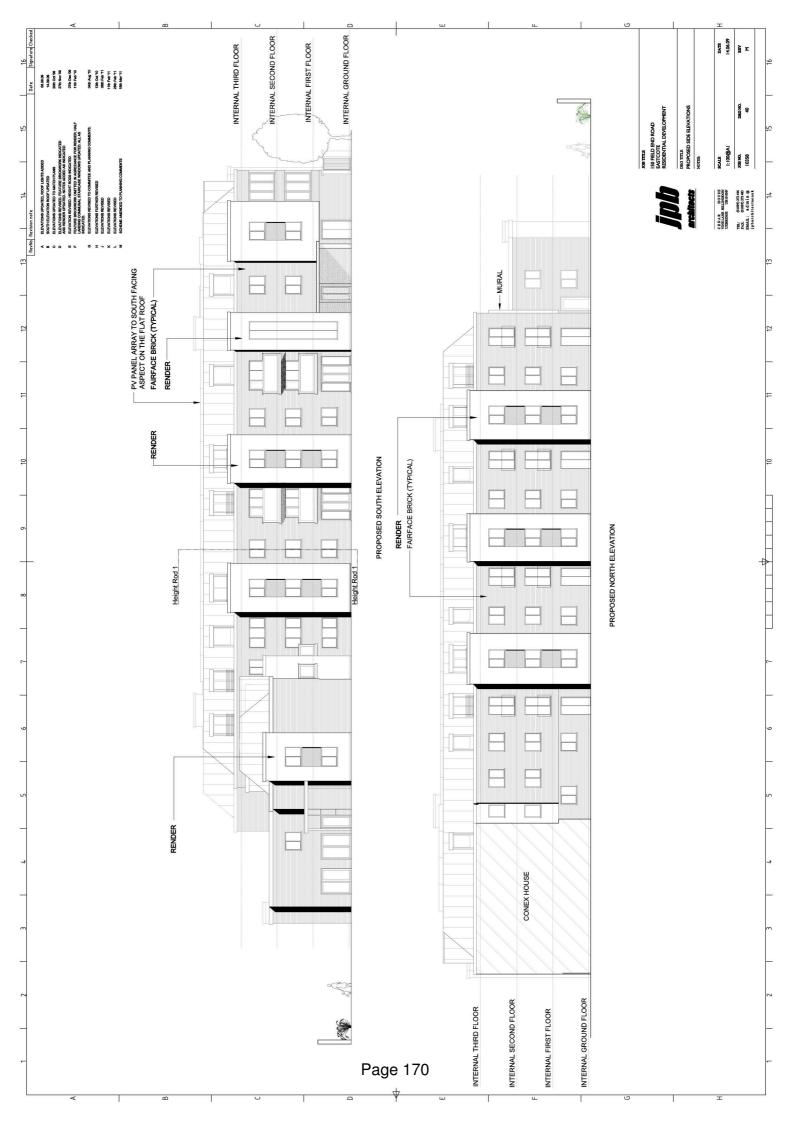


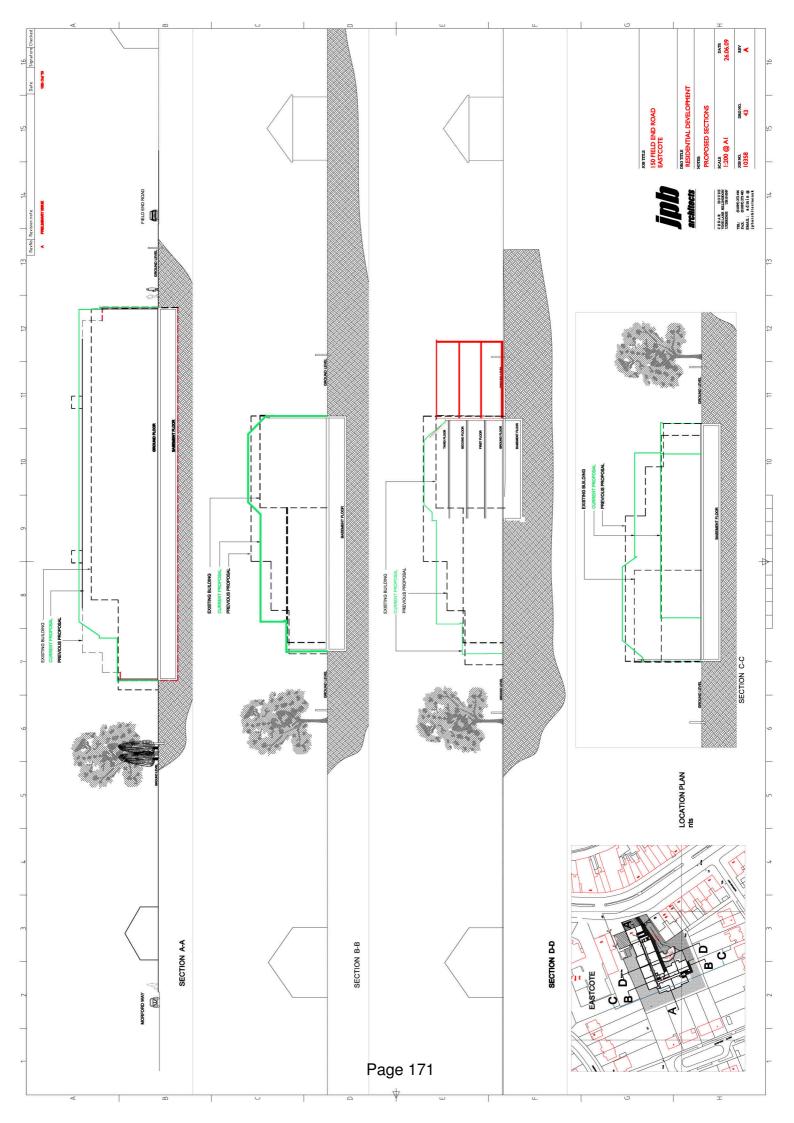


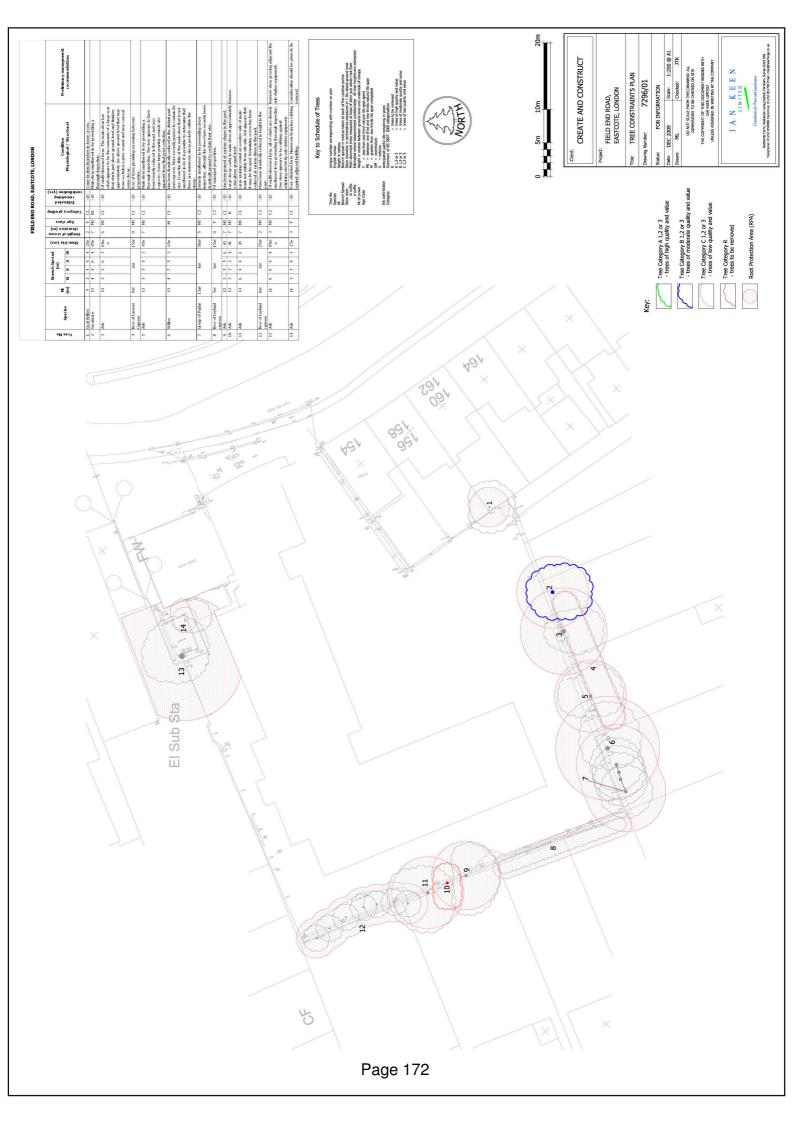




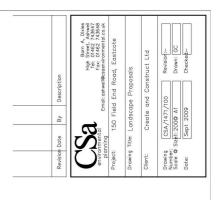


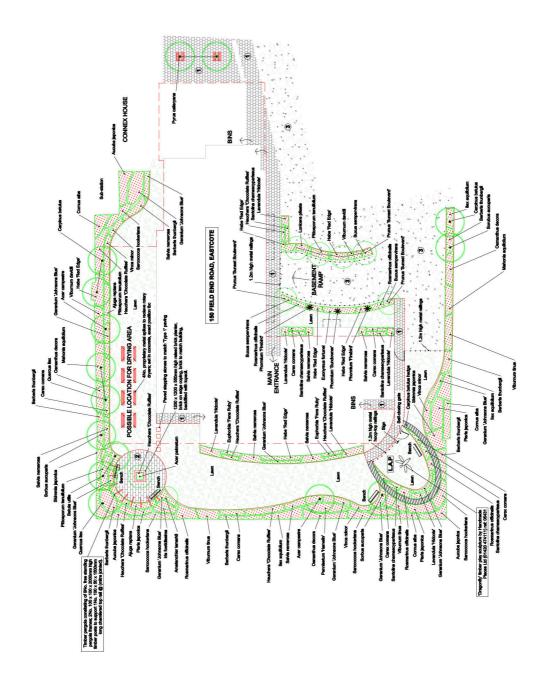






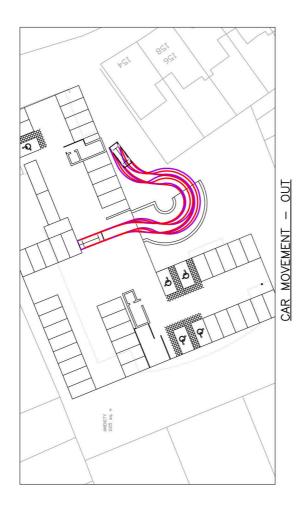






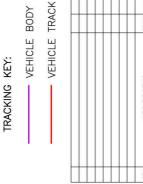


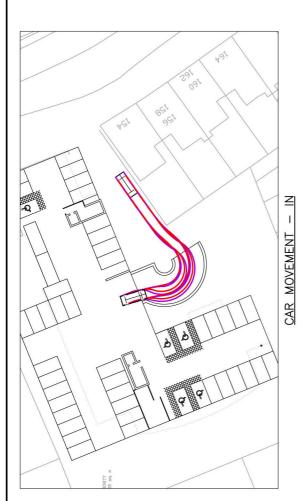
telephone 0116 326 0091facsimile 0116 326 0121 email lbstock@m-ec.co.uk website www.m-ec.co.uk

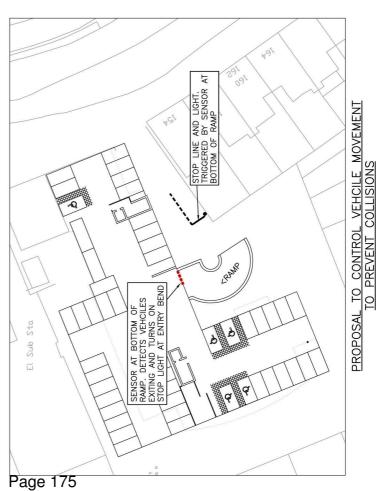


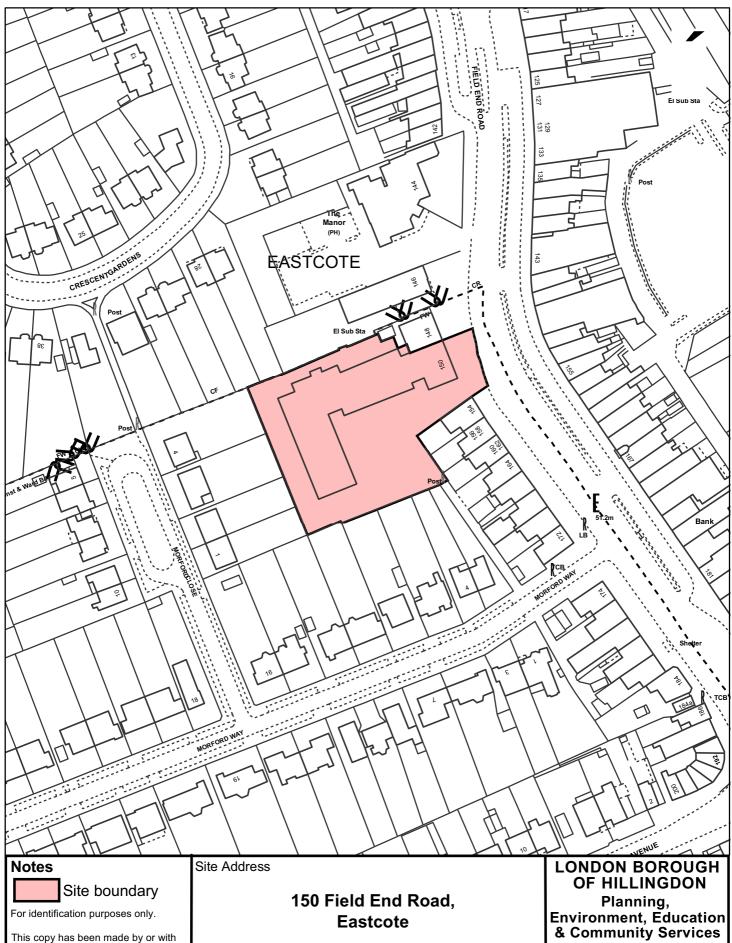


DATE DRAWN APPROVED AMENDMENT DETAILS REV









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25760/APP/2010/2410

Planning Committee

Planning Application Ref:

NorthPage 176

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Date

May 2011

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



# Report of the Head of Planning & Enforcement Services

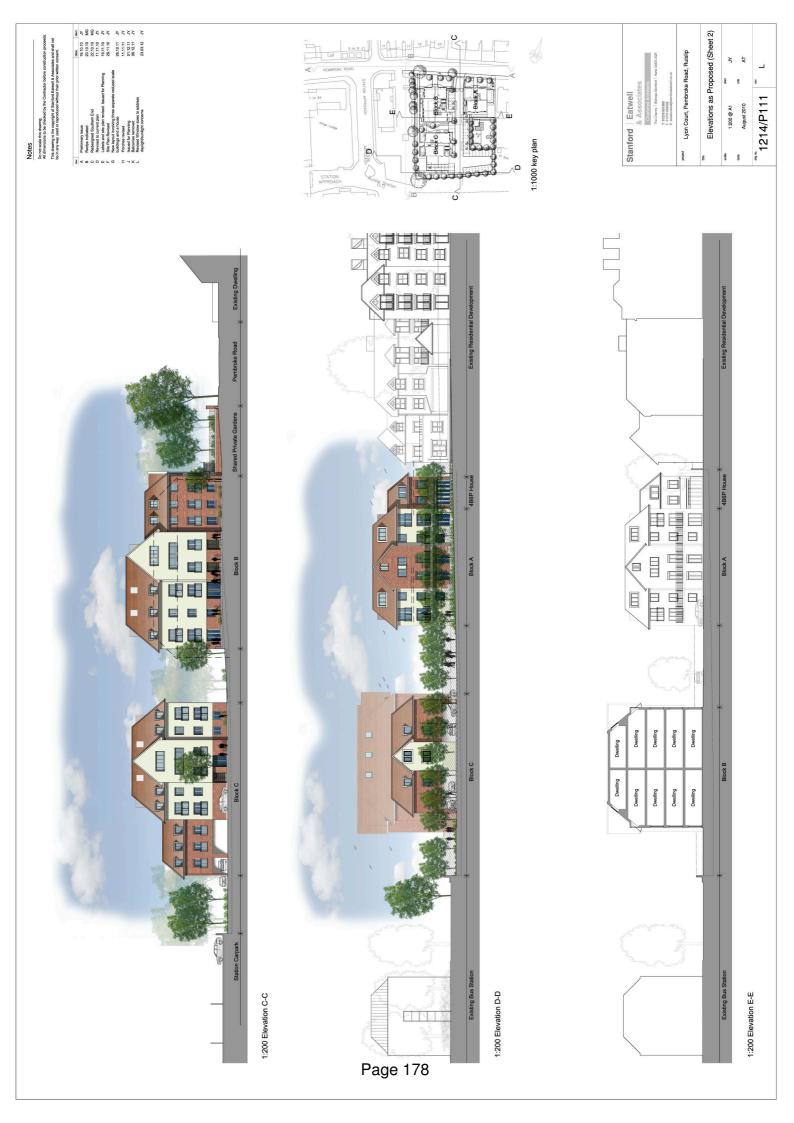
Address LYON COURT & 28 - 30 PEMBROKE ROAD, RUISLIP

**Development:** Demolition of existing buildings and stopping-up of existing vehicular

access to site; erection of new buildings comprising 60 no. apartments and one house, construction of new access onto Pembroke Road,

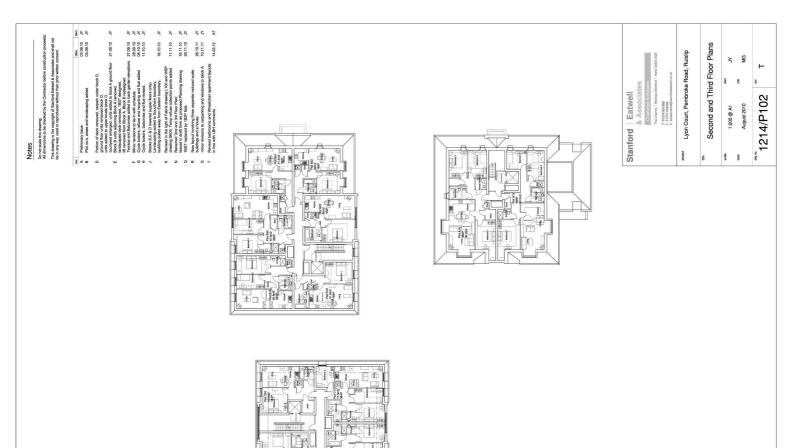
car and cycle parking, amenity space and associated landscaping works.

**LBH Ref Nos**: 66985/APP/2011/3049









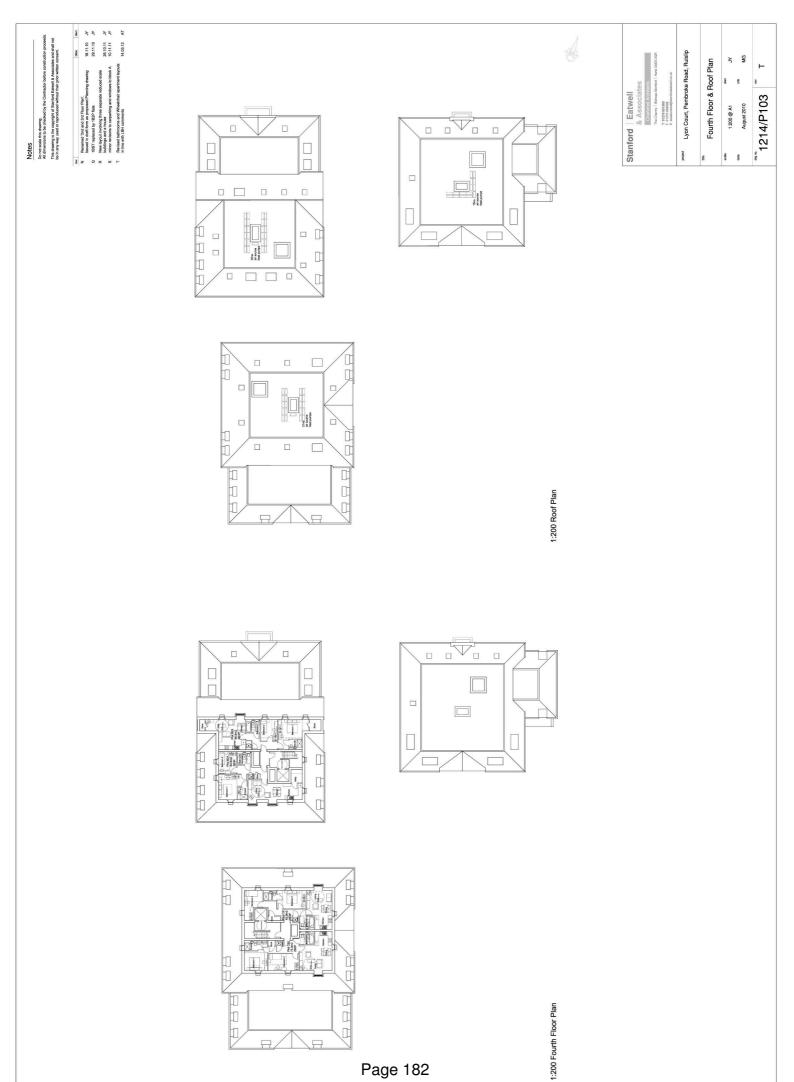
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1:200 Third Floor Plan



Page 182



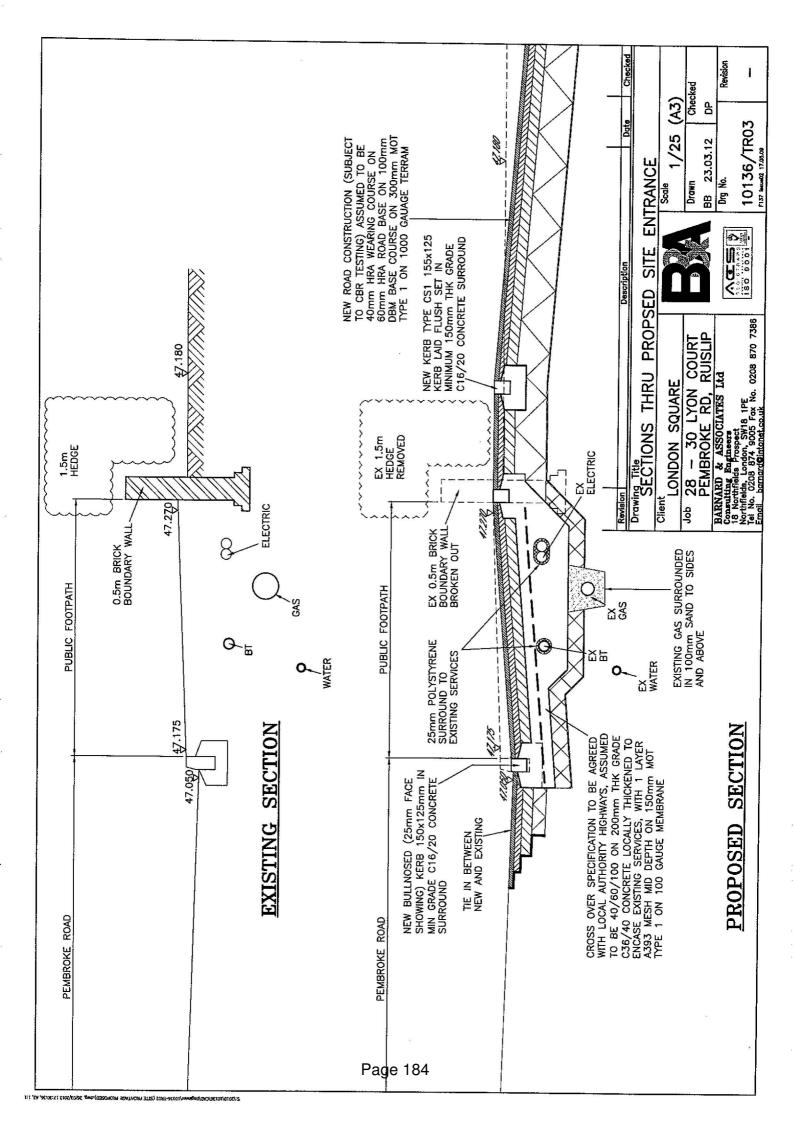
Elevation B-B Page 183

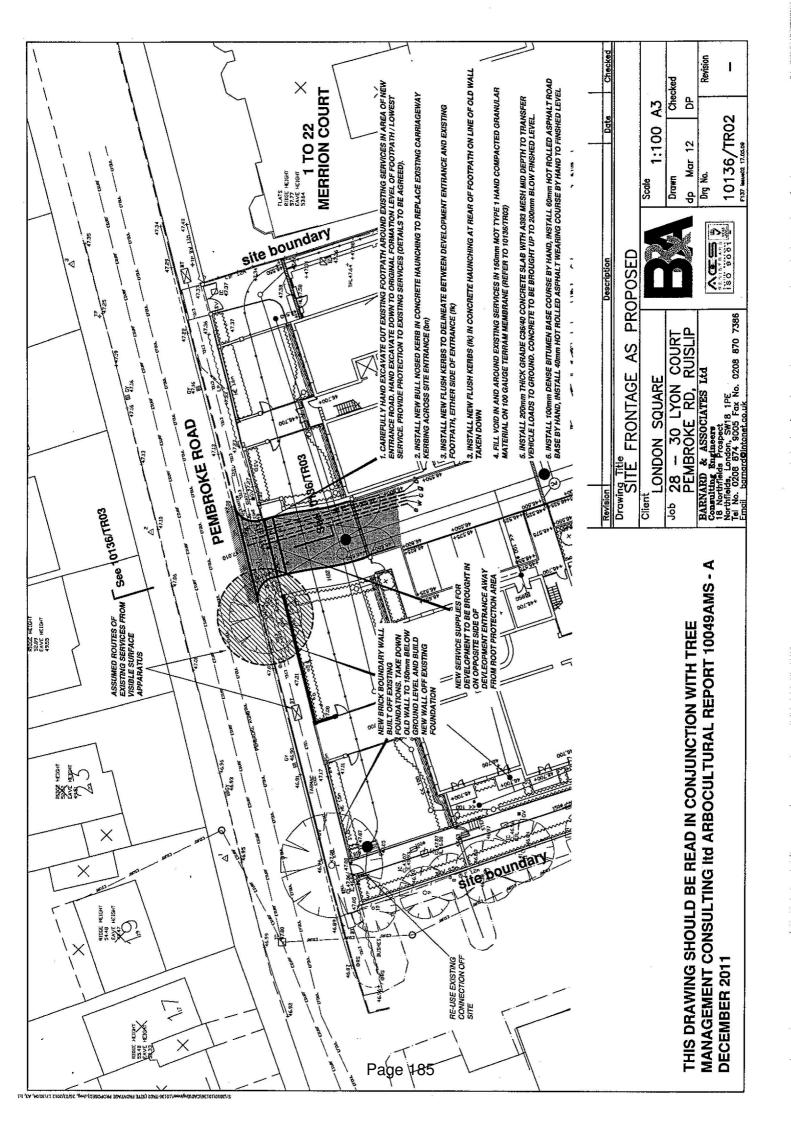
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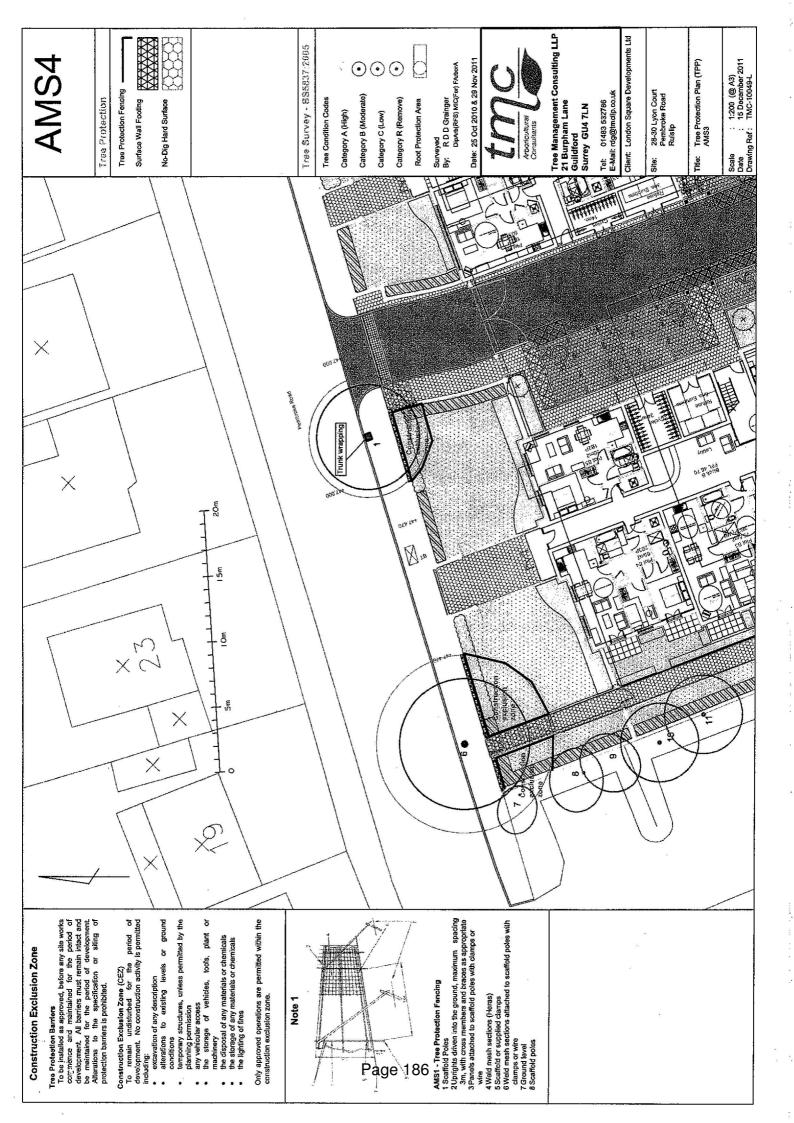
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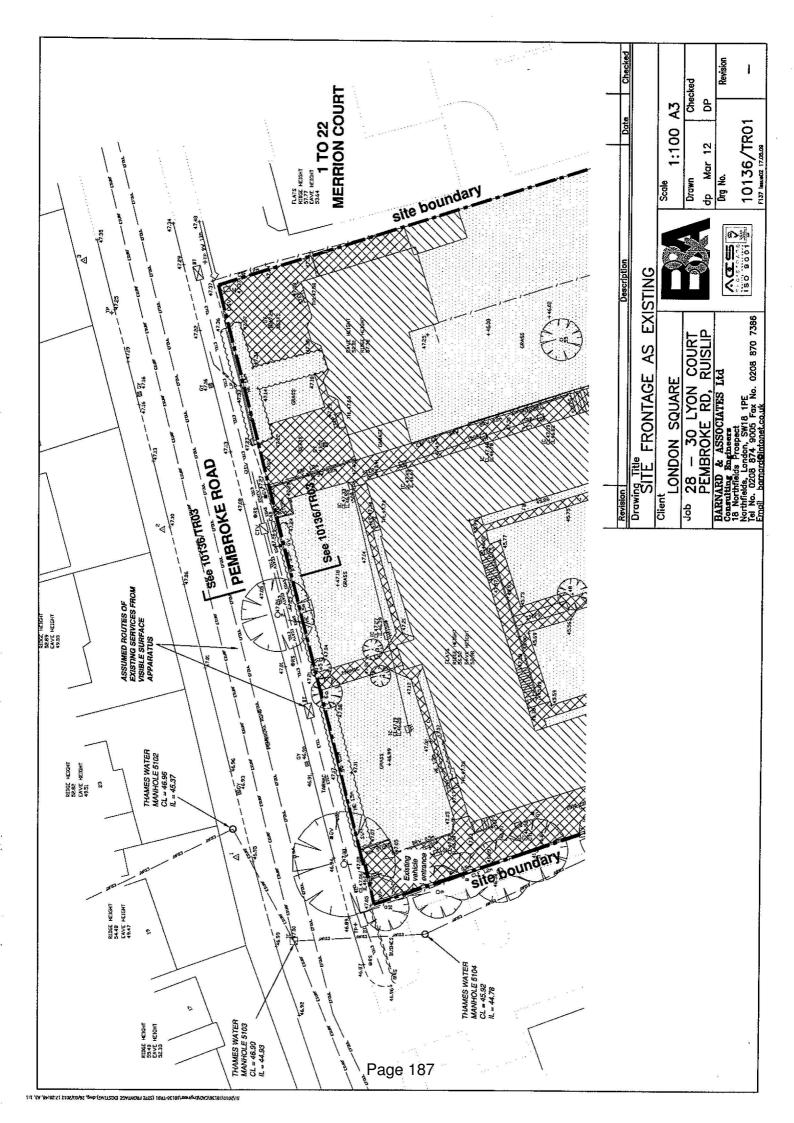
Elevations as Proposed (Sheet 1) Lyon Court, Pembroke Road, Ruislip

1214/P110

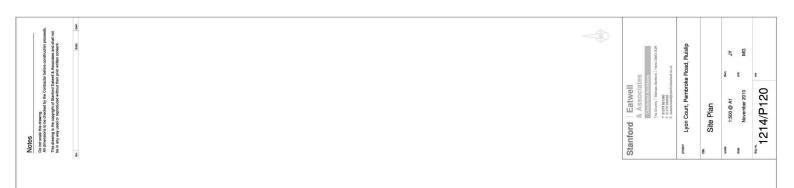


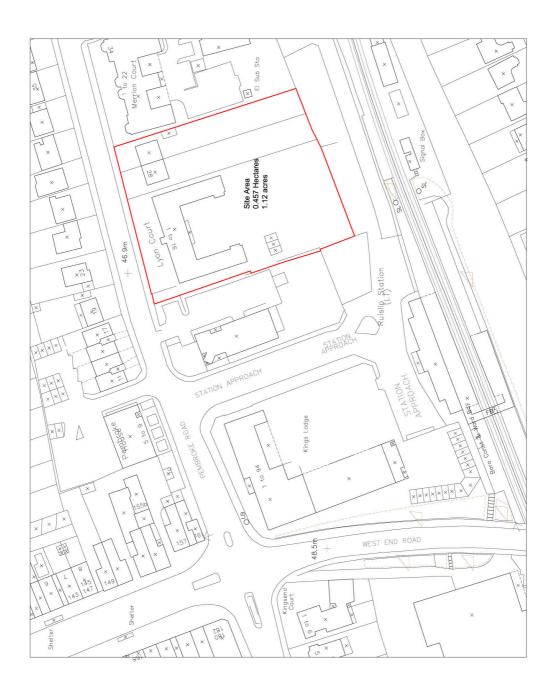




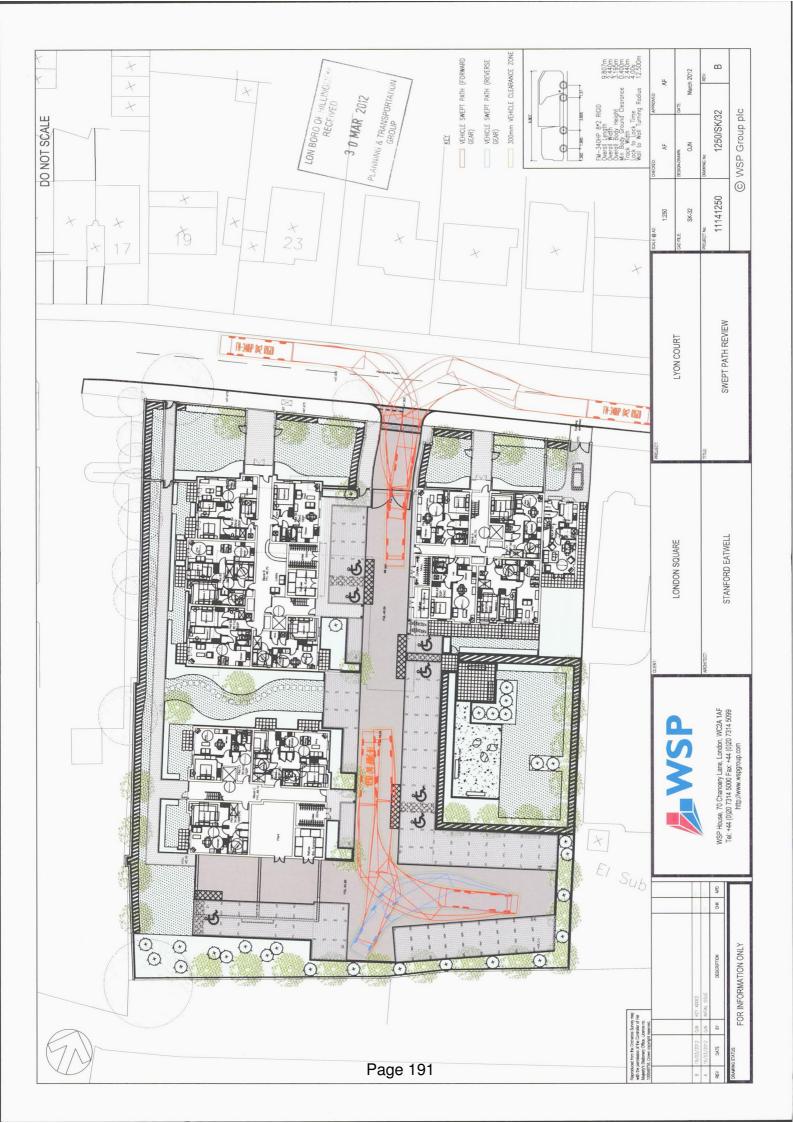




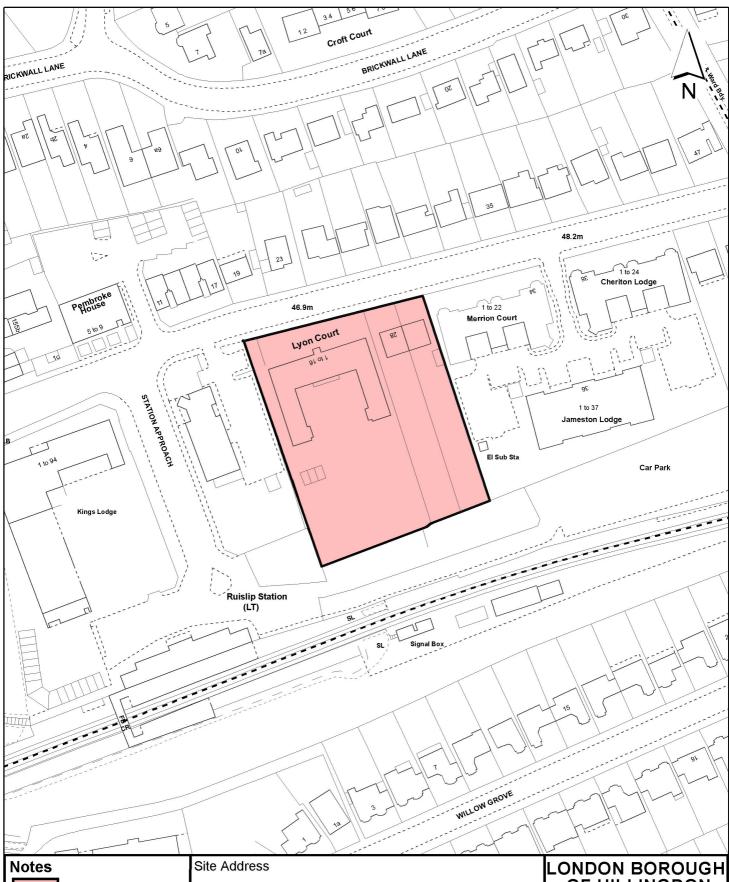


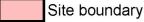






# Tree Management Consulting LLP 21 Burpham Lane Client: London Square Developments Ltd Surface Wall Footing Tree Survey - BS5837:2005 **AMS4** Scale : 1:200 (@ A3) Date : 15 December 2011 Drawing Ref : TMC-10049-L Date: 25 Oct 2010 & 29 Nov 2017 Tree Protection Plan (TPP) AMS3 DipArb(RFS) MIC(For) FArborA Tree Protection Fencing 28-30 Lyon Court Pembroke Road Ruislip Tel: 01483 532786 E-Mail: rdg@tmcllp.co.uk **Tree Protection** Category B (Moderate) Surveyed By: RDD Grainger No-Dig Hard Surface Tree Condition Codes Category R (Remove) Root Protection Area Guildford Surrey GU4 7LN Category A (High) Category C (Low) Title: runk wrapping 20m 15m 10m 6 Tree Protection Barriers To be installed as approved, before any site works commence and maintained for the period of development. All barriers must remain intact and be maintained for the period of development. Construction Exclusion Zone (CEZ) To remain undisturbed for the period of development. No construction activity is permitted including: be maintained for the period of development. Alterations to the specification or siting of protection barriers is prohibited. 4 Weld mesh sections (Heras) 5 Scaffold or supplied clamps 6 Weld mesh sections attached to scaffold poles with alterations to existing levels or ground temporary structures, unless permitted by the Only approved operations are permitted within the construction exclusion zone. 2 Uprights driven into the ground, maximum spacing 3m, with cross members and braces as appropriate 3 Panels attached to scaffold poles with clamps or storage of vehicles, tools, plant machinery the disposal of any materials or chemicals the storage of any materials or chemicals the lighting of fires Construction Exclusion Zone excavation of any description AMS1 - Tree Protection Fencing Note 1 any vehicular access planning permission clamps or wire 7 Ground level 8 Scaffold poles conditions Scaffold Poles Page 192





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Planning Application Ref:

66985/APP/2011/3049

Planning Committee

Date

May

North Page 193 May 2012

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

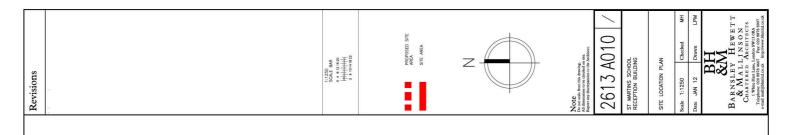


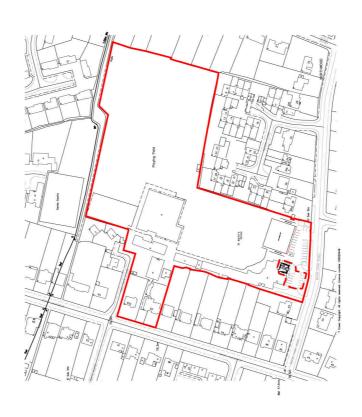
#### Report of the Head of Planning & Enforcement Services

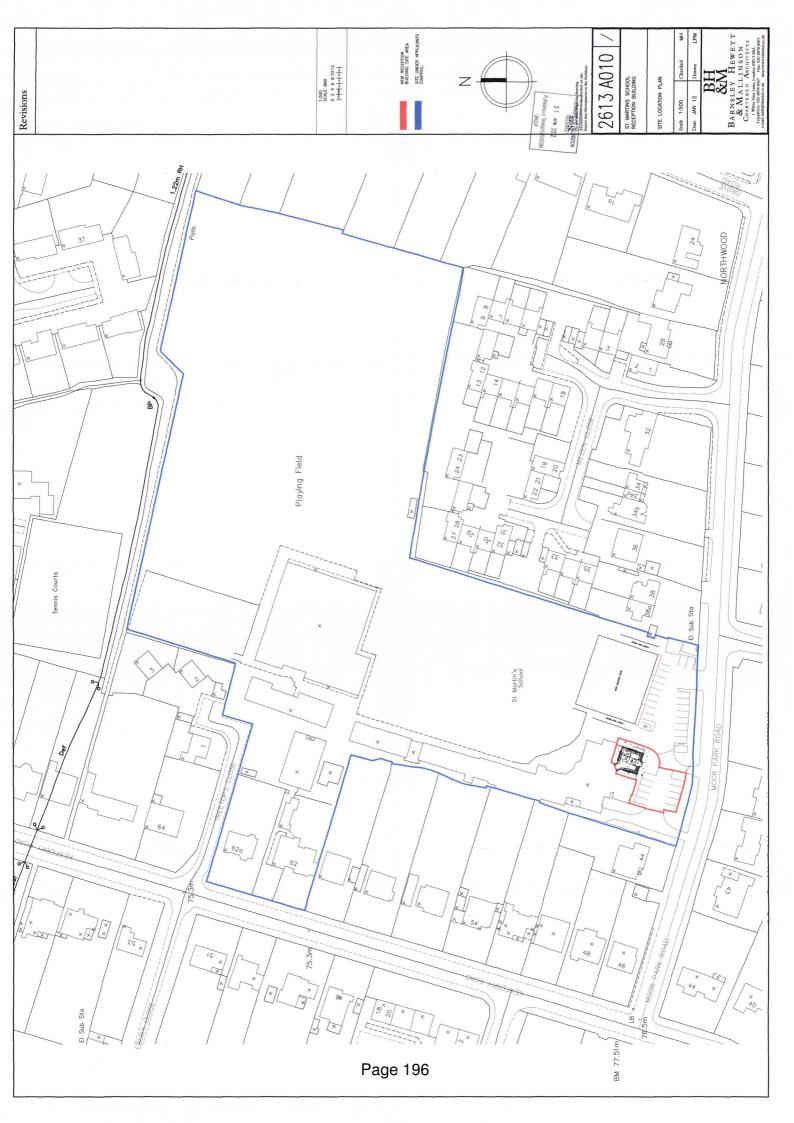
Address ST MARTINS SCHOOL, MOOR PARK ROAD, EASTCOTE

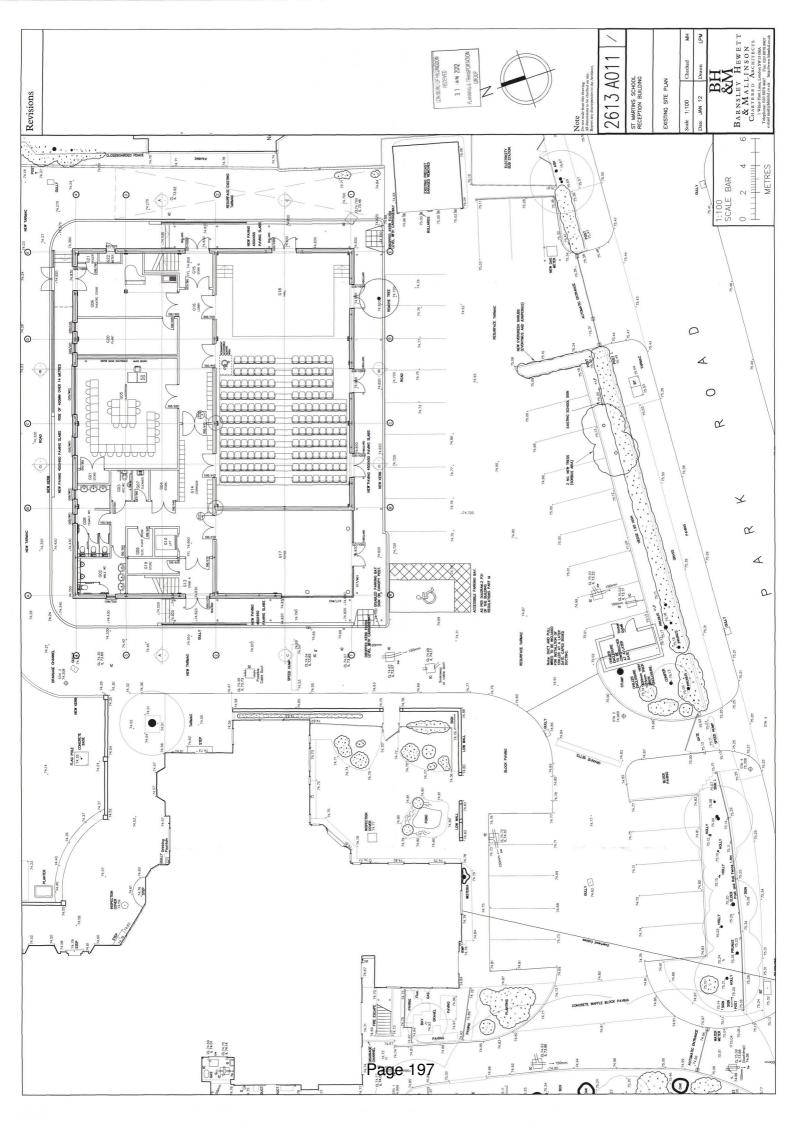
**Development:** Single storey front extension

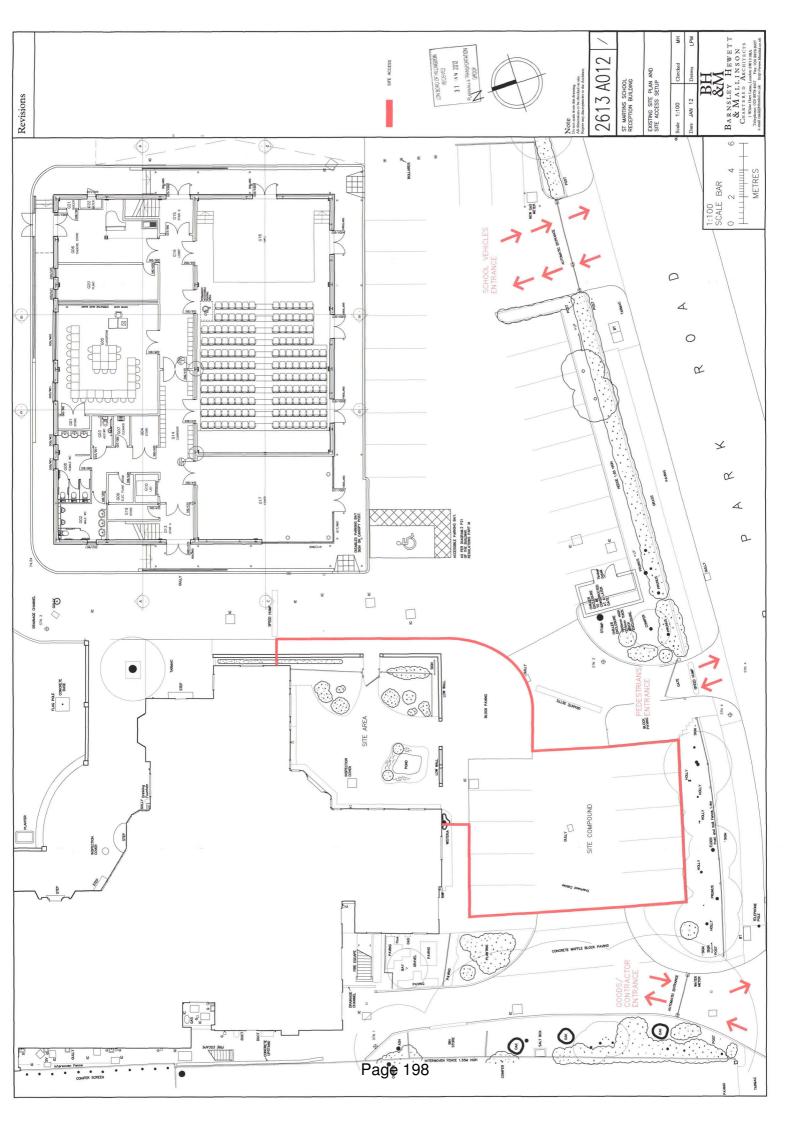
**LBH Ref Nos**: 664/APP/2012/223

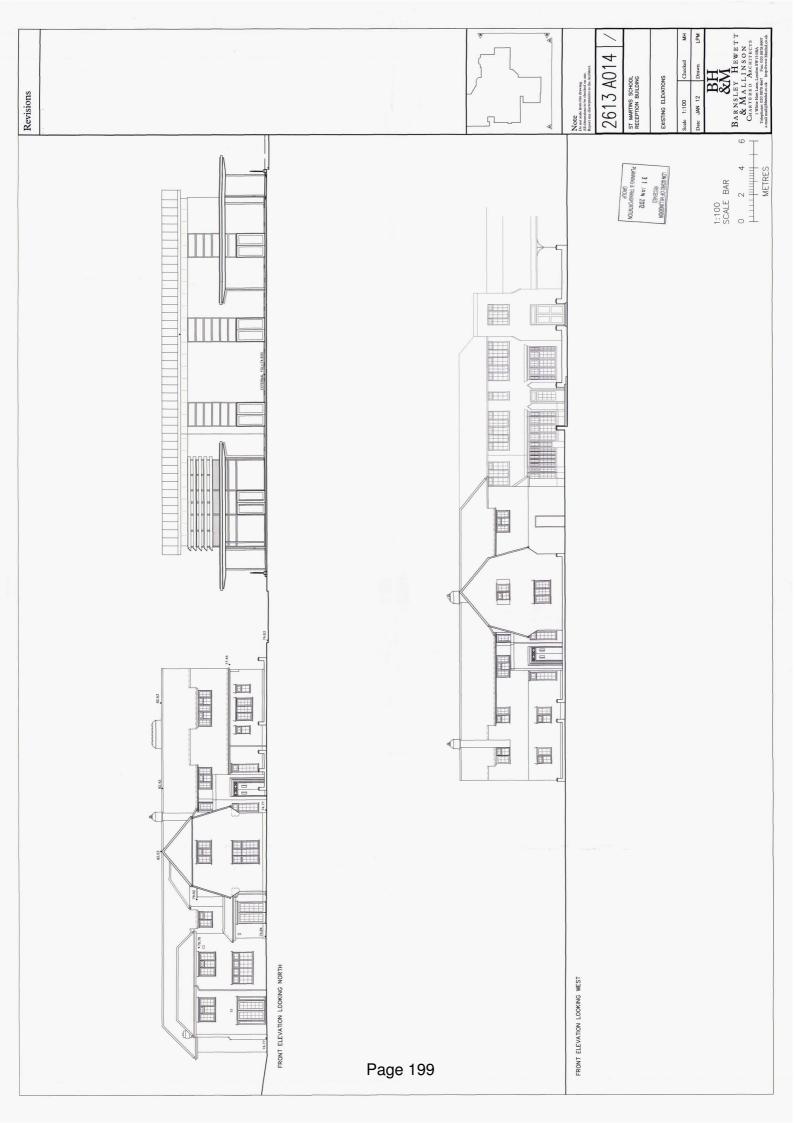


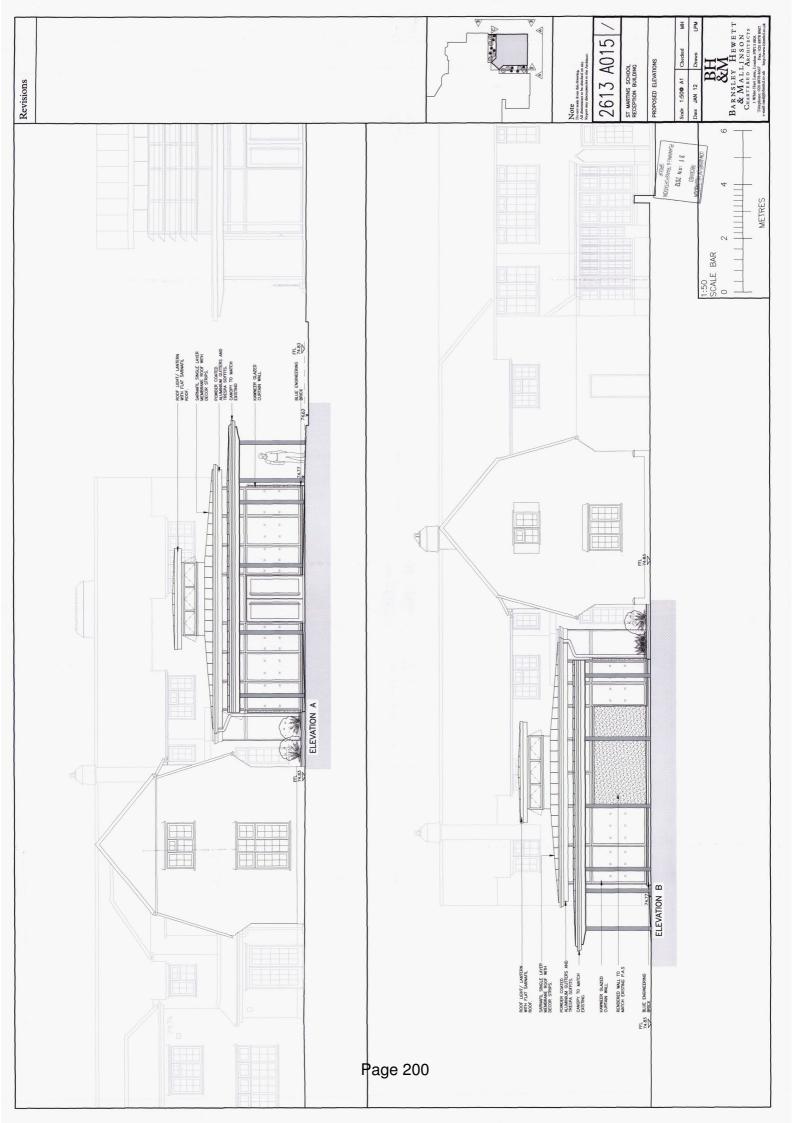


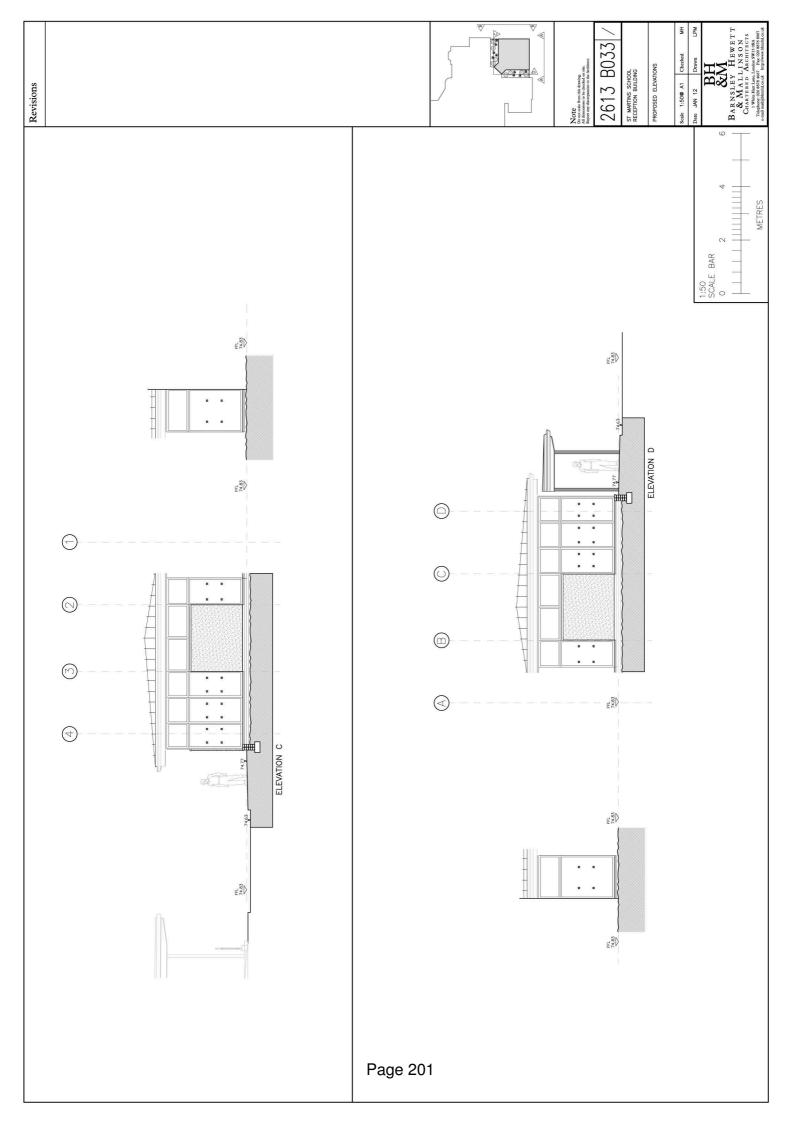


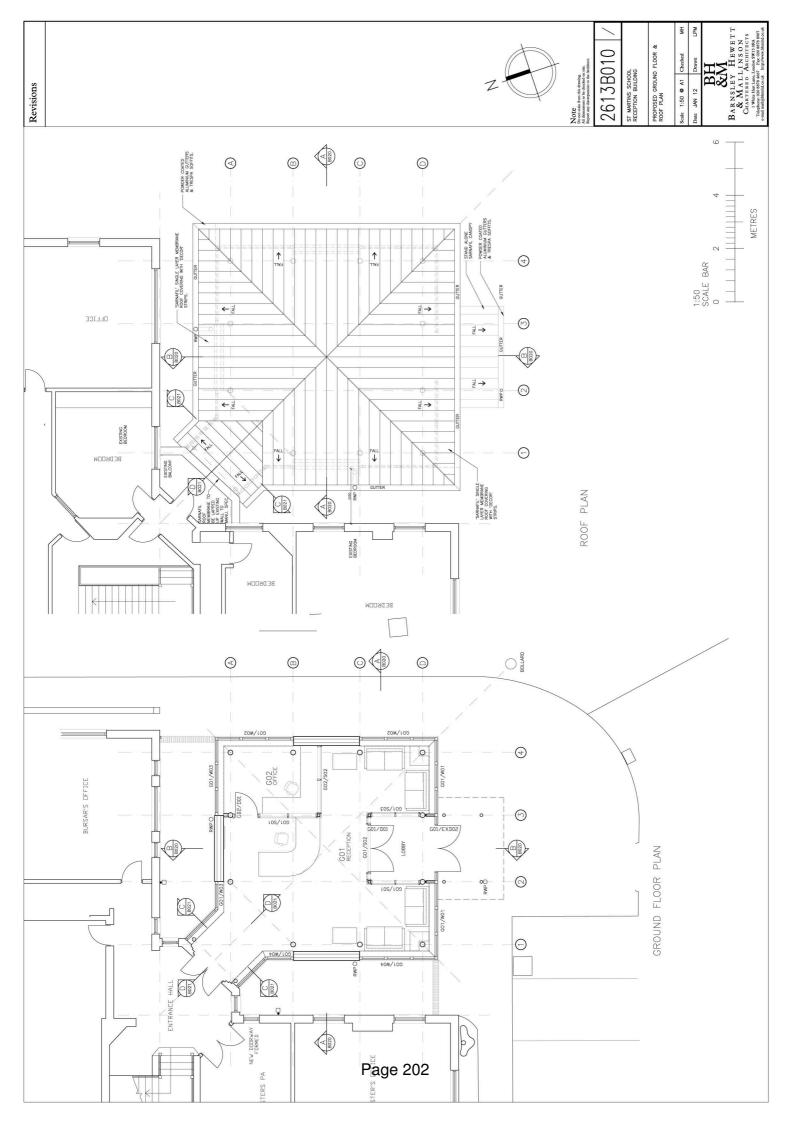


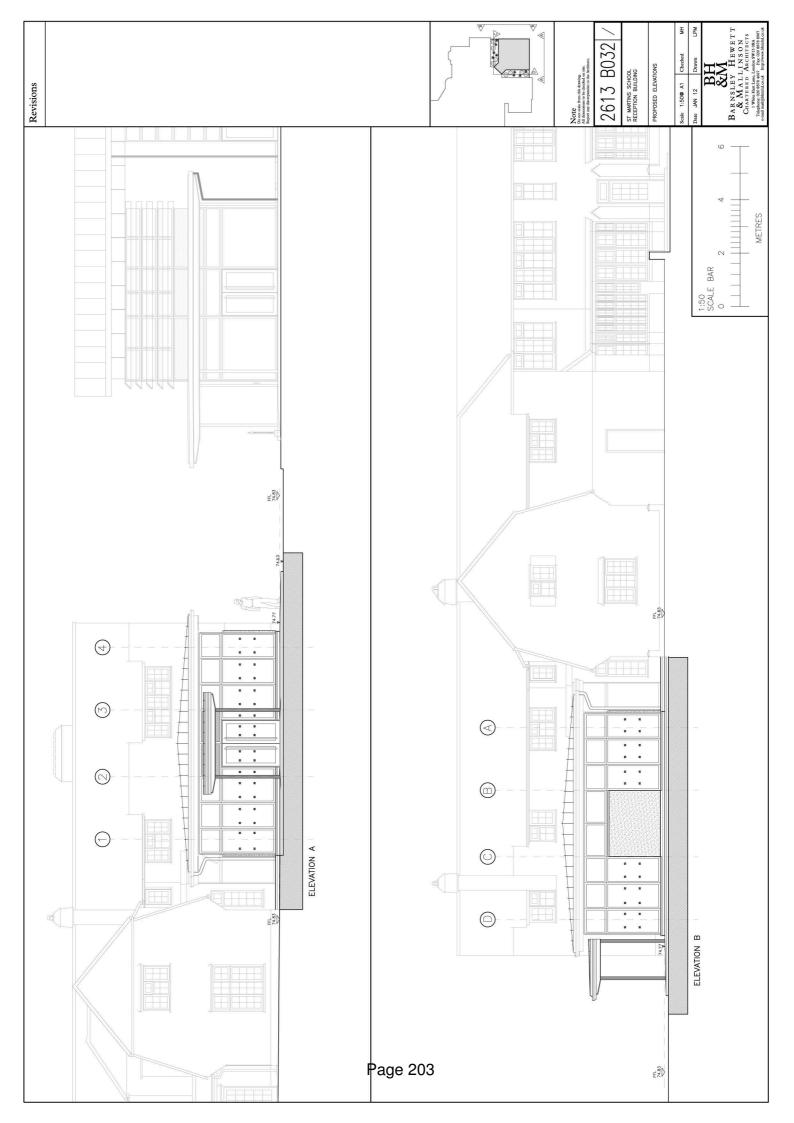


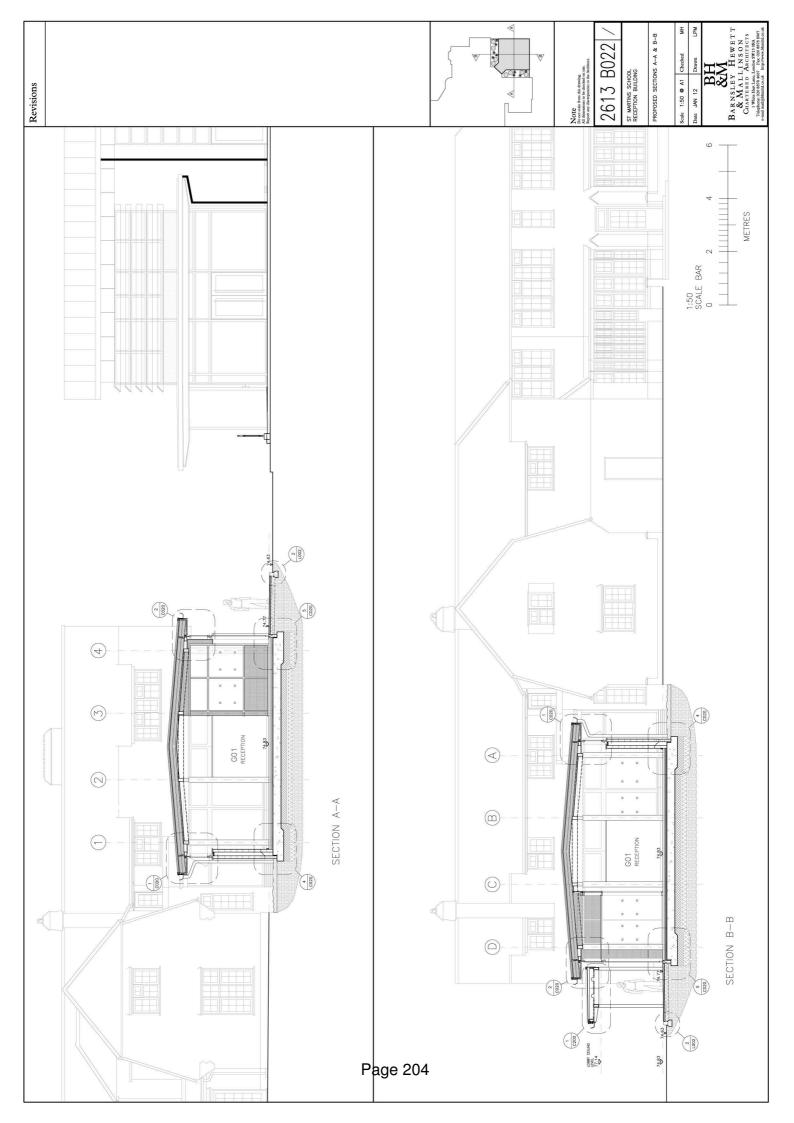


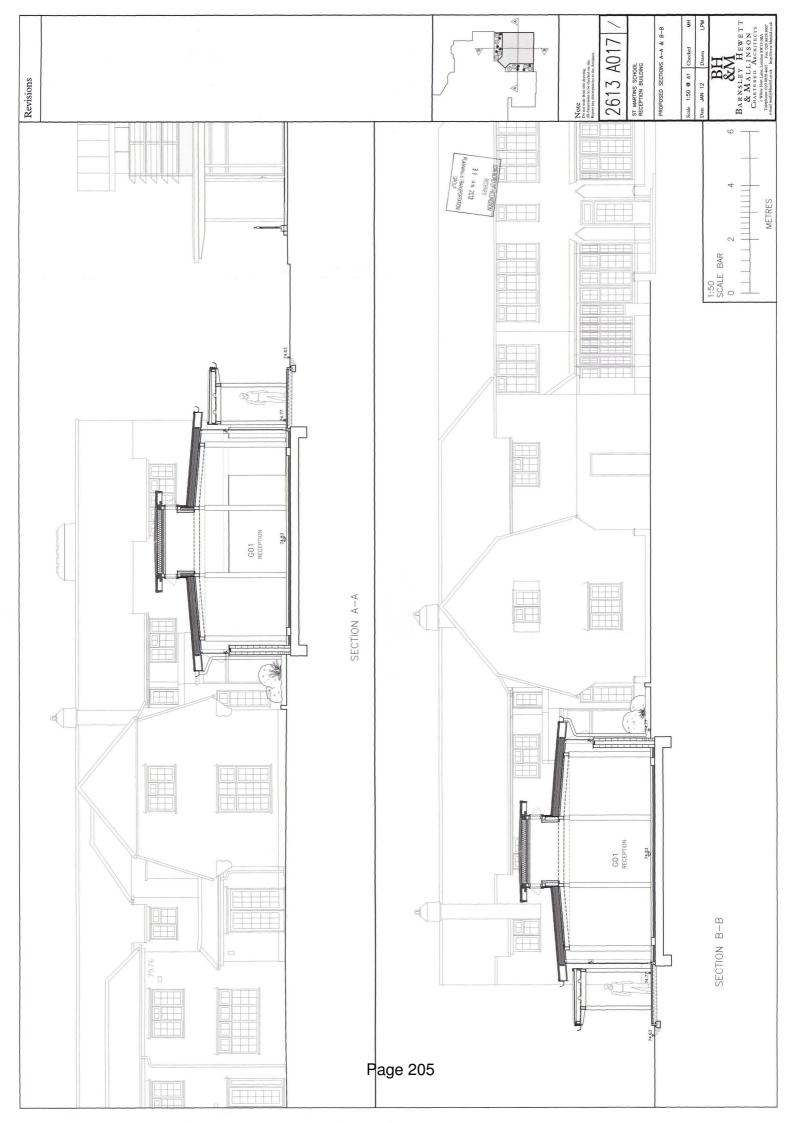


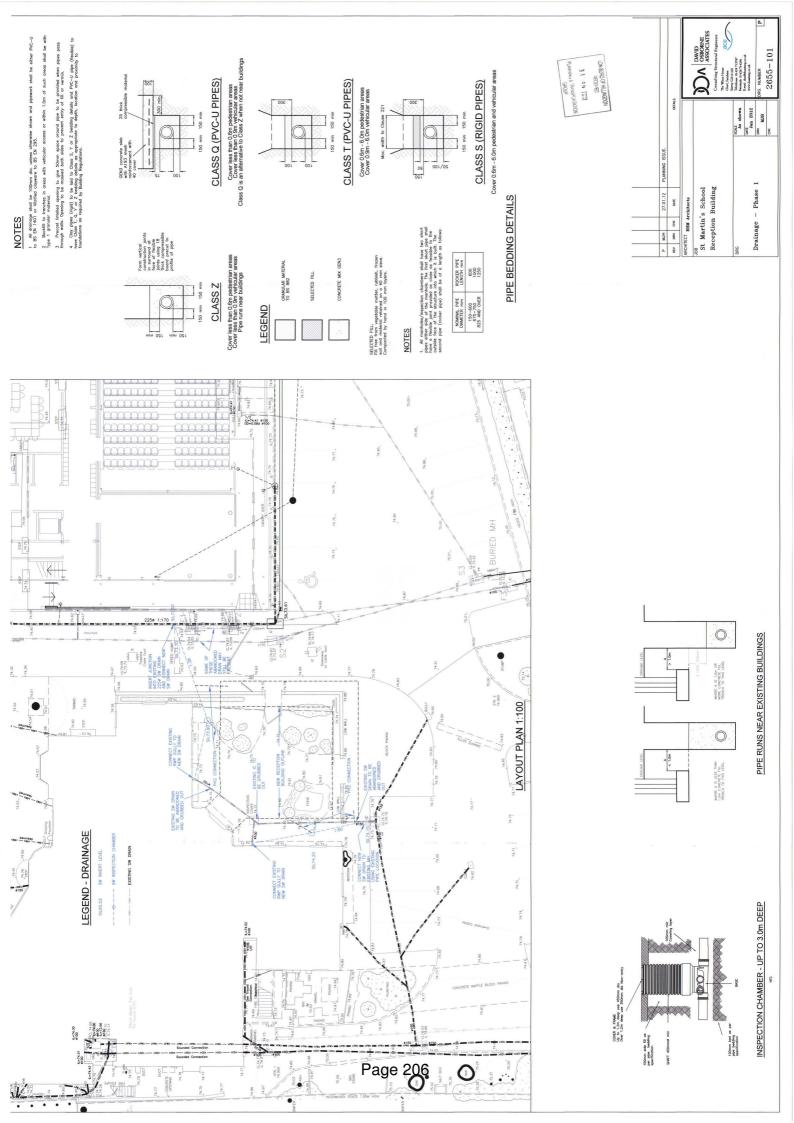


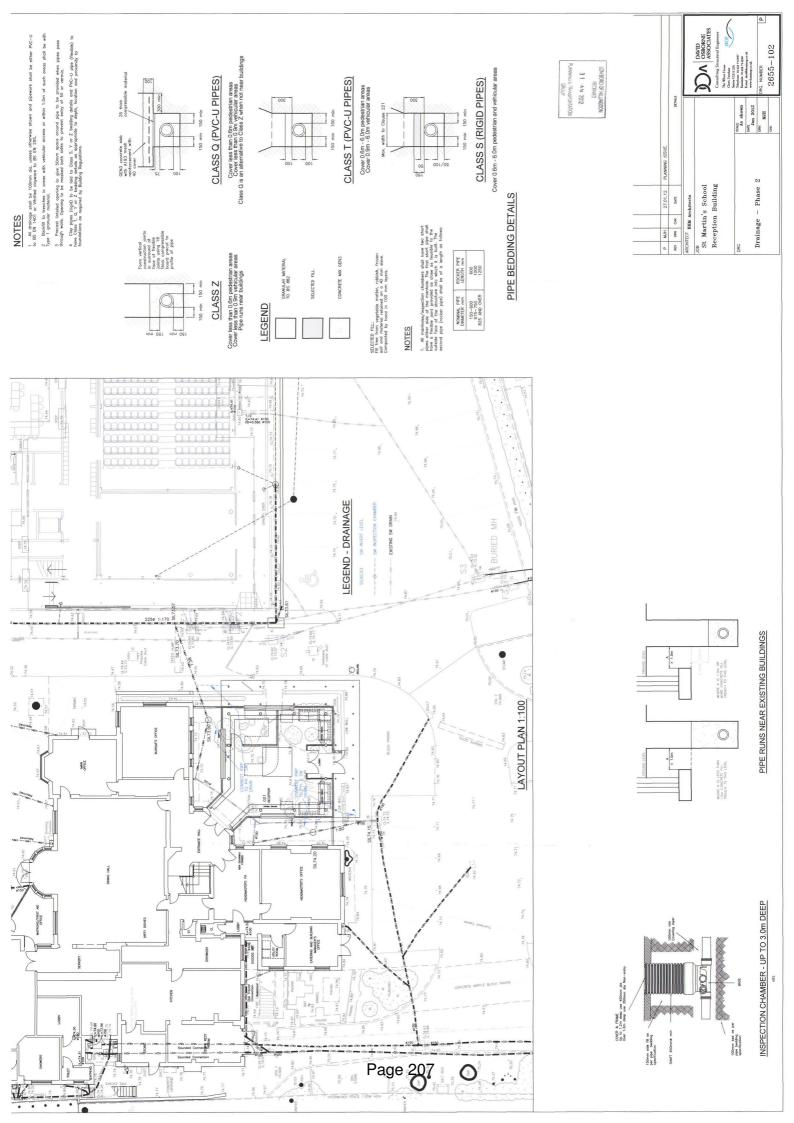


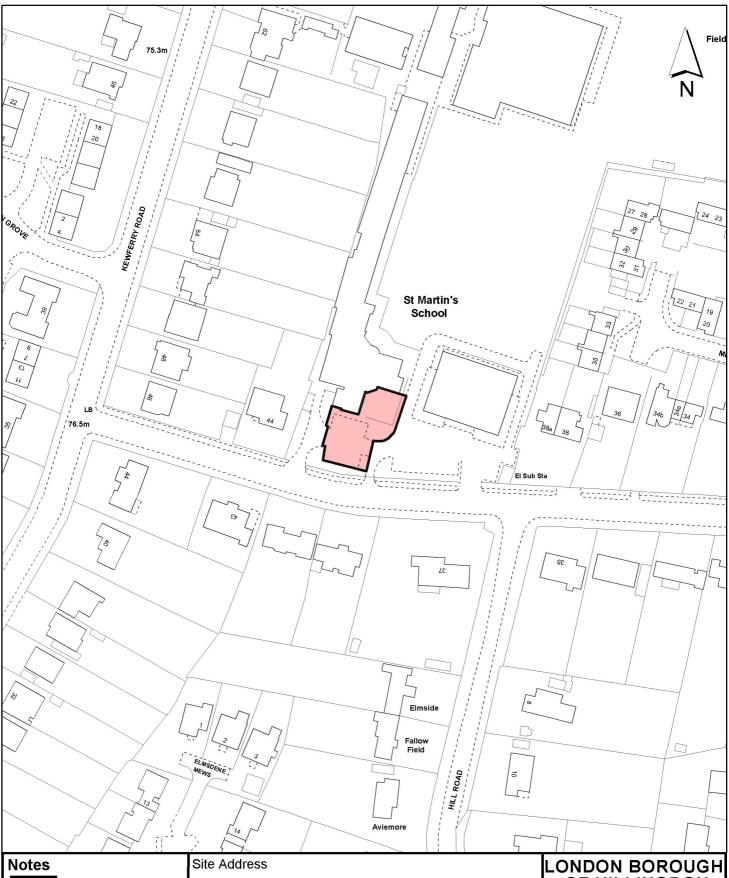


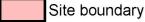












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### St. Martins School Moor Park Road Northwood

Planning Application Ref:

664/APP/2012/223

Planning Committee

Date

May

NorthPage 208 May 2012

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 11 BRIDGWATER ROAD RUISLIP

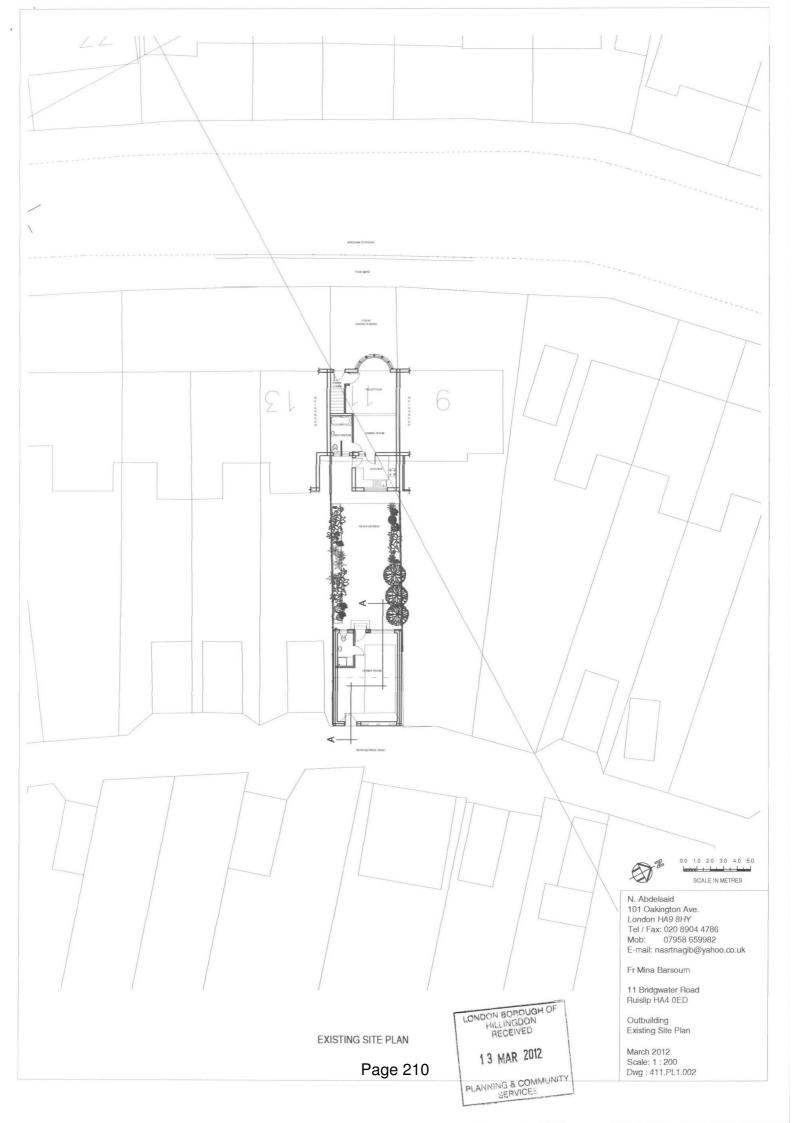
**Development:** Single storey detached outbuilding to rear for use a hobby room

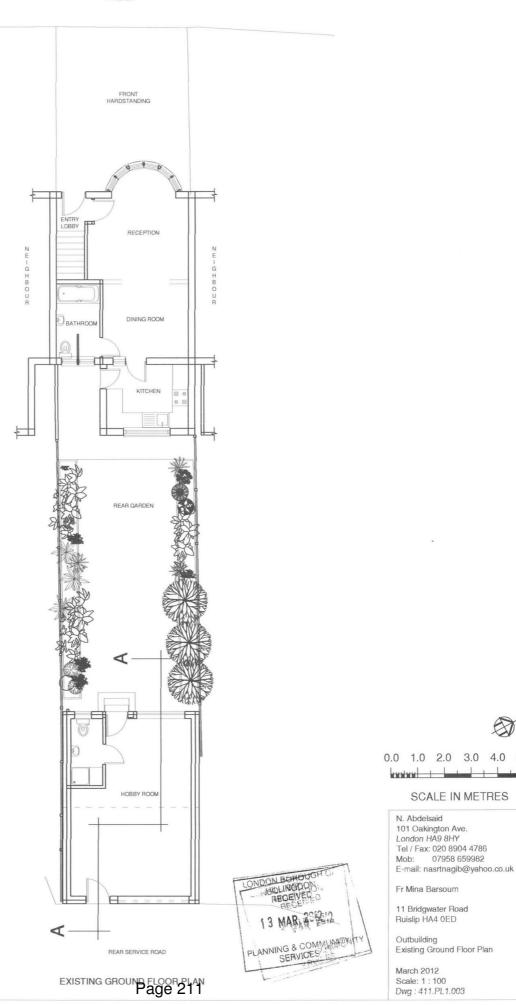
(Retrospective)

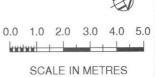
LBH Ref Nos: 45285/APP/2012/600

Date Plans Received: 13/03/2012 Date(s) of Amendment(s):

**Date Application Valid:** 16/03/2012







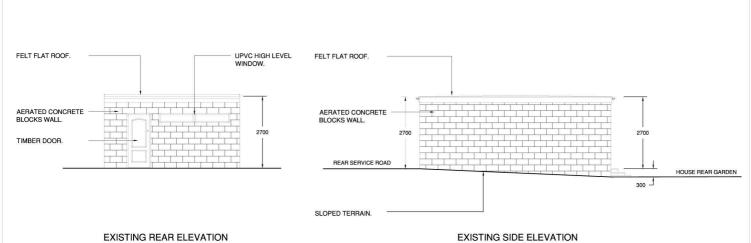
101 Oakington Ave. London HA9 8HY Tel / Fax: 020 8904 4786 Mob: 07958 659982

Fr Mina Barsoum

11 Bridgwater Road Ruislip HA4 0ED

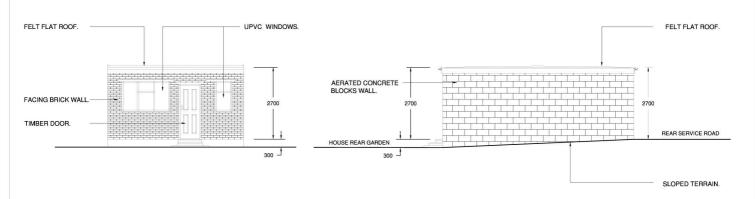
Outbuilding Existing Ground Floor Plan

March 2012 Scale: 1 : 100 Dwg : 411.PL1.003



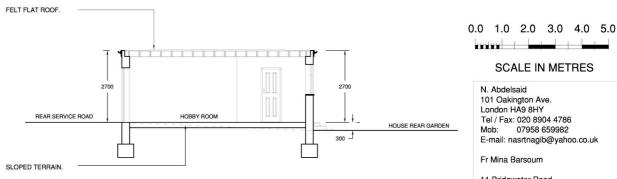
FACING REAR SERVICE ROAD

FACING ADJOINING NEIGHBOUR NO. 9



**EXISTING FRONT ELEVATION** FACING THE HOUSE REAR GARDEN

**EXISTING SIDE ELEVATION** FACING ADJOINING NEIGHBOUR NO. 13



EXISTING SECTION A - A

Page 212

SCALE IN METRES N. Abdelsaid 101 Oakington Ave. London HA9 8HY Tel / Fax: 020 8904 4786 Mob: 07958 659982 E-mail: nasrtnagib@yahoo.co.uk Fr Mina Barsoum 11 Bridgwater Road Ruislip HA4 0ED Outbuilding Existing Front Rear & Two Side Elevations & Section A - A March 2012 Scale: 1:100 Dwg:411.PL1.004a



EXISTING OUTBUILDING REAR VIEW FACING REAR SERVICE ROAD



EXISTING DEVELOPMENTS AT NOS. 6 & 8 MANNINGTREE ROAD FACING REAR SERVICE ROAD



EXISTING OUTBUILDING AT NO 4 MANNINGTREE ROAD FACING REAR SERVICE ROAD



N. Abdelsaid 101 Oakington Ave. London HA9 8HY Tel / Fax: 020 8904 4786 Mob: 07958 659982 E-mail: nasrtnagib@yahoo.co.uk

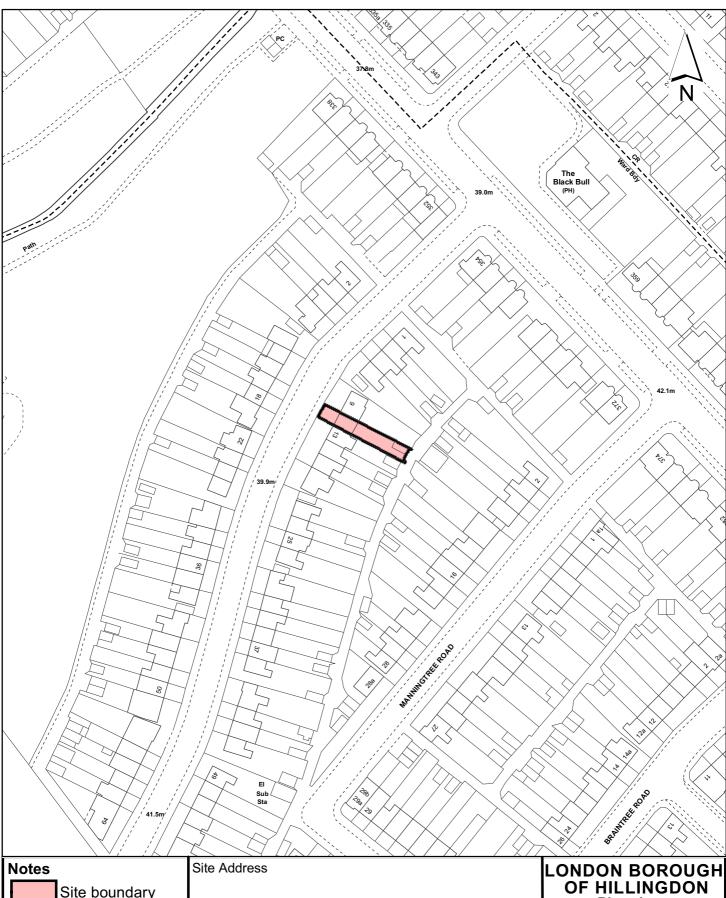
Fr Mina Barsoum

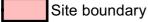
11 Bridgwater Road Ruislip HA4 0ED

Outbuilding Photos of Existing Views

March 2012

Dwg: 411.PL1.005





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## 11 Bridgewater Road Ruislip

Planning Application Ref: Scale 1:1,250 45285/APP/2012/600 **Planning Committee** Date May NorthPage 214

2012



Planning, **Environment, Education** & Community Services Civic Centre, Uxbridge, Middx. UB8 1UW

Telephone No.: Uxbridge 250111

#### Report of the Head of Planning & Enforcement Services

Address 206 FIELD END ROAD EASTCOTE

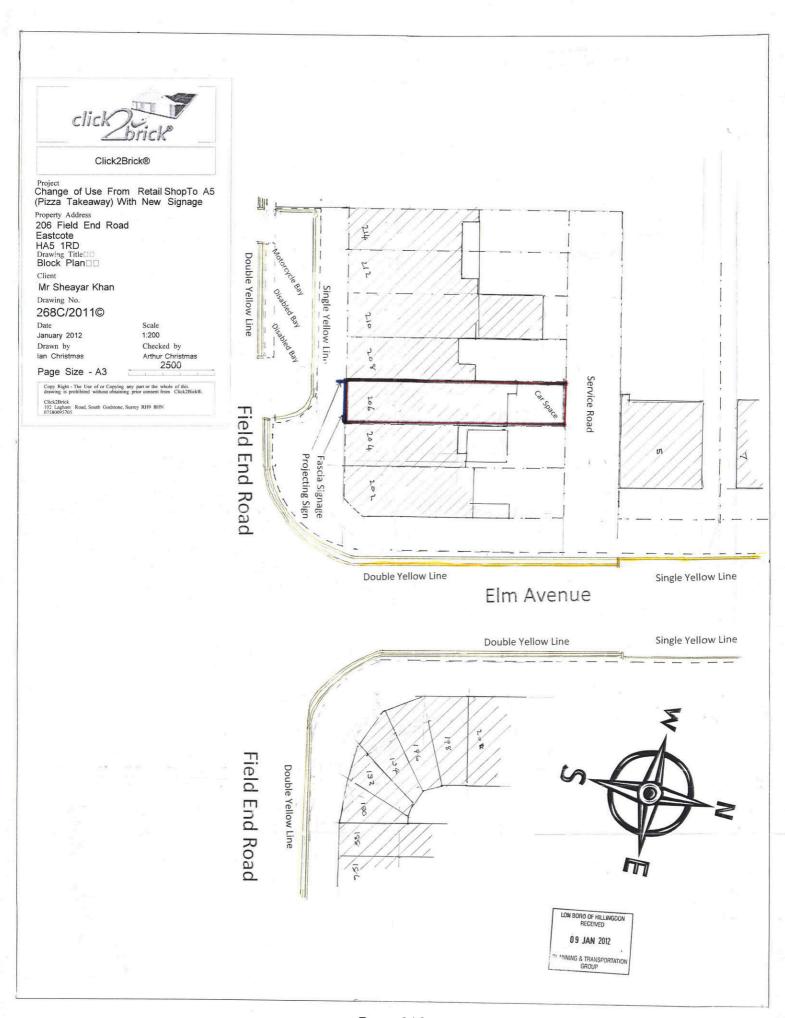
**Development:** Change of use from Use Class A1 (Shops) to Use Class A5 (Hot Food

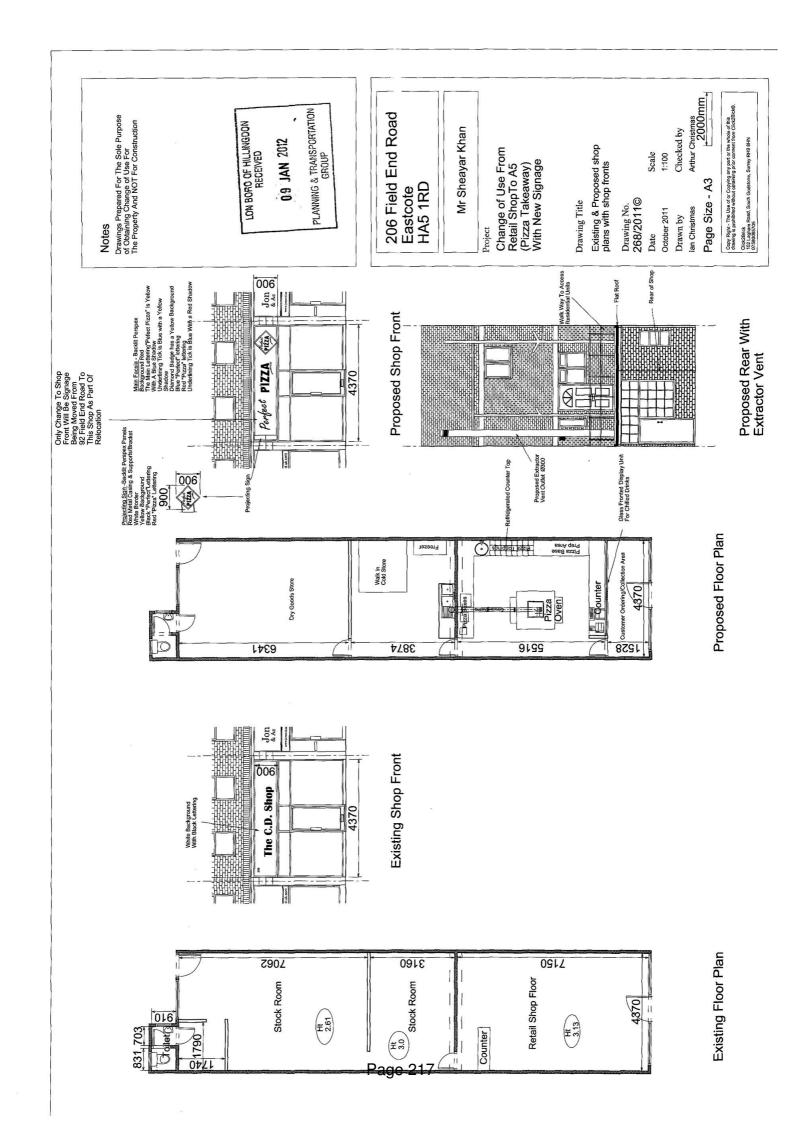
Takeaway) involving installation of extractor duct to rear

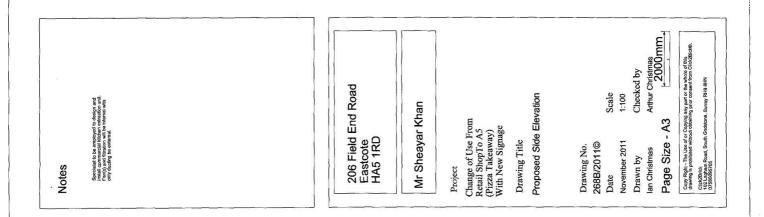
**LBH Ref Nos:** 14770/APP/2012/50

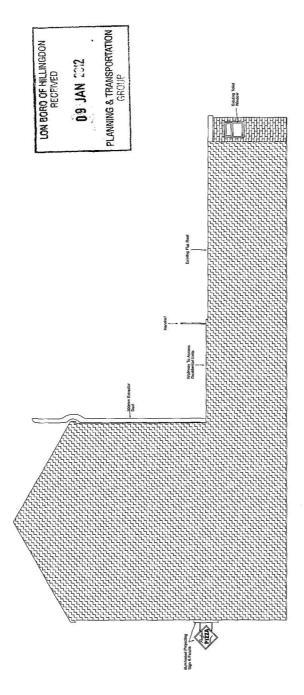
Date Plans Received: 09/01/2012 Date(s) of Amendment(s):

**Date Application Valid:** 09/01/2012











Front of 206 Field End Road (Existing)



Rear of 206 Field End Road (Existing)



Existing Signage on 92 Field End Road to be Reused When Reloacting to 206 Field End Road



LON BORG. REFERED

OP JAN 2012

PLANTAGE TEMPS ON TATION CROUE

#### Mr Sheayar Khan

#### 206 Field End Road Eastcote HA5 1RD

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Click2Brick 102 Lagham Road, South Godstone, Surrey RH9 8HN 07580095705 Project

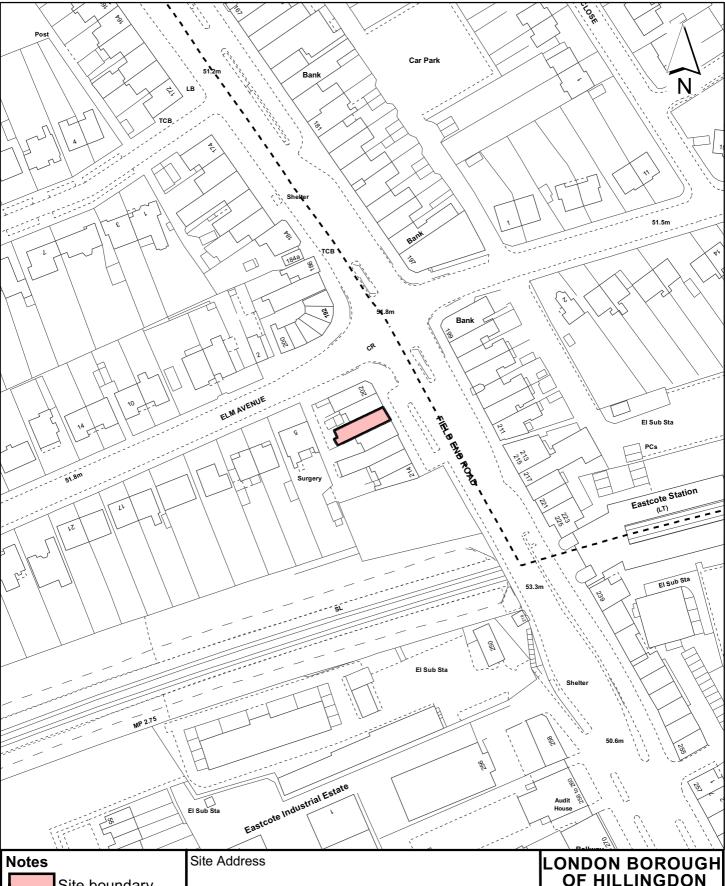
Change of Use From Retail ShopTo A5 (Pizza Takeaway) With New Signage BhotosrofeThe

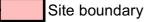
Front& Rear Elevation of Proposed Shop.
Plus Signage on Old Shop to Be Reused.
Drawing No.

268 A GE 219

Date October 2011 Photos by Ian Christmas

Page Size - A4





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# 206 Field End Road **Eastcote**

Planning Application Ref: 14770/APP/2012/50

**Planning Committee** 

NorthPage 220

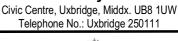
### Scale

1:1,250

Date

**February** 2012







#### Report of the Head of Planning & Enforcement Services

Address LYNTON BELFRY AVENUE HAREFIELD

**Development:** 2 x two storey, 4-bed, detached dwellings with associated parking and

amenity space involving the demolition of existing bungalow and outbuildings

**LBH Ref Nos:** 17663/APP/2012/368

Date Plans Received: 17/02/2012 Date(s) of Amendment(s):

Date Application Valid: 07/03/2012





# OS Sitemap®

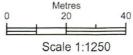


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The representation of a road, track or path is no evidence of a right of way.

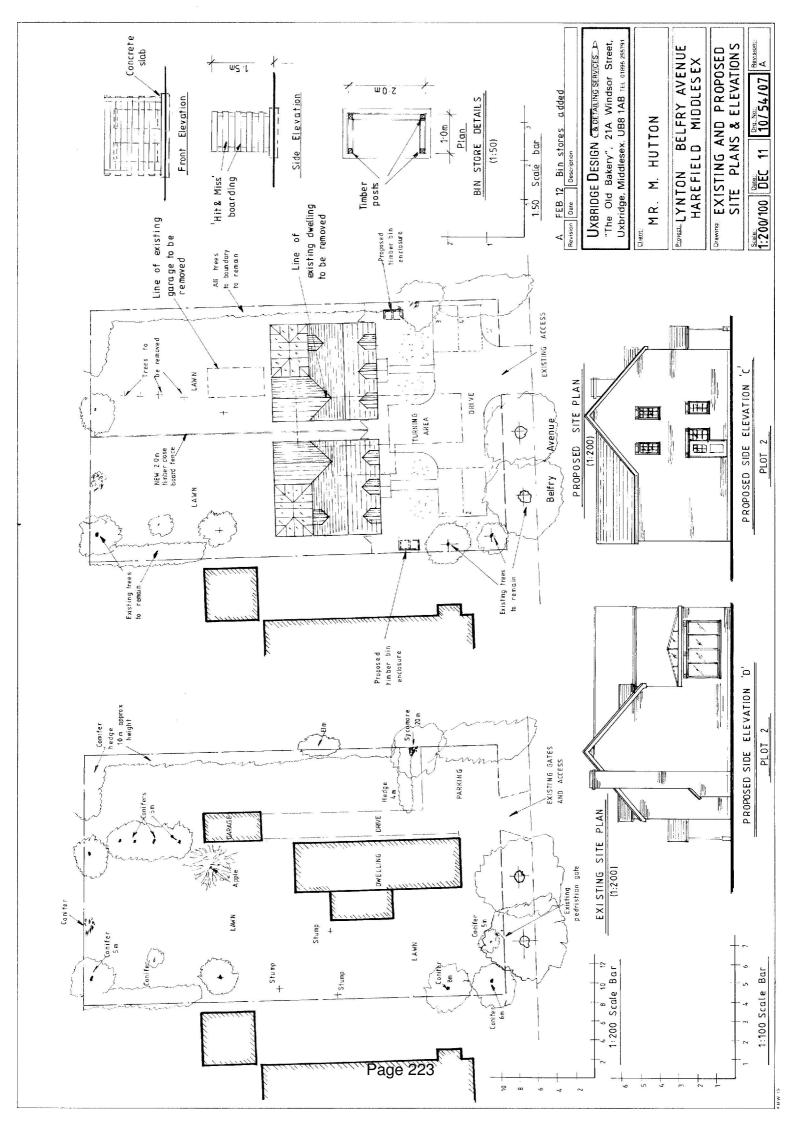
The representation of features as lines is no evidence of a property boundary.

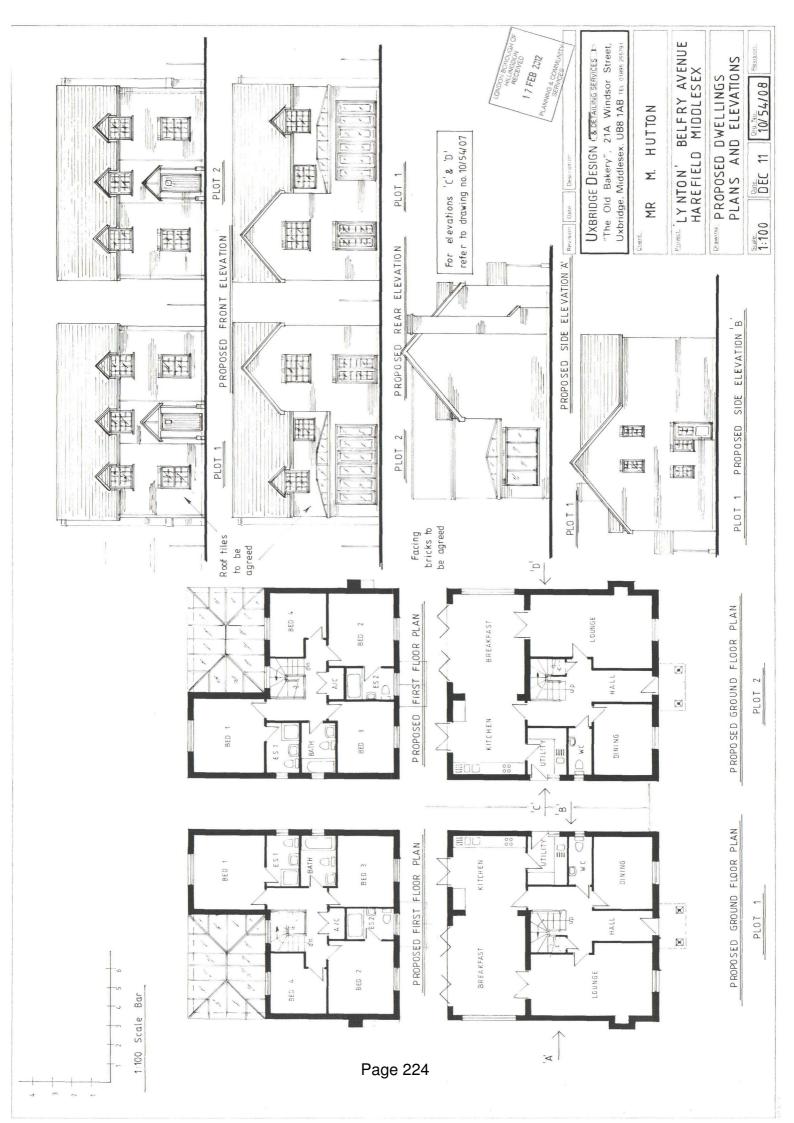
Part or all of this OS Sitemap is enlarged from mapping produced at one or more of the following scales: 1:1250, 1:2500, 1:10000.

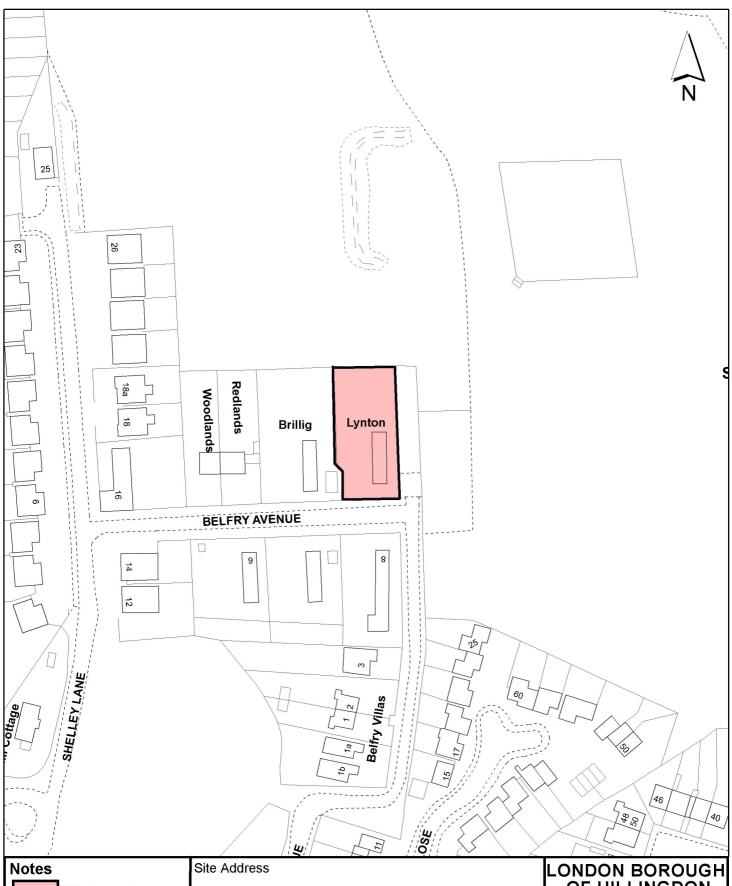


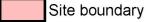
Supplied by: A Boville Wright Ltd Serial number: 00143400 Centre coordinates: 504342.88 191033.25

Further info Pajorca 22 found on the OS Sitemap Information leaflet or the Ordnance Survey web site: www.ordnancesurvey.co.uk









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# Lynton, Belfry Avenue Harefield

Planning Application Ref: Scale 1:1,250 17663/APP/2012/368 **Planning Committee** Date May North Page 225

2012



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

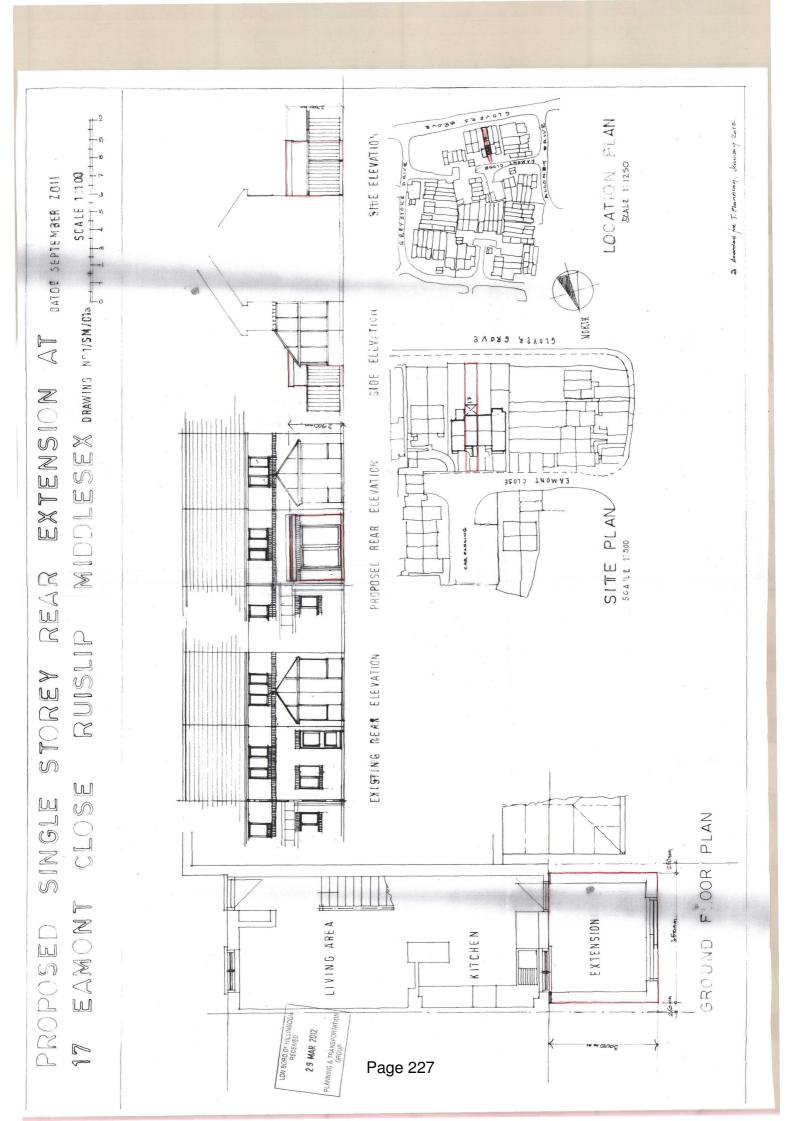
Address 17 EAMONT CLOSE RUISLIP

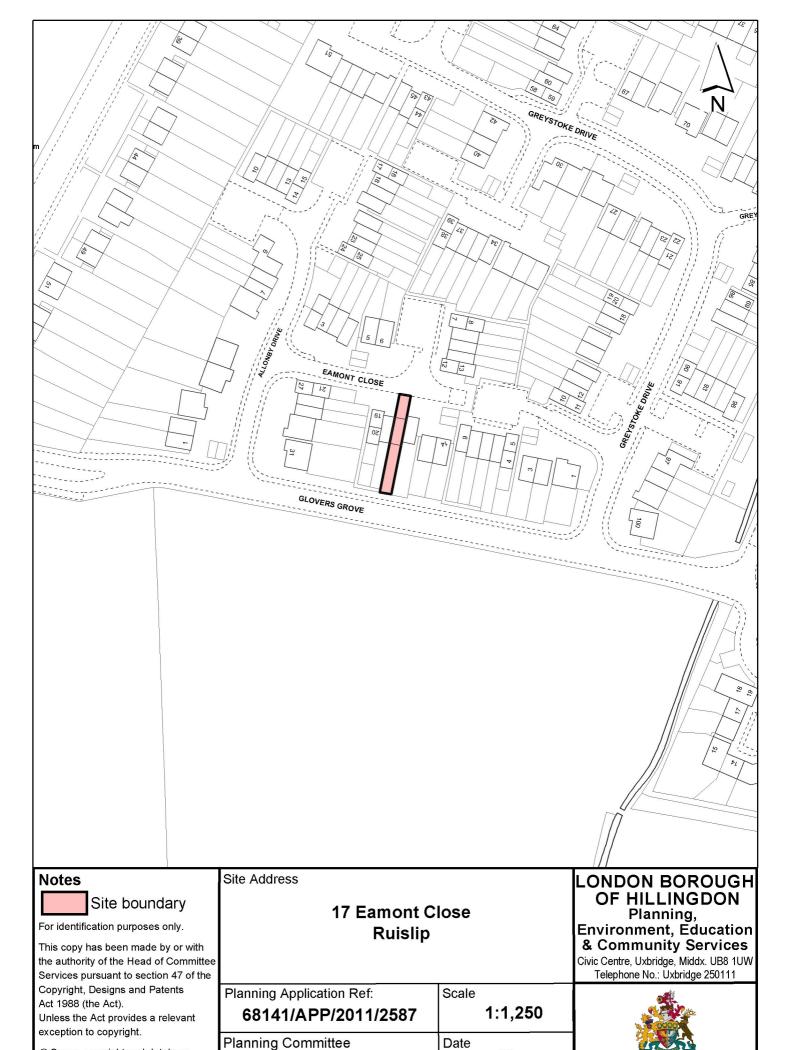
**Development:** Single storey rear extension

LBH Ref Nos: 68141/APP/2011/2587

Date Plans Received: 24/10/2011 Date(s) of Amendment(s): 29/03/2012

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





NorthPage 228

May

2012

LONDON

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100019283

#### Report of the Head of Planning & Enforcement Services

Address PEMBROKE HOUSE, 5 - 9 PEMBROKE ROAD RUISLIP

**Development:** Change of use of ground and first floor from Use Class B1 (Business) to Use

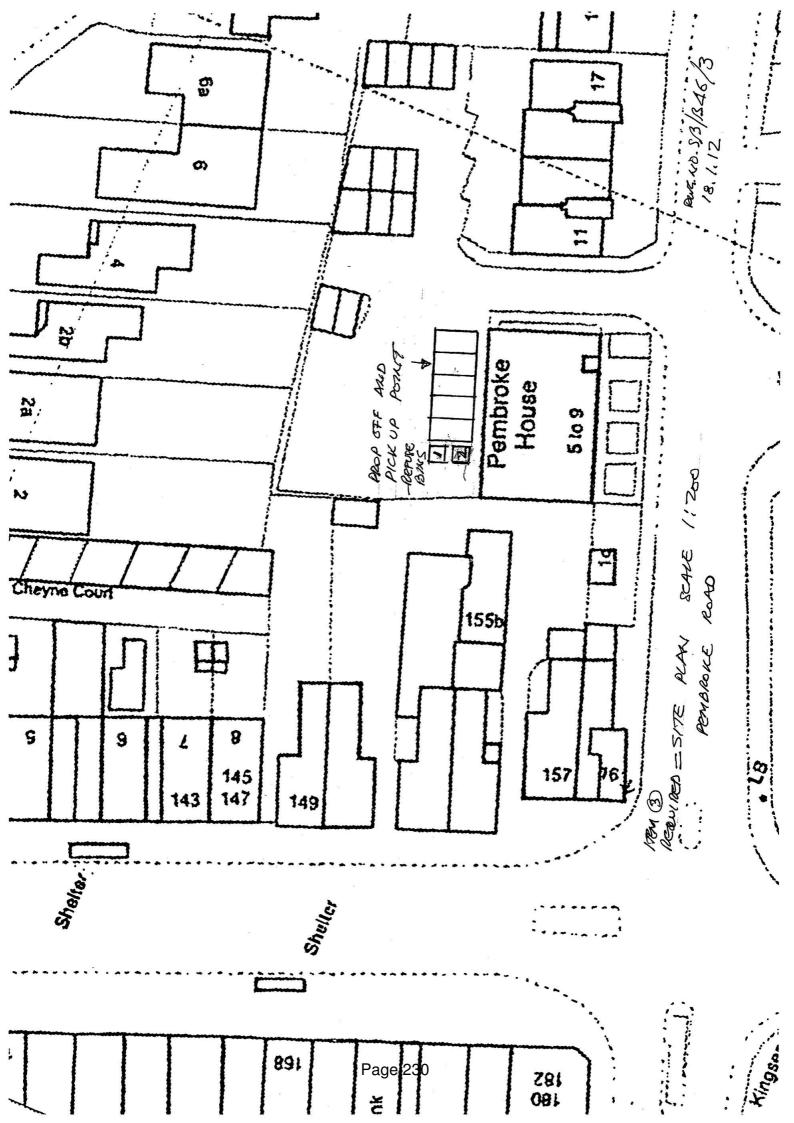
Class D1 (Non-Residential Institutions) for use as a nursery

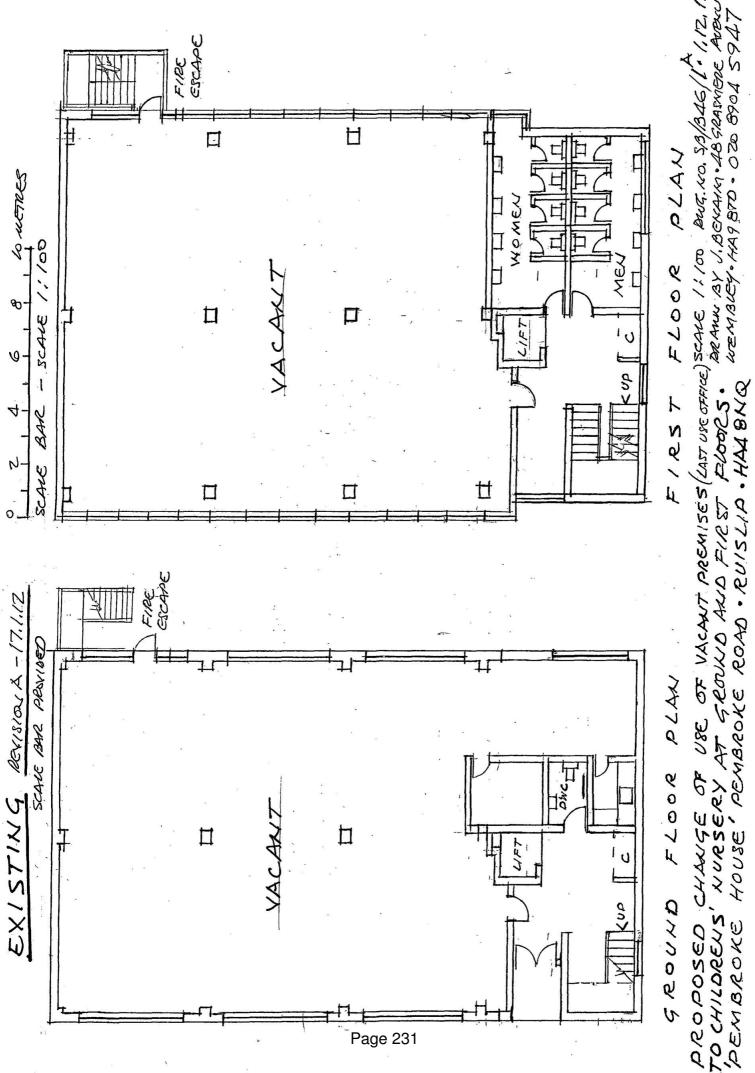
**LBH Ref Nos:** 38324/APP/2012/42

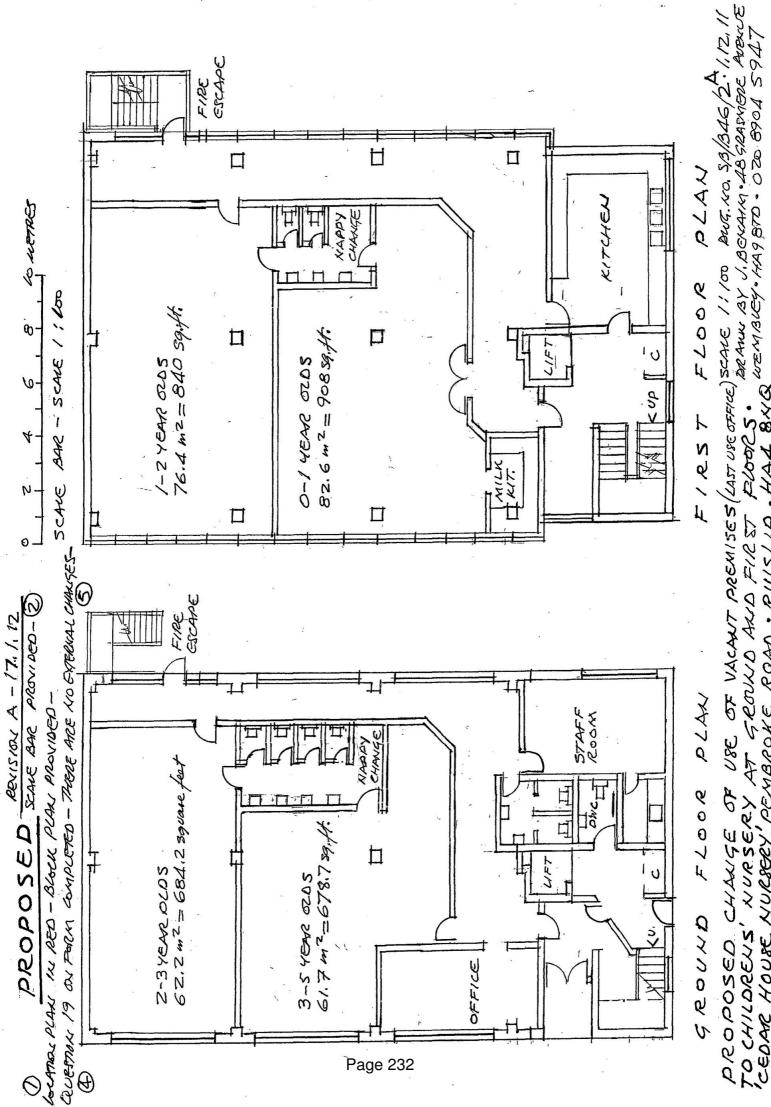
Date Plans Received: 10/01/2012 Date(s) of Amendment(s):

**Date Application Valid:** 24/01/2012

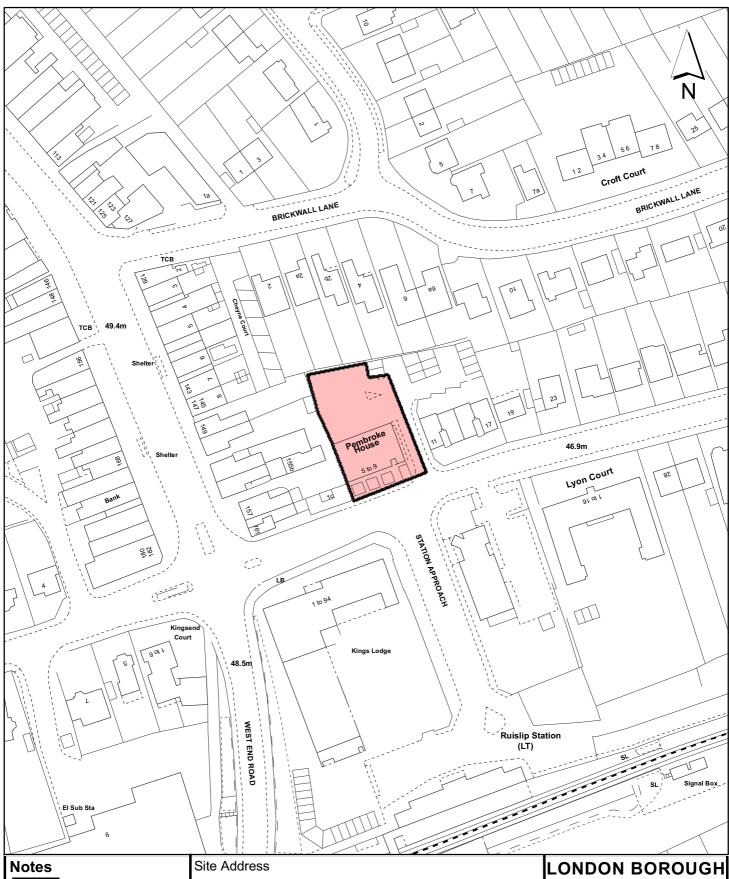
North Planning Committee - 17th May 2012 PART 1 - MEMBERS, PUBLIC & PRESS



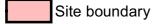




TO CHILDREUS' KURSERY AT GROWLD AND FIRST PLOORS. WEMBLEY. HAS BTD. 020 8904



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**Pembroke House** 5 - 9 Pembroke Road Ruislip

Planning Application Ref: Scale 1:1,250 38324/APP/2012/42 **Planning Committee** Date May North Page 233

2012

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



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Meeting:	North Planning Committee		
Date:	Thursday 17 <sup>th</sup> May 2012	Time:	7.00pm
Place:	Committee Room 5, Civic Centre, Uxbridge		

# **ADDENDUM SHEET**

Item: 6	Page: 1	Location: 150 Field End Road, Eastcote	
Amendmen	Amendments/Additional Information:		Officer Comments
1. Amend description to read:  Erection of a part four, part three and part two storey building with basement parking, comprising 11 one-bedroom, 27 two-bedroom and 4 three-bedroom residential flats and a retail unit on the ground floor fronting Field End Road (involving		ent parking, 7 two- residential ound floor ring	
	the existing build ing informative 11	O,	2. For completeness.
CIL	_		
You are advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy. The applicant will be liable to pay the Community Infrastructure Levy to the sum of £176,085 on commencement of this development. A separate liability notice will be issued by the Local Planning Authority, however should you require further information please refer to the Council's Website (http://www.hillingdon.gov.uk/index.jsp?articleid=24738).'			
3. Two additional responses have been received, 1 of which advises that has no comments to make, the other raising points that have already been raised and making the following additional comments:  (xxiv) Site previously formed part of the principle location for offices in Eastcote which generated footfall in Eastcote and		eat has no raising points and making ents:  art of the Eastcote	3 and 4. For update. As regards the additional points raised, there is no reason to suppose that residents would not provide as much a boost to the local economy as office workers (point (xxiv)). Point (xxv) is noted. As regards point (xxvi), the hotel scheme is not being pursued. As regards point (xxvii), residential schemes within town centres are encouraged by national planning policy to encourage vitality of town centres and

boosted economy. Site has now been vacant for over 5 years which has not sustained local employment. S106 payments should mitigate effects of residential development by seeking to stimulate local trade, promote Eastcote and the high street and contribute to job creation schemes,

(xxv) Site attracts vandalism and petty crime (xxvi) Hotel scheme is preferred as will generate footfall and create some local jobs, (xxvii) Location in centre of a town centre surrounded by late night licensed premises is considered inappropriate for residential development,

(xxviii) Need to revisit numbers and impose a social housing requirement,

4. Add revised comments of the Ruislip, Northwood and Eastcote Local History Society:

I am writing on behalf of the Society to voice our continued concerns about this development, despite the latest amendments to the plans.

The height of the building has not been reduced so the four storey structure will be over dominant in the suburban street scene of Eastcote. We are especially concerned that the building overlooks the adjacent Morford Way Conservation Area with its low two storey houses in the Arts and Crafts style and it will have a detrimental effect on this area.

The application provides no information about the proposed mural on the west side of the building, as to its size, design and purpose. This raises concerns about its impact on the Conservation Area since it will be visible from that area.

The proposed lead roof will be out of keeping with the surrounding tiled roofs which contribute to the suburban street scene.

In conclusion the development is not sympathetic to its surroundings and we would ask that the application be refused. I hope that our views will be taken into consideration even though they have been submitted just past the deadline for comments.

5. Add comments of Cllr Michael White:

represent sustainable development. Point xxviii and the comments of the local history society are dealt with in the main report.

5. The councillor's comments are noted.

I would like to speak against this proposal at committee as I am opposed to it on grounds of bulk, design, lack of sizable accommodation and density.

- 6. Section 3 of the S106 requirements should be amended to read:
- 3. If the S106 Agreement has not been finalised within 6 months, the application to be referred back to the Planning Committee for determination at the discretion of the Head of Planning, Sport and Green Spaces.

Item: 7	Page: 49	Location: Ly Ruislip	yon Court and 28-30 Pembroke Road,
Amendme	⊔ nts/Additional li	nformation:	Officer Comments
1. Amend de	escription to read:		
Erection of 3, part 3, part 4 storey blocks, to provide 61 residential units, comprising 25 one bedroom, 27 two bedroom, 8 three bedroom apartments and one 4 bedroom house, together with construction of a new access, associated parking and landscaping, involving demolition of existing buildings and stopping up of existing vehicular access.			
2. The follow recommends	ving additional con ed:	dition is	
applicant sh	elopment commen all submit a demol management plar thority for its appro	ition and n to the Local	
(i) The phasing of development works (ii) The hours during which development works will occur (please refer to informative 115 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.

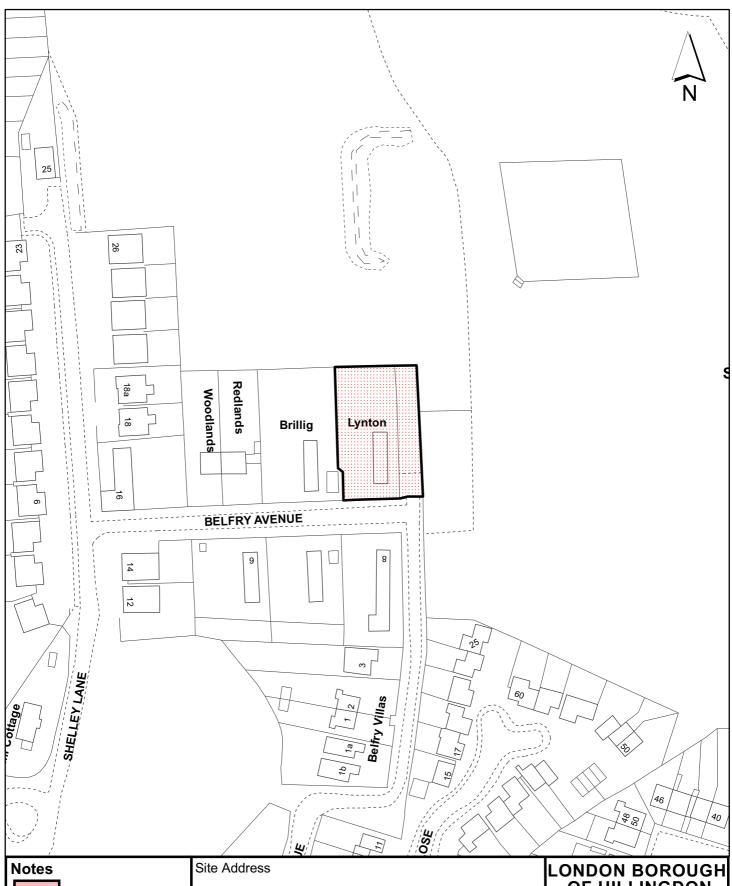
REASON: To safeguard the amenity of surrounding areas in accordance with Policy OE1 of the Hillingdon Unitary Development Plan (Saved Policies 2007).

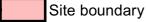
End Road.

Item: 10 Page: 97 Location: 20		Location: 20	06 Field End Road, Eastcote
Amendments/Additional Information:		nformation:	Officer Comments
1. Condition 7 has been overprinted in the main report and should read:		rinted in the	
7. 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.		of disposal, and waste siness and/or n submitted to Local s shall include be provided of litter within ses. The	
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).		osal of litter naintaining a ty in the licy OE1 of ment Plan	
2. Additional comments have been received from the Eastcote Village Conservation Area Advisory Panel. The objections relate to:		servation Area	2. Members should note that this site is not within or on the boundary of the conservation area
result the re 2. The f of ret given	proposed change of in an unacceptable tail frontage. igures relating to ail use are at odds in a previous report change of use	the proportion s with figures ort relating to	The issue of the break in the retail frontage is covered in the main report. With regard to the figures, the report is correct, as the figure in the report on the previous case omitted to include the vacant A1 units as part of the overall figure.

Item: 11	Page: 109	Location: Ly	ynton, Belfry Avenue, Harefield
Amendments/Additional Information:		nformation:	Officer Comments
The site plan attached to the report is		eport is	
incorrect and an amended plan is attached to this addendum.		is attached	

Item: 12	Page:	Location: 17	7 Eamont Close, Ruislip
Amendments/Additional Information:		nformation:	Officer Comments
A further letter of objection has been		s been	
received from the adjoining occupier. The		cupier. The	
grounds of objection are as set out in the			
main report and no further issues are raised.			





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# Lynton, Belfry Avenue Harefield

Planning Application Ref:

17663/APP/2012/368

Planning Committee

Date

May

NorthPage 240 Date May 2012

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

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

