



HILLINGDON
LONDON



North Planning Committee

Date: THURSDAY, 7 JUNE 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

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

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Contact: Charles Francis
Tel: 01895 556454
Fax: 01895 277373
democratic@hillington.gov.uk

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Lloyd White
Head of Democratic Services
London Borough of Hillingdon,
3E/05, Civic Centre, High Street, Uxbridge, UB8 1UW
www.hillingdon.gov.uk



INVESTOR IN PEOPLE

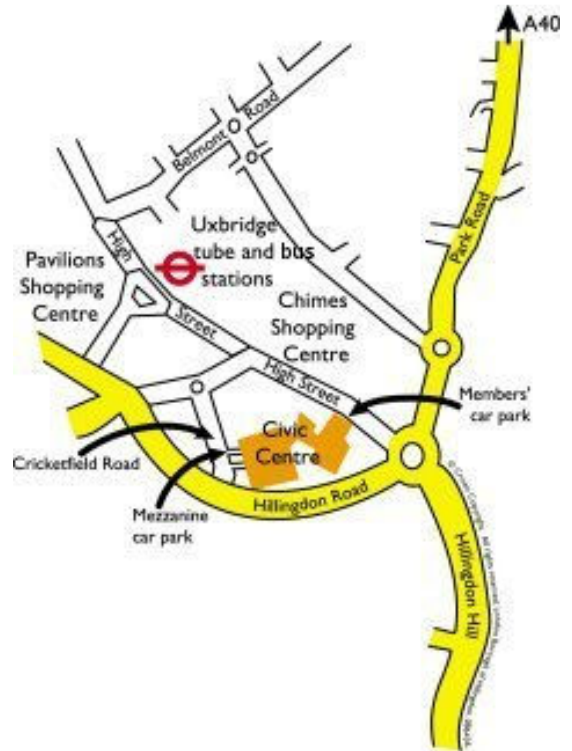
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Petitions and Councillors

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;
6. The Committee will vote on the recommendation in the report, or on an alternative recommendation put forward by a Member of the Committee, which has been seconded.

About the Committee's decision

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

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

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

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

Agenda

Chairman's Announcements

- 1 Apologies for Absence
- 2 Declarations of Interest in matters coming before this meeting
- 3 To sign and receive the minutes of the previous meeting (to follow)
- 4 Matters that have been notified in advance or urgent
- 5 To confirm that the items of business marked Part 1 will be considered in public and that the items marked Part 2 will be considered in private

Reports - Part 1 - Members, Public and Press

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

Major Applications without a Petition

	Address	Ward	Description & Recommendation	Page
6	Lyon Court and 28-30 Pembroke Road Ruislip 66985/APP/2011/3049	West Ruislip	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. Recommendation: Approval subject to a Section 106 and/or Section 278 Agreement	1 – 30

Non Major Applications with a Petition

	Address	Ward	Description & Recommendation	Page
7	Imada 12 Kaduna Close Eastcote 52580/APP/2011/2033	Eastcote & East Ruislip	Erection of a first floor side extension to provide 2 two-bedroom flats with associated parking and amenity space. Recommendation: That the application would have been refused had an appeal against non-determination not been received.	31 - 46
8	Land at Junction of Warren Road Swakeleys Drive Ickenham 65862/APP/2012/982	Ickenham	Installation of a 15m high telecommunications pole, associated antenna, equipment cabinet and ancillary developments works (Consultation Under Schedule 2, Part 24 of the Town and Country Planning (General Permitted Development) Order 1995) (as amended.) Application for prior approval for siting and design. Recommendation: (A) That prior approval of siting and design is required. Recommendation (B) Refusal	47 - 54

Non Major Applications without a Petition

	Address	Ward	Description & Recommendation	Page
9	The Swan Breakspear Road North Harefield	Harefield	Two storey detached building to contain 2 one-bedroom and 4 two-bedroom, self contained flats with associated parking and amenity space and alterations to existing vehicle crossover to front, (involving demolition of existing building). Deed of Variation to S106 Agreement determined at Committee 26th April 2012 Recommendation: Approval subject to a Section 106/ Unilateral Undertaking	55 - 94

	Address	Ward	Description & Recommendation	Page
10	Land at Willow Farm (Field 3116) Jackets Lane Harefield 57685/APP/2011/1450	Harefield	Permanent use of the land as a gypsy and traveller caravan site and for the keeping and breeding of horses with associated operational development, including the siting of two mobile homes and a touring caravan, retention of two stable blocks, and the formation of a garden area with the erection of a garden shed, yard and paddock areas, parking spaces, landscaping and fencing (Part retrospective application). Deferred from Central & South Committee 10/01/2012 Recommendation: Refusal	95 - 120
11	439 Victoria Road Ruislip 67990/APP/2012/728	South Ruislip	Change of use of from retail (Use Class A1) to financial and professional services (Use Class A2). Recommendation: Approval	121 - 130
12	The Breakspear Arms, Breakspear Road North, Harefield 10615/APP/2012/488	Harefield	Conservatory to side and provision of 'jumbrella' and outdoor seating areas to exterior of property. Recommendation: Refusal	131 - 140

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.

13 Enforcement Report Page 141 – 152

14 Enforcement Report Page 153 – 160

Any Items Transferred from Part 1

Any Other Business in Part 2

Plans for North Planning Committee

Page 161 - 208

Agenda Item 6

Report of the Head of Planning & Enforcement Services

Address LYON COURT AND 28-30 PEMBROKE ROAD RUISLIP

Development: 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.

LBH Ref Nos: 66985/APP/2011/3049

Drawing Nos: 1250/SK/29 Rev A
1214-P102 W
1214-P103 V
1214-P110 S
1214-P111 M
1214-120
1214-122
1250/SK/33 B
1214-P100 AC
1214-P101 AC
1214-P102 X
1214-P112

Date Plans Received: 16/12/2011 **Date(s) of Amendment(s):** 25/01/2012
Date Application Valid: 25/01/2012 23/05/2012

DEFERRED ON 24th May 2012 FOR SITE VISIT .

The application was heard at the 17th May 2012 North Planning Committee. Members deferred the application for a site visit and raised a number of concerns.

1. Entrance gates

The applicant has advised that there are 2 main reasons that these are being proposed as part of the scheme as follows:

"The site is located very close to Ruislip Underground station and bus interchange and my clients are concerned to ensure that commuters are deterred from entering the site and making use of the parking spaces. It is important that the parking spaces are available at all times for residents of the scheme. At nearby Kings Court which access directly onto Station Approach this issue is dealt-with by means of electric gates. At Merrion Court, the managing agents are having to employ clampers to deal with the problem which is obviously far from satisfactory. My Clients believe that electrically operated gates on this development will act as a real deterrent to unauthorised parking on the site.

During pre-application discussions, the Metropolitan Police's Crime Prevention Design Advisor, was keen to ensure that the site is presented as secure due to its vulnerable location near a public transport interchange which provides the opportunity for the casual criminal passing through the area. The proposed gates will provide this element of psychological security and perceived deterrence to anyone with criminal intentions."

With regard to Members' comments about the interruption of traffic flow into the site from Pembroke Road, the gates are set back far enough to allow 2 cars to park off the road. The applicant has advised that the gates themselves will not be code or key operated but will be activated by a loop in the access road and will open as a vehicle approaches. This will ensure that vehicles do not 'stack' back onto Pembroke Road. In the event of failure of the electric mechanism, the rams that open the gates 'relax' and the gates can be pushed open manually. This is similar to the 'fail safe' arrangement on magnetic locks in buildings in the event of fire. It is considered that this matter can be covered by means of a condition requiring details of the precise design of the gate-opening mechanisms to be submitted before development commences.

The applicant has stressed that electrically-operated gates are proposed on this scheme for real security and practical reasons, and not in any sense to create an exclusive and socially excluded environment for residents.

2. House adjacent to Block A

The applicant has advised that this unit provides an important element in the street-scene and a well-conceived transition to the adjacent Merrion Court building which steps down to 2 stories plus rooms in the roof adjacent to the site boundary. This variation in roof and eaves heights will provide visual interest along Pembroke Road and is an approach that encouraged by the Council's Design Officer. The Applicants consider this to be an important element of the overall scheme which should be retained.

The applicant has made a number of minor alterations to the site layout which are shown on the revised drawings. These are:

- i) Block A has been moved forward by 0.5 metres, and Block B by 1.0 metres, to increase the amount of useable amenity space within the site by 27.5 sq metres.
- ii) The depth of the house (plot A15) has been increased by 1.2 metres and a small conservatory added at the rear. The garden has also been enlarged and a lock-able gate provided to provide access to the shared amenity space at the rear.

These changes are considered to improve both the living environment for the occupiers of the new house and overall amenity space, without having an adverse impact on the appearance of the development.

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, 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 known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

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

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 developmetn 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.

17 OM19 Construction Management Plan

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

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).

- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) The storage of demolition/construction materials on site.

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

REASON

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

INFORMATIVES

1 I23 Works affecting the Public Highway - Vehicle Crossover

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

2 I25A The Party Wall etc. Act 1996

On 1 July 1997, a new act, The Party Wall etc. Act 1996, came into force.

This Act requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:-

- 1) carry out work to an existing party wall;
- 2) build on the boundary with a neighbouring property;
- 3) in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations or planning controls. Building Control will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by Building Control should be taken as removing the necessity for the building owner to comply fully with the Act.

3 I34 Building Regulations 'Access to and use of buildings'

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

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

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

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

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

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

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

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

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 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.

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. Requires new development to ensure adequate levels of privacy to

BE24	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.

3. CONSIDERATIONS

3.1 Site and Locality

The site comprises Lyon Court, a U shaped 2 storey block of 4 x 1 bedroom and 12 x 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 8 metres and 16.5 metres 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 from 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 proposed site access would damage the roots of the street tree directly adjoining this proposed 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 agreement.

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 residential 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 further to the east. Although, Ruislip Village Conservation Area is located to the north and west of the site, given the distance and intervening development 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 from 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 demonstrates 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 considered 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 mix-use 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 verified 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 recommended that further surveys be carried out. However the applicant cleared the land before any further surveys had been conducted.

No objections have been received from Natural England, however the Council's Sustainability officer has indicated that a contribution 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 outweigh 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 recycling 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 initially 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

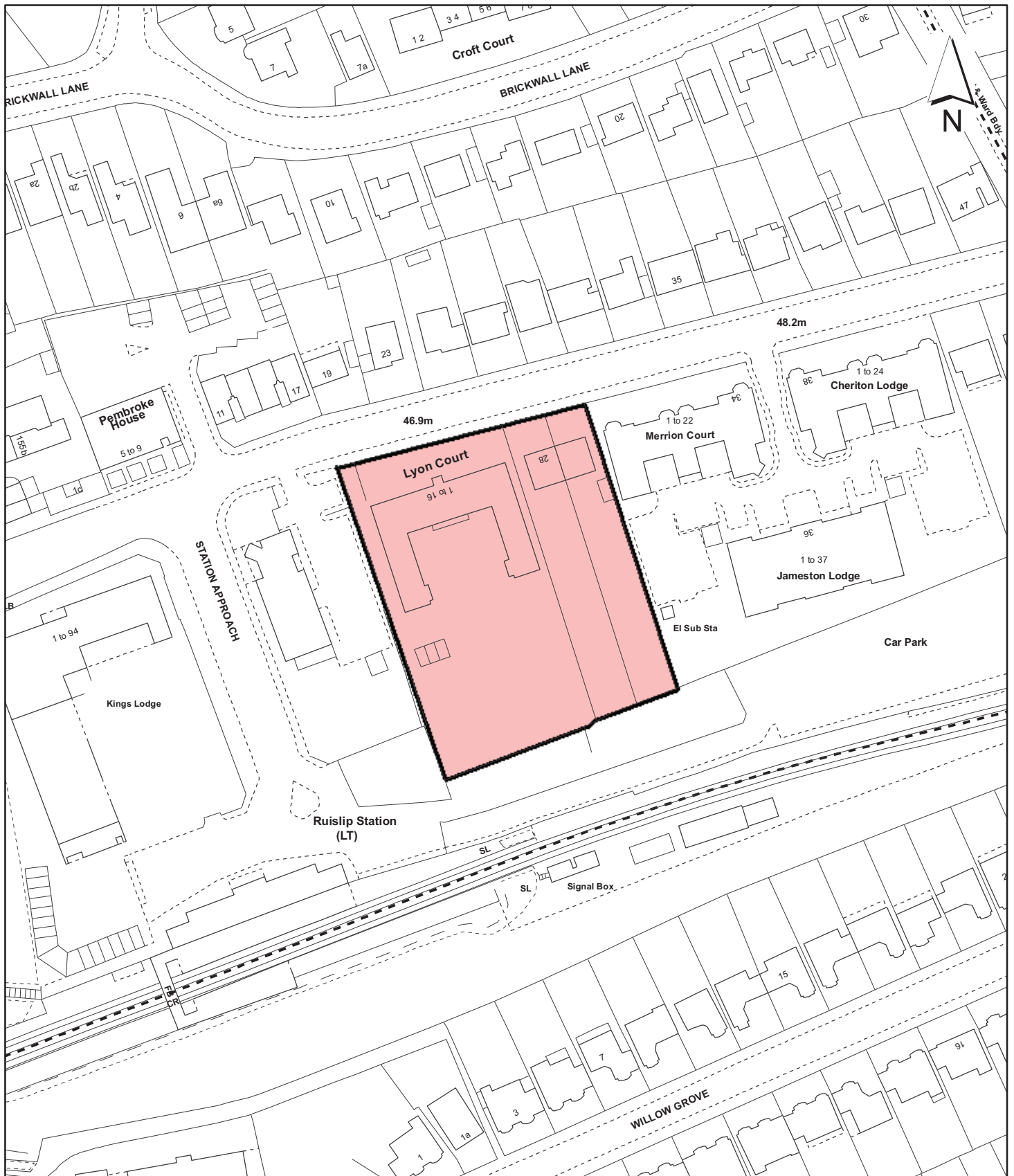
For the reasons provided throughout this report, the application is considered to be appropriate and acceptable and to comply with the relevant policies and planning guidance for the site. Therefore, the application is recommended for approval.

11. Reference Documents

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

Contact Officer: Matt Kolaszewski

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address

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

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

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

Planning Application Ref:

66985/APP/2011/3049

Scale

1:1,250

Planning Committee

North Page 30

Date

**May
2012**



HILLINGDON
LONDON

Report of the Head of Planning & Enforcement Services

Address IMADA 12 KADUNA CLOSE EASTCOTE

Development: Erection of a first floor side extension to provide 2 two-bedroom flats with associated parking and amenity space

LBH Ref Nos: 52580/APP/2011/2033

Drawing Nos: Design & Access Statement Received 27th October 2011
Tree Report
1
5 Received 27th October 2011
2
3
4
Flood Risk Assessment

Date Plans Received: 18/08/2011

Date(s) of Amendment(s):

Date Application Valid: 26/08/2011

1. **SUMMARY**

Planning permission is sought for the erection of a first floor extension to provide two, 2 bedroom self-contained flats. The application follows the dismissal of appeal reference APP/R5510/A/11/2151121 in respect of application 52580/APP/2010/2293 for an identical proposal.

The Inspector concluded that the application was acceptable insofar as it would provide adequate living conditions for future occupiers and that it would not harm the character and appearance of the conservation area. However, the Inspector concluded that the proposal would not make adequate provision for the additional educational needs it would generate.

The revised application confirms agreement to the payment of financial contributions towards education by way of a Section 106 agreement. However, the Environment Agency have raised objection in relation to this application on the grounds that if the proposal had passed the sequential test, it fails to make provision for a safe access/egress from the site in times of flood. The applicant has failed to provide evidence of a site search demonstrating that this is the only suitable site for residential development and has not therefore passed the sequential test. As such the proposal is contrary to Policy OE7 of the Hillingdon UDP.

2. **RECOMMENDATION**

The application is the subject of an appeal against non-determination within the statutory time frame and thus members are requested to determine that the application would have been refused had an appeal not been lodged for the reason set out below.

1 NON2 **Non Standard reason for refusal**

The applicant has not provided evidence of a site search demonstrating that this is the only suitable site and has not therefore passed the sequential test. Furthermore, the

proposed development does not have a safe means of access and/or egress in the event of flooding. Consequently, the application is contrary to the advice contained within the National Planning Policy Framework, Policy 5.12 of the London Plan (2011) and Policy OE7 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

3. CONSIDERATIONS

3.1 Site and Locality

This application relates to the Imada Health Club building located on the south east side of Kaduna Close at the end of the cul de sac. The application property comprises a part single, part two storey detached building located to the south east west of the Eastcote tennis clubhouse, with associated car parking spaces immediately to the north west and south west of the building. The building's frontage is on the north west side. The main entrance is located in the single storey element of the building and comprises a projecting front porch extension. To the north east of the application site lies tennis courts associated with the tennis club, with a residential block, 6 to 10 Kaduna Close, beyond. To the south west lies the rear gardens of 19 and 20 Sutton Close, both semi-detached houses. The surrounding area is residential in character and appearance and the application site lies within the Eastcote Village Conservation Area, as identified in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007). The application site is located within Flood Zone 3a.

3.2 Proposed Scheme

Planning permission is sought for the erection of a first floor extension over the existing single storey element to the front of the building. The proposed extension would follow the footprint of the single storey element and would measure 14.5m wide along the north west (front) elevation, 13.1m deep, and finished with a gable end ridged roof 6.8m high at eaves level, and 10m high at ridge level, projecting 3m above the existing two storey element of the building. A front gable is proposed above the front porch entrance, replacing the canopy roof. It would measure 4.8m wide, and finished with a ridged roof set 0.7m below the new roof ridge.

The proposed extension would provide two, 2 bedroom self-contained flats. Each flat would measure approximately 76sq.m and would provide a living/dining/kitchen room, two bedrooms and a bathroom. First floor windows are proposed on all elevations and the proposed flats would be accessed from the main entrance to the health centre.

An external roof terrace to form private amenity space is proposed over part of the flat roof of the two storey element, immediately to the south of the proposed extension. This area measures approximately 35sq.m and would be secured by 1m high railings. An additional external private amenity space, some 47sq.m in size, 2 parking spaces and cycle stands are proposed to the rear of the curtilage of the building.

3.3 Relevant Planning History

52580/APP/2010/2293 Imada 12 Kaduna Close Eastcote

Erection of a first floor side extension to provide 2 two-bedroom flats with associated parking and amenity space.

Decision: 28-04-2011 Refused

Appeal: 02-08-2011 Dismissed

Comment on Relevant Planning History

52580/APP/2010/2293 was refused for an identical application for the following reasons:

1. The proposed first floor extension, by reason of its overall size, bulk and scale, would represent an overdominant and visually intrusive form of development which would fail to harmonise with the character and appearance of the original building. The proposal would therefore have a detrimental impact on the character and appearance of the immediate area and the Eastcote Village Conservation Area, contrary to policies BE4, BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

2. The proposal fails to provide adequate usable amenity space for the 2 two-bedroom flats. As such, the proposal would fail to provide an appropriate level of residential amenity for future occupiers, contrary to policy BE23 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007), policy 4B.1 of the London Plan (February 2008) and paragraph 4.15 of the Hillingdon Design & Accessibility Statement: Residential Layouts.

3. The site is located within the Eastcote Village Conservation Area and there is a mature Oak and a number of smaller trees located to the rear of the site. These trees contribute to the appearance of the street scene and this part of the Eastcote Village Conservation Area. The proposed external amenity space would be severely affected by shade and dominated by the trees, particularly the Oak. This is considered to put undue pressure to heavily prune / fell the Oak, which would be detrimental to the visual amenity and wooded character of this part of the Eastcote Village Conservation Area, contrary to policies BE4, BE13 and BE38 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

4. The proposed unit adjacent to the tennis courts would be incompatible with the continued operation of the tennis club, in particular it would be adversely affected by the floodlighting serving the tennis courts. As such, the unit would not benefit from an acceptable standard of residential amenity, contrary to policy OE1 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

5. The development is likely to give rise to a significant number of children of school age that would require additional educational provisions, due to the shortfall of places in schools serving the area. Given that a legal agreement or unilateral undertaking has not been offered to address this issue, the proposal is considered to be contrary to Policy R17 of the Adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and the Council's Planning Obligations, Supplementary Planning Document (July 2008).

6. The proposals fail to provide an assessment of the existing parking demand for the car park, on-street parking stress and swept paths for refuse vehicles. In the absence of information, the proposals are considered to have inadequate car parking, unsatisfactory layout for refuse vehicles and are likely to lead to situations detrimental highway and pedestrian safety contrary to the Council's Policies AM7 and AM14 of the UDP.

This application was dismissed at appeal. The Inspector concluded that the application was acceptable insofar as it would provide adequate living conditions for future occupiers and it would not harm the character and appearance of the conservation area. However the Inspector concluded that the proposal would not make adequate provision for the additional educational needs it would generate.

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:

LPP 3.3	(2011) Increasing housing supply
LPP 5.3	(2011) Sustainable design and construction
LPP 5.12	(2011) Flood risk management
LPP 7.2	(2011) An inclusive environment
AM4	Safeguarded road proposals - schemes shown on Proposals Map
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE5	New development within areas of special local character
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H7	Conversion of residential properties into a number of units
OE7	Development in areas likely to flooding - requirement for flood protection measures
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **28th September 2011**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

42 neighbours were consulted by letter dated 31.8.11. A site notice was displayed on site on 31.8.11

4 individual letters of objection and a petition of objection have been received. The concerns relate to:

1. Detrimental impact on Conservation Area
2. Detrimental impact on sewer
3. Insufficient parking
4. Insufficient open space
5. Site located within flood zone 3.

Thames Water:

Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application. With regard to water supply, this comes within the area covered by the Veolia Water Company.

Eascote Village Conservation Area Advisory Committee:

There are many anomalies to take into consideration when determining this resubmission. The most incomprehensible being the Planning Inspector's report APP/R5510/A/11/2151121/NWF dated 2nd August 2011. The only reason given for the appeal being dismissed is that the proposal would not make adequate provision for the additional educational needs. The many reasons put forward in the Officer's report, which were upheld by the North Planning Committee were disregarded. As was the additional reason for refusal, as set out at the NPC 28th April 2011. From the minutes of the Meeting of the North Planning Committee 28th April 2011.

The proposals fail to provide an assessment of the existing parking demand for the car park, on-street parking stress and swept paths for refuse vehicles. In the absence of information, the proposals are considered to have inadequate car parking, unsatisfactory layout for refuse vehicles and are likely to lead to situations detrimental to highway and pedestrian safety contrary to the Council's Policies AM7 and AM14 of the UDP. The Inspector was incorrect in point 18 of the report, but I note that the Council has raised no objections on this matter and that it considers the proposal to be in accordance with its policies. It would appear that the Inspector did not read the decision notice. None of the assessments called for in the reason set above have been submitted with this application, these should be requested before determination of this application. These are:

- Inadequate provision for refuse vehicles.
- No information provided about existing demand for the Car Park
- No information on spare capacity of car park and on-street parking which would lead to
- Inadequate car parking for the proposed development.

It must also be noted, that there are banqueting facilities advertised at these premises, seating for 160 persons. Designated car parking available for staff, users of the sports facilities, restaurant and proposed new residents are 16 spaces. There would appear to be an inadequate supply of parking spaces currently.

The submitted Design and Access Statement is basically the same as the previous submission. Disposal of refuse for the proposed flats is by way of use of the existing refuse/recycling enclosure. The report from Waste management states the waste from the new build would need to be presented separately from the commercial waste generated by the restaurant.

There has not been any effort to address this matter within the current application. Because of the evident lack of space, the location of the secure cycle store should be called for. If this is to be situated within the proposed shared amenity space, this will reduce the size of amenity space still

further.[This report was requested in the Officer's report but has not been submitted]
Point 6 of the Inspector's report needs to be revisited, the Inspector states that there is not any light spillage from the Floodlights to affect the proposed dwellings. Which is in direct opposition to the Officer's report. The floodlighting is clearly not designed to prevent light spillage into the area proposed for the first floor flats. There have been changes to the boundary treatments and the buildings are clearly visible from Joel Street. This does make an impact upon the Conservation Area

The decision of the Planning Inspector to overturn the LPA decision, which was based upon the UDP and other SPD's should not be allowed to influence the determination of this current application.

OFFICER COMMENT: The recent appeal decision is a material consideration. The Inspector accepted the principal and detail of the application. However, he dismissed the appeal on the grounds of the failure to address the provision of educational facilities created by the development.

Eascote Tennis Club:

Proposed Flats Amenity Space: In our view shared roof top amenity space, however convenient, cannot be classed as a suitable amenity. Its proximity to and visibility from the tennis courts means it lacks any privacy. The application does not therefore include adequate useable amenity space. The space proposed also overlooks the adjacent properties in Kaduna Close, and in particular the first floor windows, and would intrude on the privacy of the residents of those properties.

Other living conditions: There appears to be a difference of view between the council and the planning inspector about the light spillage from the tennis clubs floodlights. Those closest to Imada have been in place for a number of years, and do not have specific features designed to limit spillage. [Please see the first two of the attached photographs, which show both how close the lights would be to the proposed windows at first floor level and the spread of light.] Since all habitable rooms in the proposed flats would be exposed to the floodlights, it is difficult to see how this would provide satisfactory living conditions. The fact that potential residents might be aware of the floodlights before they moved in is of course irrelevant to their impact on the acceptability of the living conditions.

Tennis Clubs Amenity: It has been suggested that as the tennis courts are already overlooked by the properties in Kaduna Close, the proposed development would not significantly worsen the noise and disturbance to which the tennis club is subject. This seems to ignore the difference in proximity between the nearest buildings in Kaduna Close (some ten metres away), and the proposed development, which would be within one metre of the court boundary. More significant is the contrast between the tall hedge which separates the courts from the gardens of Kaduna Close, and the proposed open amenity space at first floor level. The proposed development would also unacceptably restrict the view the tennis club currently enjoys of its three matchplay courts from its clubhouse's first floor lounge window. [Please see remaining photographs attached, which are taken from the lounge and show how a second storey on top of the existing single storey would restrict the view.]

Parking: Imada openly advertises on its website capacity to host banquets for up to 160 people. It does so with 16 designated parking spaces for its staff and guests. The application proposes allocating two of these spaces for the new flats. While that may be acceptable provision for the flats, it will only worsen the parking situation for everyone else. There is no assessment of either the current or future demand for parking and no explanation how any problems caused by the development would be mitigated. Any future over demand of parking from larger functions would choke up the already limited parking space within the residential street of Kaduna Close.

Character: In our view the proposed development would be unacceptable in a Conservation Area. It

would increase the size of an already bulky and unattractive building, which is already out of keeping with the area. In particular, its scale would further dwarf the tennis clubhouse, as the nearest building to it. Its increased size would also dominate the adjoining properties.

In conclusion, we note that the application form submitted indicates that the site is not in an area at risk of flooding. We believe this is incorrect, as the maps from the Environment Agency we have seen suggest that Imada's site is in Flood Risk Zone 3. If so, a Flood Risk Assessment should be prepared.

Environment Agency:

This site is located in Flood Zone 3b as determined by your Strategic Flood Risk Assessment. Any increase in the buildings footprint for more vulnerable uses would be inappropriate in 3b. As there is no increase in building footprint proposed as part of this application, the 3b classification is not applicable in this instance.

The site lies within Flood Zone 3. This is defined by the Technical Guidance to the National Planning Policy Framework as having a high probability of flooding. As outlined in the National Planning Policy Framework (NPPF) you should ensure that the Flood Risk Sequential Test has been passed by determining that there are no reasonably available alternative sites outside of this flood zone. If there are any alternative sites at a lower risk of flooding then this site is not appropriate and you should recommend refusal.

If you satisfactorily pass the Sequential Test for the proposed development, we have concerns relating to safe access/egress and object to this application.

Reason

The proposed development does not have a safe means of access and/or egress in the event of flooding. Consequently, there would be an unacceptable risk to the health and safety of the occupants in a flood event. This is despite the mitigating measures proposed.

Resolution

As safe access/egress is not available then the applicant should discuss with yourselves whether, in this particular instance, the provision of an evacuation plan for the development would be sufficient to ensure the safety of residents of the development. We suggest you involve your emergency planners when making your decision. Should this be agreed then we will be in a position to remove our objection.

Advice to Local Authority:

The submitted plan (reference 26097/001/001) within the Flood Risk Assessment (FRA) demonstrates that the flood levels around the building and along the access route will be classed as hazardous (danger for some) in a 100 year plus climate change flood event. This is in line with Flood Risk Assessment Guidance for New Development(FD2320).

The worst case depth of flooding is 431 millimetres (mm) located just outside of the building exit. Even though the flood waters are some distance from the River channel, as stated in section five of the FRA, and therefore the velocities experienced should be low, this will still cause a danger for some according to the guidance contained within FD2320.

Advice to Applicant

Car parking may be appropriate in areas subject to flooding, provided flood warning is available and signs are in place. Car parks should ideally not be subject to flood depths in excess of 300mm depth since vehicles can be moved by water of this depth (see Guide to the management of floodplains to reduce flood risk SR 599 HR Wallingford 2003). Car parks located in areas that flood to greater

depths should be designed to prevent vehicles floating out of the car park.

Internal Consultees

Waste Management:

The waste arising from the flats is classed as household waste and would be collected through the household waste and recycling services:

Weekly residual (refuse) waste, using sacks purchased by the occupier

Weekly dry recycling collection, using specially marked sacks provided by the Council

However, it would have to be presented separately from the commercial waste generated by the restaurant.

Highways:

Kaduna close is a no through residential road situated on the side of River Pinn and a tennis court and accessed from Joel Street which is unclassified road. The existing carriageway is approximately 6.0m Wide with approximately 1.5 m wide footway on both sides.

The existing dwelling is used as a squash court, leisure facilities and restaurant, benefiting from a total of sixteen car parking spaces located at the rear and side of the existing building. Two car parking spaces will be allocated for the future occupants of proposed two bedroom flats and a total of fourteen car parking spaces are reserved for guests using tennis club and restaurants.

The proposal for constructing 2 two bedroom first floor side extension flats and allocating two out of sixteen parking spaces to the new flats and four covered and secured cycle storage facilities complies with policy AM14 of the Council's UDP.

Given the appeal decision no objection is raised on highways and transportation aspect of the development, subject to the following issues being covered by suitable planning conditions.

Conditions to cover:

1) Before the development hereby permitted is commenced, a plan shall be submitted to, and approved in writing by the Local Planning Authority detailing Details of covered and secure cycle storage for 4 no. cycles.

1. No development shall take place until details of facilities to be provided for the storage of refuse bins within the site have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained.

Access Officer:

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. Given that the property as it stands provides no lift access to the first floor, the proposed development would not lend itself to Lifetime Homes Standards compliance and no requirement should be imposed on the developer in this regard.

Conclusion: I have no objection to the proposed development.

Trees/landscape:

Tree Preservation Order (TPO)/Conservation Area: This site is covered by TPO 20, TPO 278 and also within Eastcote Village Conservation Area (therefore, all trees not covered by the TPO are protected by virtue of their location within the Conservation Area).

Significant trees other vegetation of merit in terms of Saved Policy BE38 (on-site): There is an Oak to the eastern side of the squash courts, however it will not be affected by the proposed extension.

Significant trees/other vegetation of merit in terms of Saved Policy BE38 (off-site): There are several Oak trees to the rear of the Imada site, which will not be affected by the construction of the proposed extension. However, with regards to landscaping, the amenity space that is to be provided will be adjacent to/under a dense belt of trees(which is part of a larger, linear landscape feature), including a very large Oak, along the river Pinn and will therefore be severely affected by shade and dominated by the trees, particularly the Oak. Concerns were raised on the previous application (Ref: 52580/APP/2010/2293) that this problem will most likely give rise to pressure to heavily prune/fell the Oak. This planning application was refused, and dismissed on appeal. The Planning Inspector (Appeal Decision Ref:- APP/R5510/A/11/2151121) did not find there was a threat to the tree(s) and found that although the location of this amenity space is not conveniently located, the heavy shade of the trees may well be an advantage and provide shade for the residents.

Scope for new planting (yes/no): A roof terrace and amenity space have been proposed, however no details of soft landscaping have been provided. This matter can be dealt with by condition.

Conclusion (in terms of Saved Policy BE38): Acceptable, given the appeal decision and subject to conditions TL2, TL5 (roof terrace and amenity space) and TL6.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site is located within an area where in principle additional development that achieves the relevant design and layout standards may be accommodated provided that it is also in character with the appearance of the surrounding area. Furthermore, any such development is also subject to any specific site constraints and the identified impacts on the amenities of the existing adjoining, nearby and future residents. The Inspector previously accepted the principle of development in this location in his recent appeal decision and there has been no change in circumstances to suggest that the principle would not now be acceptable.

7.02 Density of the proposed development

Given the small scale nature of the proposal and the mix of uses within the site, the density of the development was not an issue in regard to the previous application, which was refused for other reasons. Thus, the same is applicable to this current proposal.

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

The site is located just inside the boundary of the Eastcote Village Conservation Area. During the consideration of the previous appeal the Inspector concluded that:

"The conservation area is based on the development and the woodlands along the River Pinn and includes a number of country houses and high quality housing characterised by open spaces and landscaping. The appeal site is something of an anomaly in this context as the building is of little architectural merit and the site, as a whole, makes no contribution to the character and appearance of the Conservation Area other than that the parking area provides some sense of spaciousness. I conclude that the proposal would not have a detrimental effect on the character and appearance of the immediate area or the wider conservation area."

It is therefore considered that the proposal would not have an adverse impact on the

conservation area.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.06 Environmental Impact

Not applicable to this application.

7.07 Impact on the character & appearance of the area

The existing building does not contain any features of architectural merit, and it is acknowledged that the proposed development would not be visible from Joel Street and High Road Eastcote, which lie to the north east and south east, respectively. Furthermore, the proposed extension has been designed to be in keeping with the existing building.

In his appeal decision the Inspector concluded that:

"The appeal site comprises a large two storey flat roofed structure with a single storey element to the side and associated parking, used as a Health Club. The proposed extension would be built above the single storey element. I consider that the resultant two storey element, in terms of its overall size, height, scale and pitched roof, would reflect the character and scale of the nearby residential development in Kaduna Close and the adjacent tennis clubhouse. In this respect, it would be a more appropriate expression of the more domestic function of this part of the overall building than a design which reflected the overbearing monolithic appearance of the main building."

The proposal is therefore not considered to be out of character with the existing building, the character and appearance of the immediate area or the wider conservation area. As such the proposal would comply with Policies BE4 and BE15 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.08 Impact on neighbours

Paragraph 4.9 of the Hillingdon Design & Accessibility Statement: Residential Layouts advises that all residential developments and amenity spaces should receive adequate daylight and sunlight and that new development should be designed to minimise the negative impact of overbearing and overshadowing. It goes on to advise that 'where a two storey building abuts a property or its garden, adequate distance should be maintained to overcome possible domination'. Generally, 15m will be the minimum acceptable distance between buildings. Furthermore, and a minimum of 21m overlooking distance should be maintained.

The nearest residential properties are 19 and 20 Sutton Close, and 6-10 and 13-14 Kaduna Close. All these properties are over 30m from the proposed development. This distance is sufficient to ensure that the proposal would not represent a visually intrusive and overdominant form of development when viewed from the habitable room windows of those properties or harm the residential amenities of those properties through overlooking and loss of privacy.

Concerns have also been raised regarding the impact of the proposal on the operation of Eastcote Tennis Club and the clubhouse itself. The windows facing the clubhouse would provide natural light to non-habitable rooms and as such can be fitted with obscure glass to prevent overlooking onto that building, should planning permission be granted. Furthermore, the tennis courts are adjacent to the gardens of residential properties of 1-5

and 6-10 Kaduna Close, and Joel Street, with its associated traffic noise.

It is therefore considered that the proposal would not detract from the residential amenities of occupiers of adjacent properties. The proposal would therefore comply with Policies BE20, BE21, BE24 and OE1 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and paragraphs 4.9 and 4.12 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Layouts.

7.09 Living conditions for future occupiers

The internal size of the proposed units would meet the requirements of paragraph 4.6 of the Hillingdon Design & Accessibility Statement: Residential Layouts which recommends 63sq.m for two bedroom houses, in accordance with London Plan policy 4B.1.

With regard to amenity space, paragraph 4.16 of the Hillingdon Design & Accessibility Statement: Residential Layouts sets out the criteria for assessing the type and quality of amenity space provision and paragraph 4.17 advises that some 25sq.m of private amenity space should be provided for each 2 bedroom flat.

The Inspector in his previous appeal decision concluded that the proposal would not result in an unsatisfactory standard of living conditions for future residents in terms of either amenity space or light pollution. As such the proposal would be in accordance with Policy BE23 and Policy OE1 of the Hillingdon UDP.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The existing site is used as a squash court, leisure facilities and restaurant, benefiting from a total of sixteen car parking spaces located at the rear and side of the existing building. Two car parking spaces will be allocated for the future occupants of proposed two bedroom flats and a total of fourteen car parking spaces are reserved for guests using the tennis club and restaurants.

The proposal for constructing 2 two bedroom first floor side extension flats and allocating two out of sixteen parking spaces to the new flats and four covered and secured cycle storage facilities complies with Policy AM14 of the Councils UDP.

7.11 Urban design, access and security

London Plan Policy requires all new housing to be built to 'Lifetime Homes' standards. The Council's HDAS 'Accessible Hillingdon' also requires all new housing to be built to 'Lifetime Homes' standards.

The Council's Access Officer has advised that given that the property as it stands provides no lift access to the first floor, the proposed development would not lend itself to Lifetime Homes Standards compliance and no requirement should be imposed on the developer in this regard. However, the submitted plans show a lift to the first floor.

The proposed units are therefore capable of meeting some of these standards, subject to an appropriate condition, should planning permission be granted.

7.12 Disabled access

This is addressed above.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

There are several Oak trees to the rear of the Imada site, however the proposed extension would be some distance from these trees.

In his previous appeal decision the Inspector concluded that the trees on the site would not be unduly subject to pressure to prune or fell them beyond normal requirements of proper management and that in any case, they are adequately protected by the TPO and their location within the Conservation Area. This is a material consideration and as such the proposal is considered acceptable in relation to Policies BE4, BE13 and BE38 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.15 Sustainable waste management

Refuse facilities have not been provided however, this could be secured by way of a suitable planning condition, in accordance with Policy BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and paragraphs 4.40 of the Hillingdon Design & Accessibility Statement: Residential Layout.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

The application site is located within flood zone 3a, therefore the Council needs to be mindful of the technical guidance that accompanies the National Planning Policy Framework. Paragraph 5 of the technical guidance states:

"The overall aim should be to steer new development to Flood Zone 1. Where there are no reasonably available sites in Flood Zone 1, local planning authorities allocating land in local plans or determining planning applications for development at any particular location should take into account the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2, applying the Exception Test if required."

The withdrawal of Planning Policy Statement 25 (PPS25) and its practice guide reduces the amount of advice available on the sequential test. However, the principles are still firmly established. The Council needs to be assured that if they are placing new development in areas of flood risk, then there must be an appropriate reason. This development will introduce two new dwellings, albeit at first floor, into an area with a high probability of flooding.

Although the new development will be outside the flood zone by virtue of being above ground level, there is still a significant risk in times of flooding. People returning to their homes may be inclined to navigate flood waters, or seek to retrieve flooded property (e.g. a vehicle) placing themselves at risk, and putting added burden on emergency services.

The submitted plan (reference 26097/001/001) within the Flood Risk Assessment (FRA) demonstrates that the flood levels around the building and along the access route will be classed as hazardous (danger for some) in a 100 year plus climate change flood event. This is in line with "Flood Risk Assessment Guidance for New Development"(FD2320). The worst case depth of flooding is 431 millimetres (mm) located just outside of the building exit. Even though the flood waters are some distance from the river channel, as stated in section five of the FRA, and therefore the velocities experienced should be low, this will still cause a danger for some according to the guidance contained within FD2320.

The Council has to be able to accept that the benefits of the development outweigh this risk by determining there is no available land at a lower risk of flooding i.e a sequential test needs to be carried out to steer new development to areas with lowest probability of flooding. The applicant has not provided evidence of a site search demonstrating that this is the only suitable site and has not therefore passed the sequential test. It is for the applicant to satisfy the Council as to why these two new flats should be located in this

area. Without suitable evidence the Council should look to alternative sites at a lower risk to fulfil its housing needs. The majority of the Borough is outside of flood zones 2 and 3, including its main centres. The Council's housing land studies suggest that there are many locations across the Borough not at risk of flooding. To overcome the objection the applicant will need to demonstrate that there is clear justification for developing this area ahead of sites at a lower risk of flooding. This being the only site owned, is not suitable justification for putting people and property at risk of flooding. The proposal is therefore considered unacceptable and contrary to the NPPF and Policy OE7 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007).

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

The comments received in relation to the proposal which to some extent echo the concerns raised by the Council in respect of the previous refusal of planning permission are noted. However, the Inspector, whilst dismissing the previous appeal, accepted the principle and layout of the proposed development. The appeal was only dismissed as the applicants had failed to make provision for the additional educational requirements. As the revised application is identical to that dismissed at appeal, other than by agreeing to financial contributions towards education, the Inspector's appeal decision is a material consideration.

7.20 Planning Obligations

The proposed units would result in a net increase of 7 habitable rooms and therefore would fall within the threshold for seeking a contribution towards school places in the Eastcote and East Ruislip Ward. The applicants have agreed in writing to make the contribution of £1806.00 by way of a Section 106 Agreement.

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'.

10. CONCLUSION

The application follows the dismissal of appeal reference APP/R5510/A/11/2151121 in respect of application 52580/APP/2010/2293 for an identical proposal. The Inspector concluded that the application was acceptable insofar as it would provide adequate living conditions for future occupiers and it would not harm the character and appearance of the conservation area. However the Inspector concluded that the proposal would not make adequate provision for the additional educational needs it would generate.

The revised application confirms agreement to the payment of financial contributions towards education by way of a Section 106 agreement. However, the site is located within flood zone 3a and the applicant has failed to demonstrate that the benefits of the development outweigh the risk of locating such development within this flood zone by determining there is no available land at a lower risk of flooding. As such the proposal is contrary to Policy OE7 of the Hillingdon UDP. The application is therefore recommended for refusal.

11. Reference Documents

London Plan (July 2011).

Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

Hillingdon Design & Accessibility Statement: Residential Layouts.

Hillingdon Design & Accessibility Statement: Accessible Hillingdon.

Lifetime Homes Standards.

National Planning Policy Framework.

Technical Guidance to the National Planning Policy Framework.

Contact Officer: Nicola Taplin

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address

**Imada
12 Kaduna Close
Eastcote**

Planning Application Ref:

52580/APP/2011/2033

Planning Committee

North Page 45

Scale

1:1,250

Date

**May
2012**

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

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



HILLINGDON
LONDON

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Report of the Head of Planning & Enforcement Services

Address LAND AT JUNCTION OF WARREN ROAD SWAKELEYS DRIVE ICKENHAM

Development: Installation of a 15m high telecommunications pole, associated antenna, equipment cabinet and ancillary developments works (Consultation Under Schedule 2, Part 24 of the Town and Country Planning (General Permitted Development) Order 1995) (as amended.) Application for prior approval for siting and design.

LBH Ref Nos: 65862/APP/2012/982

Drawing Nos: 100
200
300
400
Site Specific Supplementary Informator
General Background Information for Telecommunications Developments
CORN/09/014V1.3

Date Plans Received: 18/04/2012

Date(s) of Amendment(s):

Date Application Valid: 18/04/2012

1. SUMMARY

This application has been submitted by Vodafone and seeks determination as to whether prior approval is required for the erection of a 15m high monopole mobile phone mast and ancillary equipment cabinet. The installation is required in order to provide future 3G coverage as part of Vodafone's licence obligations. The applicant has searched the desired coverage area and concluded that there are no other more suitable locations available. In support of the application Vodafone have supplied copies of technical details of their search/coverage area plans and justification for their site selection.

It is considered that the proposed installation would be visually unacceptable in this sensitive Green Belt location along a busy main road, close to well used bus stops. As such it is recommended that prior approval of siting and design be required and refused.

2. RECOMMENDATION

RECOMMENDATION (A) That prior approval of siting and design is required.

RECOMMENDATION (B) The details of siting and design are refused.

1 NON2 Non Standard reason for refusal

The proposed development would result in an incongruous and visually obtrusive form of development which would be out of keeping with the visual character of the adjoining street scene, the area in general and the wider Green Belt. Furthermore, other potential solutions have not been fully investigated. The proposal is therefore contrary to Policies pt.1.1, pt.1.10, pt1.11, BE13, OL1 and OE1 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

INFORMATIVES

1 I52 **Compulsory Informative (1)**

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

2 I53 **Compulsory Informative (2)**

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

BE13	New development must harmonise with the existing street scene.
BE37	Telecommunications developments - siting and design
OE1	Protection of the character and amenities of surrounding properties and the local area
OL1	Green Belt - acceptable open land uses and restrictions on new development

3. CONSIDERATIONS

3.1 Site and Locality

The proposed site is located on the grass verge at the junction of Warren Road and Woodstock/Swakeleys Drive. The site is located within a predominantly residential area, although there is a large woodland area on the eastern side of Warren Road.

There are lighting columns in the area, although these are approximately only 6 metres in height and nearby telegraph poles are also significantly shorter than the proposed mast. There are also a number of trees in the vicinity. The development will allow Vodafone and O2 to provide new 3G coverage to the surrounding area.

3.2 Proposed Scheme

The proposal is to erect a 15 metre imitation telegraph pole support structure housing 3 antennas. Ancillary radio equipment is to be located within a single cabinet at ground level. The cabinet would be approximately 1.89m x 0.79m x 1.65m high and would be located adjacent to the mast. The mast would be made of steel and would have a wood effect steel finish, with a green cabinet.

3.3 Relevant Planning History

Comment on Relevant Planning History

There is no relevant planning history.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.1 To maintain the Green Belt for uses which preserve or enhance the open nature of the area.
- PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.
- PT1.11 To facilitate the development of telecommunications networks in a manner than minimises the environmental and amenity impact of structures and equipment.
- PT1.8 To preserve or enhance those features of Conservation Areas which contribute to their special architectural and visual qualities.

Part 2 Policies:

- BE13 New development must harmonise with the existing street scene.
- BE37 Telecommunications developments - siting and design
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OL1 Green Belt - acceptable open land uses and restrictions on new development

5. Advertisement and Site Notice

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

6. Consultations

External Consultees

A total of 27 neighbouring properties were consulted. 6 letters of objection were received on the following grounds:

- i) The mast would be unsightly.
- ii) No evidence that the installation is required.
- iii) The cabinet would be vandalised as school children congregate on the site before and after school.
- iv) Visually intrusive.

A petition with 21 signatures has been received objecting on the following grounds:

- i) The proposed 15 metre high mast would make an unsightly impact in open green space close to the road.
- ii) Vodafone's alternative sites should be reconsidered, including 'Woodland - The Clump' which was apparently discounted by Vodafone because LBH "failed to respond to...multiple enquiries".
- iii) The proposed site does not conform with the principles of good siting at Para 128 of the Code of Best Practice. Environmental impact could be greatly reduced by placing within an existing group of trees.

A request has also been received from a Ward Councillor for the application to be referred to the

planning committee.

Internal Consultees

HIGHWAYS: No objection on highways safety grounds.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The proposed installation does not exceed the limits set out in Part 24 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). It would not be located in a conservation area or site of Special Scientific Interest, where more restrictive criteria are applicable.

In accordance with Part 24 of the Town and Country planning (General Permitted Development) Order 1995 (as amended) the applicant is required to apply to the Local Planning Authority for a determination as to whether prior approval of the details of siting and design is required and, if so, for the Local Planning Authority to either approve or refuse those details.

In this case it is considered that the proposed mast would have a harmful impact on the character and appearance of this Green Belt location. Accordingly, it is recommended that prior approval of siting and design be required and refused.

7.02 Density of the proposed development

Not applicable to this type of development.

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

The site does not lie within a Conservation Area or in an Area of Special Character.

7.04 Airport safeguarding

The application site is not located within close proximity of an aerodrome and there is no requirement to consult the airport safeguarding authorities regarding this proposal.

7.05 Impact on the green belt

It is considered that the proposed mast would be utilitarian in design and out of keeping with the character and appearance of the Green Belt and Nature Conservation Area of Local Importance. Whilst an imitation telegraph pole design has been chosen in an attempt to mimic the design of existing street furniture it is considered that the proposed mast would stand out as at odds with the shorter poles in the vicinity. It would also add to the street clutter in the area.

7.07 Impact on the character & appearance of the area

The proposed installation would be located in a prominent location on a public grass verge by a busy junction within the Green Belt. At 15m high the proposed mast would be significantly taller than the nearby streetlights, surrounding buildings, and much of the surrounding vegetation. The sizeable equipment cabinet would also add to its visual impact, and it would be clearly noticeable to users of Warren Road and Swakeleys Drive.

It is considered that the proposed mast would be utilitarian in design and out of keeping with the character and appearance of the Green Belt and Nature Conservation Area of Local Importance. Whilst an imitation telegraph pole design has been chosen in an attempt to mimic the design of existing street furniture it is considered that the proposed mast would stand out as at odds with the shorter poles in the vicinity. It would also add to the street clutter in the area.

In support of the application the applicant has provided details of 7 different sites, which have been investigated within the search area together with reasons for discounting them.

Amongst the options discounted are two Council owned locations, which the applicant claims they received no response from the Council to their initial queries, however no evidence has been provided of this. As such, it is considered that these options should be further investigated before the proposed prominent streetworks installation is pursued.

7.08 Impact on neighbours

The NPPF states that applications for this type of development should be accompanied by ICNIRP certificate and that if a proposed mobile phone base station meets the ICNIRP guidelines, it should not be necessary to consider further the health aspects of the development and concerns about them. The applicant has confirmed that the proposed equipment would comply with ICNIRP guidelines. There is nothing to indicate that there is a risk to health, nor is there evidence to outweigh advice in the NPPF on health considerations. As such it is considered that health fears do not weigh significantly against the development. As such a reason for refusal on health grounds cannot be substantiated.

7.09 Living conditions for future occupiers

Not applicable to this type of application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

There would be no increase in traffic to/from the site as a result of the application and there are no parking requirements associated with the proposal.

7.11 Urban design, access and security

Issues of design are addressed within the Character and Appearance section of this report.

Issue of access and security are not considered relevant to this application.

7.12 Disabled access

Not applicable to this type of application.

7.13 Provision of affordable & special needs housing

Not applicable to this type of application.

7.14 Trees, Landscaping and Ecology

The proposed replacement mast and associated equipment would be located on a grass verge. While there are trees within the locality it is considered that the proposed mast is sufficiently separated from these that they could be protected were the application approved. There are therefore no landscaping issues.

7.15 Sustainable waste management

Not applicable to this type of application.

7.16 Renewable energy / Sustainability

Not applicable to this type of application.

7.17 Flooding or Drainage Issues

Not applicable to this type of application.

7.18 Noise or Air Quality Issues

Not applicable to this type of application.

7.19 Comments on Public Consultations

Issues (i), (ii) and (iv) are addressed within the body of the report.

In relation to issue (iii) it is not considered that the installation would be more likely to be vandalised than any similar street furniture.

7.20 Planning Obligations

There is no requirement for the applicant to pay any S106 contributions for this type of development.

7.21 Expediency of enforcement action

None.

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

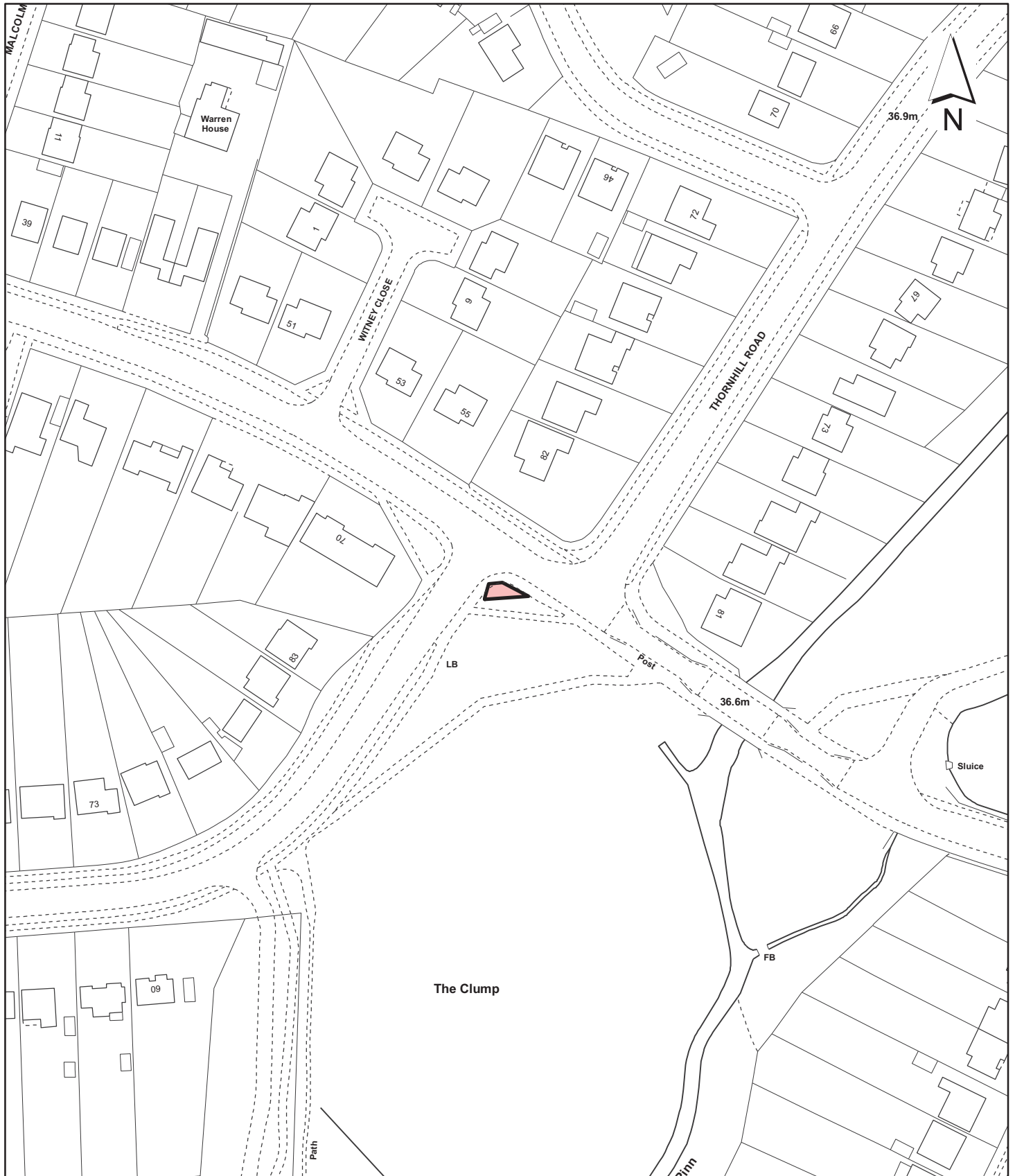
It is considered that the proposed installation would have an unacceptable visual impact upon the street scene and would be of detriment to the character and appearance of the Green Belt. Its height and design in this location would be clearly visible and would draw attention to it. Alternative options have not been fully investigated and discounted. As such the proposal is contrary to policies pt1.1, pt 1.10, pt.1.11, BE13, BE37 and OE1 of the Hillingdon Unitary Development Plan Saved Policies September 2007 and it is recommended that prior approval be refused.

11. Reference Documents

Hillingdon Unitary Development Plan Saved Policies September 2007
National Planning Policy Framework

Contact Officer: Matt Kolaszewski

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address

**Land at junction of
Warren Road and Swakeleys Drive
Ickenham**

Planning Application Ref:

65862/APP/2012/982

Planning Committee

North Page 54

Scale

1:1,250

Date

**May
2012**

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

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



HILLINGDON
LONDON

Report of the Head of Planning, Sport and Green Spaces

Address:	THE SWAN PH BREAKSPEAR ROAD NORTH HAREFIELD
Development:	Two storey detached building to contain 2 one bedroom and 4 two bedroom, self contained flats with associated parking and amenity space and alterations to existing vehicle crossover to front, (involving demolition of existing building).
LBH Ref Nos:	18329/APP/2012/242
Drawing Nos:	As per original committee report
Date application approved at Committee	North Planning Committee – 26th April 2012
S106 Agreement	That the recommendation to enter into a planning obligation to address educational needs arising from the proposed development is amended and approved to correct an error in the officer's report of 26th April 2012.

1.0 CONSULTATIONS

1.1 Internal Consultees

Planning

Obligations Officer: Following the planning committee, the level of the education contribution was queried by the applicant. Upon review of the education figure it was discovered that the education contribution had been calculated incorrectly.

The correct figure should be £7,718. Therefore further committee authorisation is sought to rectify this error.

It is considered appropriate that the Committee approve the amendment to the level of the educational contribution to reflect the habitable room count arising from this scheme.

2.0 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) An education contribution of £7,718
 - (ii) That all construction and administration costs in raising/renewing existing kerbs and reinstatement of the public footway adjacent to the application site are met by the developer.
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 is to be referred back to the Planning Committee for determination at the discretion of the Director of Planning, Environment, Education and Community Facilities.
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 conditions and informatives that were agreed at 26 April 2012 North Planning Committee be attached.

3.0 KEY PLANNING ISSUES

- 3.1 The current planning application was lodged on the 6th of February 2012 and reported to the North Planning Committee on the 26th of April 2012. The report is attached as Appendix A and the minutes of that meeting are attached as Appendix B.
- 3.2 The Committee determined to approve the application, subject to the applicant, entering into a s106 agreement to secure an education contribution in the sum of £11,186 and also that the construction and administration costs in raising/renewing existing kerbs and reinstatement of the public footway adjacent to the application site are met by the developer.
- 3.3 Post planning committee the level of the education figure was queried by the applicant as it was the same as that of their 2011 scheme despite this scheme having a lower number of habitable rooms than the 2011 scheme.
- 3.4 The correct sum should read £7,718 as the revised scheme has four x 4 habitable room dwellings and two x 3 habitable room dwellings. The original scheme had six x 4 habitable room dwellings.

- 3.5 Approval to amend the level of the education contribution is therefore sought to address the error in the officer's report of 26th April 2012, subject to the conditions and informatives contained in the report heard by the North Planning Committee on 26 April 2012.

OBSERVATIONS OF 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'.

OBSERVATIONS OF THE DIRECTOR OF FINANCE

The report indicates that the costs of the development will be fully met by the developer, and the developer will make a Section 106 contribution to the Council towards associated public facilities. The developer will also meet the reasonable costs of the Council in the preparation of the Section 106 agreement and any abortive work as a result of the agreement not being completed. Consequently, there are no financial implications for this Planning Committee or the Council.

Reference Documents

- (a) North Planning Committee Agenda 26th April 2012. Report for application reference 18239/APP/2012/242.
- (b) North Planning Committee Minutes 26th April 2012 resolution for application reference 18239/APP/2012/242.

Contact Officer: VANESSA SCOTT

Telephone No: 01895 250 230

APPENDIX A

Report of the Head of Planning & Enforcement Services

Address	THE SWAN PH BREAKSPEAR ROAD NORTH HAREFIELD		
Development:	Two storey detached building to contain 2 one-bedroom and 4 two-bedroom, self contained flats with associated parking and amenity space and alterations to existing vehicle crossover to front, (involving demolition of existing building).		
LBH Ref Nos:	18239/APP/2012/242		
Drawing Nos:	11/3252/14 11/3252/13 Photographs Sheets 1-4 Design and Access Statement Energy and Sustainability Statement Location Plan to Scale 1:1250 11/3252/11 Rev. D 11/3252/10 Rev. C 11/3252/12 Rev. A		
Date Plans Received:	31/01/2012	Date(s) of Amendment(s):	31/01/2012
Date Application Valid:	06/02/2012		10/04/2012

1. SUMMARY

This application, together with an application for conservation area consent (18239/APP/2012/244) which is also being presented to this committee meeting seeks permission to demolish the existing un-used and vacant Swan Public House and erect a two storey detached block containing 2 x one-bedroom and 4 x two-bedroom flats, with off-street parking in the rear garden and a disabled person's space in the front garden area.

This follows previous applications for planning permission and conservation area consent (18239/APP/2011/1596 and 1588) for a block containing 6 x two bedroom flats which was refused permission and an appeal was subsequently dismissed in an Inspector's decision letter dated 12/03/12 which is attached at Appendix 1.

The scheme has been amended by reducing the size and bulk of the building, amending its design and the number of bedrooms and re-siting it further forward on site. Off-street parking has been re-sited at the rear with 6 off-street spaces, served by a side access, with a disabled person's space at the front.

Although the Council objected in principle to the loss of the building and its contribution to the character and appearance of the Harefield Village Conservation area, this was not supported by the Inspector. As regards the reasons for dismissing the appeal, namely, mutual overlooking, unsightly bin store and the poor outlook and natural lighting of front facing windows adjoining the Malthouse Pharmacy, it is considered that this revised scheme has overcome the Inspector's concerns.

As regards the current application, although the internal floor area of the two bedroom flats are undersized, this is minimal and not of such significance as to justify refusal of permission. No objections are raised to car parking in the rear garden, given the nature

of the surrounding area. The new access road does involve crossing the root protection area of an adjoining protected Ash tree which is not ideal, but a condition has been added to ensure that the construction of the road safeguards this tree.

The application is 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) An education contribution of £11,186.

(ii) That all construction and administration costs in raising/renewing existing kerbs and reinstatement of the public footway adjacent to the application site are met by the developer.

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 Director of Planning 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 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 known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

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

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 NONSC Non Standard Condition

Details of the window cills & arches, string course, chimneys & pots and the eaves should be submitted at 1:5 scale or as appropriate.

REASON

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

6 NONSC Non Standard Condition

No development shall take place until details of the 'Swan' faience tile to be safeguarded, appropriately repaired and reinstated on the main elevation. 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.

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).

7 NONSC Non Standard Condition

Prior to the commencement of works on site, a tree report, tree protection plan and arboricultural method statement to BS5837:2005 shall be submitted to and approved by the Local Planning Authority to demonstrate how the access road will be constructed without causing damage to the roots of the adjoining protected Ash tree (T54 on TPO 3).

REASON

To ensure that the adjoining protected Ash tree (T54 on TPO 3) can and will be retained 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).

2007).

8 NONSC Non Standard Condition

The access road shall must have a permeable surface and be constructed on site prior to the commencement of work on the flats.

REASON

To ensure that the adjoining protected Ash tree (T54 on TPO 3) can and will be retained 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).

9 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).

10 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 Refuse Storage (inc. elevations if appropriate)
 - 2.b Cycle Storage (inc. elevations if appropriate)
 - 2.c Means of enclosure/boundary treatments (inc. elevations if appropriate)
 - 2.d Car Parking Layouts (including details of the access road, which may need to be raised to bridge the roots of the adjoining protected Ash Tree and how this will be assimilated into the landscape scheme).
 - 2.e Hard Surfacing Materials
 - 2.f External Lighting
 - 2.g 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 surfacing/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
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) and Policy 5.17 (refuse storage) of the London Plan.

11 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 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.

12 RES12 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing Apple Trees, Breakspear Road North.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24.

13 RES13 Obscure Glazing

The first floor bedroom window facing Apple Trees, Breakspear Road North shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

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

14 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.

15 RES16 Code for Sustainable Homes

The dwelling(s) shall achieve Level 3 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.

16 RES17 Sound Insulation

Development shall not begin until a scheme for protecting the proposed development from (road traffic) (rail traffic) (air traffic) (other) 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.

17 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

18 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).

19 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).

20 RES24 Secured by Design

The dwelling(s) 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.

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

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

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

BE4	New development within or on the fringes of conservation areas
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
H8	Change of use from non-residential to residential
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
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
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008

3 I1 Building to Approved Drawing

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

4 I2 Encroachment

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.

5 I3 Building Regulations - Demolition and Building Works

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the

extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

6 16 Property Rights/Rights of Light

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

7 115 Control of Environmental Nuisance from Construction Work

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

A. Demolition and construction works 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.

8

You are advised that 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.

9

The applicant is advised to contact the Council's Highways Team in respect of the construction of the vehicle crossover and relocation of lamp columns.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the eastern edge of the Harefield Village centre, directly opposite the village green and pond. It is sited on the south western side of Breakspear

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

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

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

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

3.2 Proposed Scheme

The proposal involves the demolition of the existing public house building, and erection of a new two storey detached building to provide 4 two-bedroom and 2 one-bedroom flats. The building would be slightly angled to the road and set back from the back edge of the footway by approximately 4.5m to 6.3m. It would be 14.4m wide, set off the side boundary adjoining the Malthouse Pharmacy by 1m and by 4.5m to 6.0m on the side boundary adjoining Apple Trees.

As on the previous scheme, the building would have an eaves height of 5.1m and ridge height of 9.1m. The building would still be double fronted, although the roof design has been simplified, with two, two-storey projecting gable roofed bays. On the ground floor, in between the bays would be a flat roofed storm porch. The building would have an overall depth of 16.7m which would comprise an off-set projecting hipped roof wing on the north western side of the building at the rear, with an adjoining smaller projecting two storey element on the south-eastern side of the rear wing.

Parking for 6 vehicles would be provided at the rear of the site, accessed by a driveway on the eastern side of the building. A disabled parking space would be provided at the front of the building. Provision for refuse storage/recycling would be made at the side of the building, adjacent to the access road with a cycle store at the end of the rear garden.

This application differs from the previous scheme in that the bulk of the building has been reduced, with its overall width and depth reducing by approximately 1.3m and 0.8m

respectively and moved forward on site by approximately 6.5m so as to retain wider gaps on the boundary with Apple Trees. The design of the building has been simplified, with more traditional roof being proposed that avoids the need for crown roof elements. The main area of off-street parking has moved to the rear of the site, with refuse/storage provision made at the side of the building.

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

Design and Access Statement:

This provides the background to the scheme and describes the site and surroundings. The design component of the scheme is assessed and advises of the changes made since the previous refusal. The access component is then assessed. The report then goes on to describe the landscaping. The reasons for refusal of the previous scheme and identified and the report concludes that these have now been overcome.

Building Assessment by Dr Mervyn Miller:

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

Energy and Sustainability Statement:

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

3.3 Relevant Planning History

Comment on Relevant Planning History

A previous scheme (18239/APP/2011/1588) for a two storey detached building comprising 6 two-bedroom flats with associated parking and amenity space and alterations to the existing vehicular crossover to the front (involving the demolition of the existing public house building) was refused on 27/10/11 for the following reasons:-

1. In the absence of a full structural survey or similar and/or a financial viability appraisal, the proposal fails to demonstrate that all options for the renovation and repair of the Swan PH have been explored. Until such time that all options have been explored, it is considered that its demolition is premature. The proposal is therefore considered to be contrary to PPS5.

2. The proposal, by reason of its layout, siting, bulk, excessive habitable room density and roof design, including the introduction of an extensive area of hardstanding to the front of the building, represents a cramped and incongruous form of development that fails to leave adequate space around the building, commensurate with the character of the surrounding area and fails to harmonise with the pattern, scale and design of surrounding residential development. The proposal would be detrimental to the visual amenities of the

street scene and would fail to maintain or enhance the character and appearance of the Harefield Village Conservation Area. The proposal is therefore contrary to policies BE4, BE13, BE19 and BE22 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

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

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

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

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

7. The development is estimated to give rise to a significant number of children of school age and additional provision would need to be made in the locality due to the shortfall of places in schools serving the area. Given that a legal agreement at this stage has not been offered or secured, the proposal is considered to be contrary to Policy R17 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the adopted London Borough of Hillingdon Planning Obligations Supplementary Planning Document (July 2008).

A subsequent appeal was dismissed on 12/03/12 and the Inspector's decision letter is attached at Appendix 1.

An application for conservation area consent (18239/APP/2012/244) also forms part of the current submission which is also being reported to this committee.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

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

Part 2 Policies:

- NPPF National Planning Policy Framework
- LPP 3.4 (2011) Optimising housing potential
- LPP 3.5 (2011) Quality and design of housing developments
- LPP 3.8 (2011) Housing Choice
- LPP 3.16 (2011) Protection and enhancement of social infrastructure
- LPP 5.2 (2011) Minimising Carbon Dioxide Emissions
- LPP 5.3 (2011) Sustainable design and construction
- LPP 5.13 (2011) Sustainable drainage
- LPP 5.15 (2011) Water use and supplies
- LPP 7.2 (2011) An inclusive environment
- LPP 7.3 (2011) Designing out crime
- LPP 7.4 (2011) Local character
- LPP 7.6 (2011) Architecture
- LPP 7.8 (2011) Heritage assets and archaeology
- BE1 Development within archaeological priority areas
- BE4 New development within or on the fringes of conservation areas
- BE13 New development must harmonise with the existing street scene.
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE22 Residential extensions/buildings of two or more storeys.
- BE23 Requires the provision of adequate amenity space.

BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
H8	Change of use from non-residential to residential
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
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
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **14th March 2012**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

47 neighbouring properties have been consulted and 5 responses have been received, making the following comments:

- (i) Development does not respect the current village kerbside frontage,
- (ii) Proximity of building to adjoining properties will lead to a loss of natural light,
- (iii) There will be a significant level of overlooking from the proposed upper floor accommodation leading to loss of privacy to adjoining properties and their gardens, which would be exacerbated by removal of trees,
- (iv) Proposal represents a significant improvement in terms of previous application and its impact upon the adjoining property, Apple Trees and street scene as bulk has been reduced, block moved to front which now has more character. Side windows to the left should be translucent and render on front should be in keeping with the street scene,
- (iv) Parking provision for the flats is totally inadequate given that surrounding areas are heavily parked, particularly Pond Close, the nearest residential street and parking prohibited on Breakspear Road North. This scheme is likely to require at least 10-12 spaces, plus 3 for visitors. A further influx of cars will exacerbate an already serious situation and have further detrimental

- impact on emergency services attending the bottom of Pond Close,
- (v) Proposed access has poor sight lines, Council should consider road crossing at front of property to assist with increased pedestrian traffic,
 - (vi) Parking at rear will introduce open access, resulting in security risk for adjoining properties,
 - (vii) Proposal, with small amenity area which appears inadequate for the proposed occupancy, will involve area being intensively used, resulting in noise disturbance with little screening provided for neighbours,
 - (viii) Excavations and development will endanger root structure of adjacent TPO'd trees and historic wall from Harefield House estate,
 - (ix) Contributions to education funding will not solve problem of an oversubscribed school and a village with a lack of facilities for young people and families,
 - (x) Prior to demolition, Council should conduct a thorough building and site survey to identify all hazardous material and that it is removed safely and residents be given a copy of results,
 - (xi) Site security should be a high priority and the Council should ensure contractor fully enforces this,
 - (xii) As Breakspear Road is very busy, provision needs to be made for contractor's parking,
 - (xiii) Contractor's hours need to be specified,
 - (xiv) 48 hours notice required for those residents who will suffer disruption of utilities,
 - (xv) Doorway width appears to be under 800mm which is going to be very tight for a wheelchair,
 - (xvi) Proximity of building to adjoining properties, particularly the vehicle workshops will be a fire risk,

Harefield Village Conservation Panel:

The Panel has no objection to the proposal which would be a suitable replacement for the 'Swan'. The plaque with the image of a swan on the front elevation of the pub should be preserved and included in the front elevation of the new building by condition.

Campaign for Real Ale:

Object to this application, unless it can be shown that a reasonable effort has been made to sell the place, at a realistic price, to pub companies and breweries for use as a public house.

Thames Water:

Standard advice provided - no objections raised.

Internal Consultees

URBAN DESIGN/CONSERVATION OFFICER:

BACKGROUND: Following the appeal dismissal, discussions were held with agent and applicant. The scheme has been revised as per advice.

COMMENTS: The main contention was the rear elevation and the resulting roof form. The advice to reduce the width of the rear element would be detrimental to the scheme's viability. However, the 'butterfly hip' has been revised with a single hip, albeit with a shallower slope. Whilst this is not ideal and perhaps not the best design solution, it would not be visible from the street scene and would help to resolve the rear elevation. Therefore, there would be no objections to the proposed roof form in this instance.

The revisions proposed re the new location of the bins, the defensive space to the rear and the minor design elements to the front elevation are acceptable.

In lieu of above, it is felt that, whilst the loss of the existing building is regrettable, the new building

would not be considered detrimental to the appearance of the area and would relate to the local street scene. It is therefore acceptable. Following conditions should be attached:

Re demolition Consent:

1. Any hidden historic features which are revealed during the course of works shall be retained in situ, work suspended in the relevant area of the building and the Council as local planning authority notified immediately. Provision shall be made for the retention proper recording, as required by the Council

Re new development:

1. All materials should be traditional- clay tiles for the roof and timber doors and windows in particular. Samples for render, brick, tiles, timber boards (included in the gables) and finials & ridge tiles, should be submitted for approval to the Council.
2. Details of the window cills & arches, string course, chimneys & pots and the eaves should be submitted at 1:5 scale or as appropriate.
3. The 'Swan' faience tile to be reinstated on the main elevation should be safeguarded and appropriately repaired. Further details re the same should be submitted.

Reason: To achieve a high quality of design and standard of materials in order to enhance the appearance of the conservation area.

CONCLUSION: Demolition Consent should be approved. New development should be approved with conditions as above.

HIGHWAY OFFICER:

Breakspear Road runs from Ickenham Road in the south to the Harefield village in the north and is classified as Borough Secondary Distributor Road. The site which used to trade as a public house is located close to the Harefield village centre, southern side of Breakspear Road, fronting a large green open space and is currently vacant.

Currently the site is benefiting from single yellow line parking restriction in carriageway and 1.5m wide concrete footway with a drop kerb across its entire frontage.

Proposal is to demolish existing building and construct a two storey building containing 4 x 2 bed and 2 x 1 bed flats with associated six secured and covered cycle stands and six off street car parking spaces at the rear with a single disabled parking space on the front of the development, which complies with minimum standard required by the Council's UDP. Policy AM14 of the UDP refers to the Council's vehicle parking standard contained in the Annex 1. The standard requires 6 vehicle parking spaces for similar dwellings. It is also proposed that the existing in/out vehicle access would slightly be relocated to provide an easy access into the rear off street parking area.

proposal is therefore unlikely to result in an additional on street demand for car parking to the detriment of highway and pedestrian safety, and is not considered to result in a noticeable increase (if any) in traffic when compared with existing use of the property.

Consequently, no objection is raised subject to the following conditions and informatives being applied:

Conditions

1. A suitable condition being attached to ensure that all construction and administration costs in raising/renewing existing kerbs and reinstatement of footway outside the applicant's property is

covered by the applicant.

2. 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

3. The access for the proposed car parking shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.

Informatives

1. It is contrary to section 163 of the Highways Act 1980 for surface water from private land to drain onto the highway or discharge into the highway drainage system.

2. The applicant is advised to contact the Council's Highways Team in respect of the construction of the vehicle crossover and relocation of lamp columns.

TREE/LANDSCAPE OFFICER:

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

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

Significant trees/other vegetation of merit in terms of Saved Policy BE38 (off-site): There is a large, protected Ash (T54 on TPO 3) to the side of the site (at Apple Trees, Breakspear Road North), close to the front, eastern boundary. The tree has been lopped on one side (eastern side - within Apple Trees) and now appears un-balanced. However, the tree is re-sprouting and, given time, should recover.

The main access to the proposed parking area (at the rear of the proposed building) is likely to cut across half of the Ash tree's root protection area (RPA). No relevant tree-related details have been provided to show how the proposed access road will be constructed without causing long-term damage to the protected Ash.

Scope for new planting: The plans appear to show new trees within the site. However the trees are not detailed. The plans should be amended to show the species of tree and specification (i.e. standard size and short-staked). However, this matter can also be dealt with by condition at a later stage.

The plans also appear to show soft landscaping around the proposed car park(s). No further details have been provided, however this matter can also be dealt with by condition at a later stage.

Does scheme conform to HDAS/SUDS: The proposed scheme appears to show that about 25% of the frontage has been set aside for soft landscaping. The applicant should also provide details of materials to be used. This matter can be dealt with by condition at a later stage.

Recommendations: In accordance with BS 5837 (2005), a tree report, tree protection plan and arboricultural method statement should be provided to show how the proposed access road will be constructed without causing damage to the protected Ash tree (T54 on TPO 3).

Conclusion (in terms of Saved Policy BE38): As it stands, this scheme is unacceptable because it

does not make provision for the protection and long-term retention of the protected Ash tree (T54 on TPO 3). Please re-consult on receipt of the requested information.

Further comments

Further to my original advice below and our conversation today, the following points must be addressed. As explained in my original advice, the current design is unacceptable because it does not make provision for the protection and long-term retention of the adjacent protected Ash (T54 on TPO 3). It may be the case that any tree-related information that is provided at this late stage may still not be acceptable.

In accordance with BS5837:2005, a tree report, tree protection plan and arboricultural method statement must be provided to show how the access road will be constructed without causing damage to the roots of the protected Ash tree (T54 on TPO 3). A 'no-dig' design that bridges the roots of the tree and/or the use of Geoweb is likely to be required.

The access road must have a permeable surface.

The access road must be constructed before the flats.

A landscaping scheme should also be provided to show how the access road will be incorporated into the proposed scheme (because it is likely to be several centimetres higher than the existing ground level).

This tree-related information must be provided before the Committee meeting.

Access Officer:

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

The above SPD states that a residential development comprising five or more units should incorporate a passenger lift designed in accordance with the building regulations. However, as 50% of the proposed units would be at ground floor level, and as the number of units proposed is only one above the minimum threshold, the provision of a lift would likely render the scheme unviable. It is considered therefore, that the design as proposed is principally acceptable in this instance.

In most other respects, the proposal satisfies the core principles of the Lifetime Home Standards.

The following access observations are provided:

1. Level access into the proposed development should be demonstrated through the submission of a topographical survey.
2. Details of the floor gully drainage should be provided within the bathrooms, should be specified on plan.
3. The plans should preferably indicate a void to allow installation of a future passenger lift within the communal areas.

Conclusion: On the proviso that revised plans would be received to address the above observations, no objection would be raised from an accessibility perspective.

SUSTAINABILITY OFFICER:

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

CONDITION

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

REASON

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

CONDITION

Prior to the commencement of development, the applicant shall submit a design stage certificate demonstrating the proposals will meet Code for Sustainable Homes Level 3. The certificate must be signed by a licensed Code for Sustainable Homes Assessor on behalf of the BRE.

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

REASON

To ensure compliance with London Plan policies.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

No objections were raised by officers, Members or the Inspector on the previous appeal as regards the loss of the public house use. The officers report noted that policy 3.16 of the London Plan (July 2011) protects social infrastructure, but only where there is a defined need for that type of infrastructure. This could apply to public houses, particularly where they provide a strong focus for the community, but that is not the case here, where there are a number of alternative licensed premises in the vicinity. No objections can therefore be raised to the loss of the use.

As regards the principle of demolition of the existing building, the Inspector on the previous appeal considered the issue in some detail. In paragraph 8 of the decision letter dated 12/03/12, he states that 'although the building is not unattractive, it is not part of a cohesive group and little of its important original detailing survives intact. PPS5 advises that we should protect what is 'significant' about an asset rather than protecting everything for its own sake. In this instance, the Council's stance appears to be one of protecting the building for its own sake and converting it to residential use, notwithstanding the extent of damage it has incurred or the appellant's indication that it is not readily capable of conversion for residential use. Although the Council refer to it as a heritage asset they clearly do not hold it in such high regard to warrant placing it on the local listing. The building is not designated a heritage asset and I find it is not of sufficient historic or design significance to warrant its retention, restoration and conversion.'

The replacement of PPS5 with the National Planning Policy Framework in March 2012 does not materially compromise the Inspector's assessment, as this emphasises that heritage assets should be afforded protection proportionate to their significance.

Given the Inspector's assessment, it is considered that no further objection to the demolition of the Swan Public House can be maintained.

7.02 Density of the proposed development

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

The site is located within a suburban area and has a Public Transport Accessibility Level (PTAL) of 1b, where 6 is the most accessible and 1 the least. Paragraph 4.2 of the Council's HDAS: Residential Layouts advises that for the purposes of calculating habitable room density, habitable rooms over 20sqm should be counted as two rooms where they could be sub-divided. However, that is not the case here as accepted by a planning Inspector on a similar scheme at 8 Sunningdale Avenue (19038/APP/2010/770), which had a similar room arrangement.

Taking the site parameters into account, the matrix recommends a density of 50-75 u/ha and 150-200 hr/ha, with an average unit size of 2.7 hr/u. This proposal equates to a density of 75 u/ha and 200 hr/ha, which accords with the Mayor's guidance in terms of the maximum acceptable residential density on this site. It should also be noted that the Inspector in considering the previous scheme, did not consider the higher habitable room density of 225 to be a factor which in itself warranted a refusal of permission.

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

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

Officers consider this scheme to be a significant improvement in design terms on the previous application. In particular, the building has been reduced in size and moved forward on site so that it would maintain a more traditional relationship with the road, splitting the difference between the set backs of the adjoining properties, with the adjoining Malthouse Pharmacy being sited on the back edge of the pavement and Apple Trees being some 13m back from the road. The revised siting also allows for a larger undeveloped gap to be retained to the side boundary with Apple Trees, a particular concern of the previous scheme.

The design of the scheme has also been amended, with a more traditional and simplified roof form which avoids the need for crown roof elements. Having said that, the Inspector on the previous scheme was not particularly critical of the building's layout or design, noting that the character and appearance of surrounding buildings was extremely diverse.

A significant change with this application is that the off-street car parking has been re-sited from within the front garden area to the rear, accessed via a side driveway. It is considered that placing the parking at the rear removes the previously proposed large area of hardstanding from within the front garden area. Furthermore, as noted by the Inspector, the application site is at a point of transition between a housing area and the commercial core of the village. Both the adjoining garage and the hall at the rear of the site are extensively hard surfaced, mainly providing vehicular access and parking so that

the proposed parking in the rear garden would not be out of character in this context.

The only aspect that was criticised by the Inspector was the bin store. Agreeing with the Council, the Inspector considered the 5.6m long, 1.5m deep and 2.4m high bin store within 2m of the pavement to be very prominent and unsightly, harmful to the appearance of the Conservation Area. The bin store has now been re-sited against the side wall of the proposed building, where it would not appear as a prominent structure, being viewed against the bulk of the building.

The Council's Design Officer does not raise any objections to the scheme, subject to recommended conditions to control materials, details of window cills and arches, string courses, chimneys & pots and eaves and the 'swan tile to be retained and restored. The application is therefore considered to accord with policies BE4, BE13 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and overcomes refusal reasons 2 and 7.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

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

7.07 Impact on the character & appearance of the area

This is dealt with in Section 7.03 above.

7.08 Impact on neighbours

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

There are ground floor offices and the owner's first floor flat connected to the garage use further to the rear of the Malthouse Mews flats that contain side windows that do overlook the application site. It was previously considered that given the commercial nature of the ground floor office windows and the fact that the proposed building would not have previously been sited immediately in front of them, the scheme was acceptable in terms of the ground floor windows. However, the relationship of the proposed flats with the first floor flat, which would have had a habitable room window sited some 5.5m beyond the rear elevation of the proposed building was considered to result in an unacceptable loss of privacy, with windows in the rear elevation of the proposed block being some 8m from the first floor flat window within a 45° line of sight. The Inspector also considered this relationship to be unacceptable in terms of overlooking, having regard to the Council's design guidance which requires a minimum 21m separation distance.

The current proposal has re-sited the building further forward on its plot so that it would now be some 14m from the nearest first floor habitable room window and the 45 line of sight would not be breached. As such, the potential for overlooking and loss of privacy would be minimal and the scheme complies with Policy BE24 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and design guidance.

The Council also had a concern as regards the length of projection of the proposed building beyond the rear elevation of the adjoining property to the south west, Apple Trees, although this was not accepted by the Inspector. With the re-siting of the block, this relationship is much improved, and the proposed building would not now project beyond the extended ground floor of this property.

The proposal is therefore considered to have overcome the Inspector's overlooking concerns in relation to the adjoining flat within the garage and refusal reason 3 of the previous application.

7.09 Living conditions for future occupiers

The proposed one and two bedroom flats would have 52sqm and 60sqm internal floor areas. Although the one-bedroom flats satisfy the Mayor's 50sqm guidance for one-bedroom flats, the two bedroom flats are very marginally undersized to satisfy the Mayor's 61sqm guidance. However, it is considered that the minimal shortfall is not significant and would not justify a refusal of the application.

The Inspector also agreed that there would be mutual overlooking of the rear elevation from the adjoining flat at the garage, but similarly, with the re-positioning of the block, this concern has been overcome by this proposal.

It was previously considered that with the building being set back on its plot, the habitable room windows adjoining the Malthouse pharmacy would be poor, as this building would project some 11.3m beyond them, encroaching upon their 45° line of sight. The Inspector also cited this as a reason to dismiss the appeal. The building would now only project by 4m to 5m beyond the nearest habitable room windows so that there would only be minimal encroachment upon the 45° line of sight and their outlook and natural lighting has been greatly improved.

Private amenity space:

Design guidance requires shared amenity space to be usable and a minimum 20m² and 25m² provided for each one and two-bedroom flat respectively. In this instance, some 170m² of shared amenity space would be provided, which would satisfy this standard. The plans also show defensive planting in front of all ground floor habitable room windows to safeguard the privacy of their occupiers.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The Council's car parking standards advise that the maximum car parking provision for this proposal would be 9 off-street spaces. The Council's Highway Engineer advises that the proposed 6 off-street parking spaces with a disabled person's space at the front are acceptable and that the proposal is unlikely to result in additional on street demand for car parking to the detriment of highway and pedestrian safety, and would not result in any noticeable increase in traffic when compared with the existing use of the property.

The access at the side of the building also represents an improvement as compared to the existing situation with the public house use involving customers reversing out onto Breakspear Road North.

A cycle store is shown in the rear garden and 1 cycle space per flat would be provided.

The Highway Engineer raises no objections, subject to conditions relating to re-instating public footpath, car parking to be provided prior to use commencing and a visibility splay. As such, the scheme is considered to comply with policies AM7, AM9 and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2011).

7.11 Urban design, access and security

Given the scale of the development, it is considered that 4 x two-bedroom and 2 x one-bedroom flats would be appropriate to comply with policy H4 of the Adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.12 Disabled access

Policy 3.8 of the London Plan (July 2011) advises that all new housing development should be built in accordance with Lifetime homes standards. Further guidance on these standards is provided within the Council's Supplementary Planning Document: Accessible Hillingdon, January 2010.

The Council's Access Officer advises that the scheme satisfies the core principles of Lifetime homes standards, but a number of detailed matters need revision to ensure full compliance with Lifetime homes standards. A condition has been added to ensure that the scheme fully complies with standards.

7.13 Provision of affordable & special needs housing

Not applicable to this application, given the nature of the proposed development.

7.14 Trees, Landscaping and Ecology

The Council's Tree Officer advises that the site is covered by a TPO and is within the Harefield Village Conservation Area. There are no trees on the site that would constrain the development. However, there are two small Larch trees at the end of the rear garden and a small Hawthorn along the side boundary which should be retained for their screening value.

Of more importance is a protected Ash Tree (T54 on TPO 3) on the side boundary in the front garden of the adjoining property, Apple Trees. This should be a significant feature in the local landscape but has been subject to some crude tree surgery on the east and south sides only of its upper crown which has un-balanced its appearance and made the tree more susceptible to limb breakage in high wind. However, the tree is re-sprouting and, given time, should recover.

The Tree Officer advises that the main access to the proposed parking area is likely to cut across half of the Ash tree's root protection area (RPA). No relevant tree-related details have been provided to show how the proposed access road will be constructed without causing long-term damage to the protected Ash.

The plans also appear to show new trees within the site. However the trees are not detailed. This matter can be dealt with by condition at a later stage.

The plans also appear to show soft landscaping around the proposed car park(s). No further details have been provided, however this matter can also be dealt with by condition at a later stage.

The proposed scheme appears to show that about 25% of the frontage has been set aside for soft landscaping. The applicant should also provide details of materials to be used. This matter can be dealt with by condition at a later stage.

Although not ideal in terms of the protected Ash tree, conditions have been added to take account of the matters raised by the Tree Officer.

7.15 Sustainable waste management

The proposal makes provision for refuse and recycling storage within a store at the side of the proposed building.

7.16 Renewable energy / Sustainability

An Energy and Sustainability Statement has been submitted with the application. The Council's Sustainability Officer advises that the scheme is acceptable on sustainability grounds, subject to conditions.

7.17 Flooding or Drainage Issues

The application does not lie within an area prone to flooding. A condition has been added to ensure a sustainable drainage scheme is provided.

7.18 Noise or Air Quality Issues

This application raises no specific noise or air quality issues. A noise insulation scheme to ensure the flats were adequately protected from noise generation by other occupants within the building has been controlled by condition.

7.19 Comments on Public Consultations

As regards the responses received, points (i) - (vi), (viii) and (xvi) have been dealt with in the main report. Point (vii) would be mitigated with secure by design condition. As regards point (ix), tree matters have been covered in the report, whereas the wall would be unlikely to be affected by the proposals. As regards the other matters raised, these are not planning matters.

7.20 Planning Obligations

Policy R17 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) is concerned with securing planning obligations to offset the additional demand on recreational open space, facilities supporting arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals. These UDP policies are supported by more specific supplementary planning guidance.

Given the nature and scale of the scheme, only a potential contribution towards additional educational provision would be generated. A contribution towards additional education space of £11,186 is required (Nursery - £1,215, Primary - £4,978, Secondary - £3,076 and Post-16 - £1,917).

7.21 Expediency of enforcement action

No enforcement issues are raised by 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

10. CONCLUSION

It is considered that this scheme overcomes the Inspector's concerns as regards a previous appeal for a similar flatted development on this site.

Furthermore, the revised proposal, with the flatted block amended involves a reduced bulk, simplified design and a siting further forward on its plot is considered to present a satisfactory appearance within the Conservation Area and would safeguard the amenities of adjoining residents. It would also provide adequate amenities for its future occupiers. A significant change has been the siting of 6 off-street parking spaces in the rear garden which would involve the access passing within the root zone of a protected Ash tree, which would need to be mitigated by an appropriate construction for the road, which has been controlled by condition.

The application is recommended for approval.

11. Reference Documents

National Planning Policy Framework (March 2012)
London Plan (July 2011)
Adopted Hillingdon Unitary Development Plan Saved Policies (September 2007)
HDAS: Residential Layouts & Accessible Hillingdon
Planning Obligations Supplementary Planning Document, July 2008
Consultation responses

Contact Officer: Richard Phillips

Telephone No: 01895 250230



Appeal Decisions

Site Visit made on 24 February 2012

by E C Grace DipTP FRTPI FBEng PPIAAS

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 March 2012

Appeal A: APP/R5510/E/11/2166151

Swan Inn, Breakspear Road North, Harefield, Uxbridge UB9 6NF

- The appeal is made under sections 20 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant conservation area consent.
 - The appeal is made by Mr S Murphy - Clearview Homes Ltd against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 18239/APP/2011/1586, dated 28/6/11, was refused by notice dated 27/10/11.
 - The demolition proposed is: demolition of the existing two storey detached building.
-

Appeal B: APP/R5510/A/11/2166154

Swan Inn, Breakspear Road North, Harefield, Uxbridge UB9 6NF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr S Murphy - Clearview Homes Ltd against the Council of the London Borough of Hillingdon.
- The application Ref 18239/APP/2011/1588, dated 28/6/11, was refused by notice dated 27/10/11.
- The development proposed is two storey detached building to contain 6 two-bedroom self-contained flats with associated parking and amenity space and alterations to existing vehicle cross-over to the front (involving demolition of existing building).

Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Main Issues

Appeal A

3. The main issue in Appeal A is whether there are sufficient grounds to justify the demolition of the existing building and if so whether harm would ensue to the character and appearance of the Conservation Area.

Appeal B

4. The main issues in Appeal B are whether the proposed development would:
 - a) preserve the character and appearance of the Harefield Village Conservation Area;
 - b) harm the living conditions of occupants in neighbouring buildings;
 - c) provide a poor standard of privacy and outlook for future occupants; and
 - d) make inadequate provision in respect of education infrastructure.

Reasons

Appeal A

5. The Council indicate that they have no objection in principle to the loss of the public house and I saw that several others remain in operation a short distance away. However, whilst they acknowledge that the Swan is not a statutorily Listed Building, or included in the local list of buildings of architectural or historic interest, they nevertheless indicate it was erected by a local builder and opened as a pub in 1908 and contains attractive detailing which makes a positive contribution to the character and appearance of the Harefield Village Conservation Area. The Council's Conservation Officer regards it as having architectural merits of its own, whereby it is considered to be a heritage asset for the purposes of PPS5 and he found no structural grounds to necessitate its demolition. In the absence of any supporting structural survey or cost viability assessment of refurbishment to justify the demolition of the building, the Council consider it to be potentially capable of retention and refurbishment to preserve the character and appearance of the Conservation Area.
6. The public house is positioned in the village centre directly opposite the village green and pond. The building has been vacant for some time and it has been subject to vandalism. At my visit I saw that the damage to the building was extensive and the site is now boarded up and overgrown. Whilst Policy HE7.6 in PPS5 advises that evidence of deliberate neglect or damage to the building should not count in favour of obtaining consent, I have seen no such evidence in this case, but observed that it appears to be the result of a combination of wanton vandalism and metal theft.
7. The demise of the pub follows a nationwide trend as a result of diminishing financial viability for such premises, and the appellant indicates the design and layout of the building does not readily lend itself to residential conversion and I saw it has narrow corridors, doorways and stairs. The Council regard the building to be a heritage asset, but I would agree with the appellant's architect-Dr Miller's view that it is of an unsophisticated design that has been subject to later, unsympathetic extensions to 3 sides. I also saw that internally it was subject to a 1960s makeover, whereby there are no original internal features of note remaining. Decorative tiling externally has largely been destroyed and the only noteworthy detail I saw is the Swan motif in the front gable, though there may be some etched glass remaining in some boarded up windows.
8. In my appraisal of the Conservation Area, I saw that it contained a very wide range of buildings of varying styles, ages and uses and these are readily apparent in the 360 degree panorama from the village green. Although the building is not unattractive, it is not part of a cohesive group and little of its important original detailing survives intact. PPS5 advises that we should protect what is 'significant' about an asset rather than protecting everything for its own sake. In this instance, the Council's stance appears to be one of protecting the building for its own sake and converting it to residential use, notwithstanding the extent of damage it has incurred or the appellant's indication that it is not readily capable of conversion for residential use. Although the Council refer to it as a heritage asset they clearly do not hold it in such high regard to warrant placing it on the local listing. The building is not designated as a heritage asset and I find it is not of sufficient historic or design significance to warrant its retention, restoration and conversion. Also, such a solution would not resolve the current unsatisfactory parking arrangement.

9. My conclusion thus is reinforced by the Harefield Village Conservation Panel raising no objection to the proposed loss of an old building that has a presence overlooking the village green as they consider the new building would be of a style and size that represents an acceptable replacement and suggest the swan plaque should be preserved and incorporated in the new building.
10. In light of the above, I conclude that the value of this claimed heritage asset is relatively low, with the majority of the detailed features of interest irreparably damaged or already removed and that its loss is outweighed by the benefit of bringing the site back into beneficial use. I regard these factors as being sufficient grounds to justify the demolition of the existing building subject to there being an acceptable scheme of redevelopment to replace it. I therefore now shall appraise the development proposal in Appeal B.

Appeal B

Effect on Character and Appearance of the Conservation Area

11. In the first issue, the Council were critical of the design, scale and layout of the proposed building, insofar as it does not reflect the established character and townscape around The Green and would be set back further into the site than the existing structure and extend closer to its flank boundaries. However, the character and appearance of the buildings here are extremely diverse and I consider the incorporation of gables to the front elevation reflects architectural features found in the existing building. The structure would be the same height as the Swan PH and although it would be wider, it would be set further away from the road thereby providing for the introduction of some soft landscaping where currently there is none. Although the Council state that the introduction of an extensive area of hard surfaced parking would appear visually intrusive and incongruous, the pub has a dropped kerb along its entire frontage with a drive on and reverse off parking forecourt that is totally hard surfaced. The adjacent garage also has forecourt parking as does the nearby Kings Arms. I do not therefore agree that forecourt parking is alien to the appearance of the area and I observed that the site stands at the point of transition between a housing area and the commercial core of the settlement.
12. Although the proposed building's roof design also comes in for criticism by the Council due to the inclusion of some elements of flat "crown" roof, these would not be readily apparent from the street scene and would serve to provide an area for concealment of the solar panels. Furthermore, it includes chimneys and I regard the design as being manifestly superior to the mono-pitch roofs of the 3 storey 1960s maisonettes at The Poplars situated 30m west of the site.
13. The Council maintain the proposed building would give rise to an unacceptably high density of development, having regard to Policy 3.4 of the adopted London Plan. They indicate the site is within a low accessibility PTAL area where the density matrix in Table 3.2 indicates a density range of 50-75u/ha and 150-200hr/ha would be appropriate. The proposal equates to a density of 75u/ha and 225hr/ha, and the Council consider it to be excessive in terms of the second parameter of habitable rooms. Whilst density is often an indicator of the appropriateness of a development I note the number of units corresponds with the maximum and there appear to be a frequent number of bus services nearby. Therefore, I do not regard this factor by itself to warrant refusal or that the scale and mass of the proposed building would cause harm to the prevailing character and appearance of the Conservation Area.

14. Whilst the Council consider the increased depth of the proposed building and correspondingly reduced extent of the rear garden would render it visually intrusive in views from Pond Close to the rear, I saw that it would be set some distance away from this vantage point and the limited views would be blinkered by the undistinguished 1970s housing in the foreground. Moreover, the flank elevation is staggered to reduce its perceived mass when viewed from both there and Breakspear Road North and its built form would not extend as deeply into the site as the building immediately to its west.
15. By setting the building back, it would align its frontage with the adjacent dwelling "Apple Trees" and position it behind the canopy of the protected ash tree in its front garden. Whilst it is evident the tree has been subject to some crude surgery over the neighbouring property and the arboricultural report recommends further surgery where it extends over the appeal site, to redress its balance, the tree can be retained and serve to mitigate the impact of the building's greater width. The additional exposed area of flank wall of the adjoining pharmacy is proposed to be softened by new landscape planting.
16. However, the Council were concerned that the size and siting of the bin store along the eastern boundary would be visually intrusive and damaging to the street scene. I agree that the standardised bin housing measuring 5.6m wide by 2.4m high by 1.5m deep positioned within 2m of the pavement and angled towards it would be very prominent and unsightly and harm the appearance of the Conservation Area. The Waste Services Department comments are that the waste and recycling for 6 flats could be accommodated in one bin and that the 3 bulk bins proposed would be more than sufficient. This suggests to me there is scope for reducing its scale and positioning it further away from the pavement and designing an enclosure that is more sympathetic in appearance to the historic boundary wall it adjoins, in order to reduce its visual impact. In the absence of any detailed evidence as to precisely what recycling and waste storage facilities are required or would be acceptable, I am unable to gauge whether I could satisfactorily impose a condition to address this matter. I therefore find the proposed siting, scale and design of the proposed bin store would harm the character and appearance of the Conservation Area.

Harm to the living conditions of occupants in neighbouring buildings

17. The Council's concerns in the second issue relate to the impact of the proposal upon occupants in Apple Trees to the east and the flat at adjacent Harefield Garage to the west. I would generally agree with the appellant that the change of use from pub to flats would undoubtedly be beneficial to the living conditions for occupants of those neighbouring dwellings in terms of potentially less noise and disturbance from the pub garden and the removal of a large open sided covered smoking area which adjoins the boundary with Apple Trees.
18. Nevertheless, the Council consider the projection of the proposed building approximately 9m beyond the rear elevation of the two storey element of Apple Trees and about 6m further than the single storey part would be overbearing in the outlook from that property. However, as the appellant demonstrates, no part of the new building would transect a 45 degree line drawn from the corner of Apple Trees and a minimum separation distance of 6.5m would be provided. As the structure would be staggered away from the boundary and a lower eaves level incorporated into that furthest projecting part, I am content it would not appear so overbearing in views out from within that property, or its garden to warrant refusal.

19. The rooms served by windows of the flat at the adjacent Harefield Garage have limited existing privacy as they are located in the elevation facing directly onto the former pub garden. The change of use of this area to an amenity space for the proposed flats would to my mind be no worse and could potentially be better in respect of privacy. However, with the proposed building extending deeper into the site than the former pub, rear windows in the new flats would be closer to the nearest of the windows in the garage flat, with the separation distance being just 8m. The Council referred to the acceptable minimum as being 21m within the 45 degree line of sight, as specified in their design guide. Although the appellant considers that relates to facing habitable room window distance, and that an oblique view does not necessarily require the same separation distance, I could find no indication in the guide which provides for a lesser distance in such circumstances.
20. Consequently, having regard to the minimal 8m separation distance between them and the fact that the windows in the respective buildings would be within the 45 degree line of sight, I find there would indeed be potential for mutual overlooking. Due to the nature of the rooms which are served by these windows in the proposed flats, I do not consider it would be appropriate to mitigate the problem by requiring them to be obscure glazed or fixed shut. I therefore conclude the proposal would give rise to actual and perceived mutual overlooking between the rear windows of the proposed flats and the flat at Harefield Garage and thereby contravene Local Plan Policies BE21 and BE24.

Standard of privacy and outlook for future occupants

21. With regard to the third issue, the Council consider the intended occupants of the proposed flats would have a poor standard of residential amenity due to overlooking at the rear from the first floor window of the flat at the adjacent Harefield Garage. This is the corollary of the previous issue where I have found there would be an unacceptable loss of privacy due to actual and perceived overlooking. I consider there is an added factor with regard to the proposed private amenity space for the two ground floor flats closest to the garage flat, where the overlooking would be felt particularly acutely due to the minimal separation distance. Although the appellant maintains that purchasers would be aware of the situation and claims most flat buyers neither want nor expect the levels of privacy accorded to family housing, they clearly anticipate the flats are capable of family occupation by acceptance of the requirement to provide a payment towards the provision of education infrastructure.
22. In addition, the Council consider the outlook from the lounge windows of the front flats closest to the pharmacy would be poor due to the wall projecting 11.3m forward of them, and infringing the 45 degree line of view. Not only would this two storey flank wall, positioned just 1m away from the side of the proposed building, appear overbearing and blinker the view, it would also serve to reduce the level of light entering these lounges which are in the north facing elevation. Whilst the appellant indicates there would be light from secondary windows in the side of the building, as these are quite small and positioned just 1m from the flank wall of the pharmacy, they would provide only a modicum of additional light but not improve the outlook. I therefore conclude on this issue that the development would provide a poor standard of privacy, outlook and light in respect of the main living rooms and private amenity space of some of the flats and thus contravene Local Plan Policies BE24, BE21 and BE20 and guidance in the adopted HDAS: Residential Layouts SPD.

Provision in respect of education infrastructure

23. Finally, in connection with issue four, the appellant submitted a Unilateral Undertaking dated 13 February 2012 in respect of making a financial contribution towards the provision of education facilities. The appellant has accepted the need for such and the sum is based on a formulaic calculation set out in the Council's Supplementary Planning Document resulting from annual assessment of demographic change within school catchments and the subsequent demand for school places. I am satisfied that the sum of £11,342 is fair and proportionate in light of the evidence base and that it would meet the statutory tests of the Community Infrastructure Levy Regulations. The Council also indicate this suitably addresses their refusal on this ground and results in the proposal complying with Local Plan Policy R17.

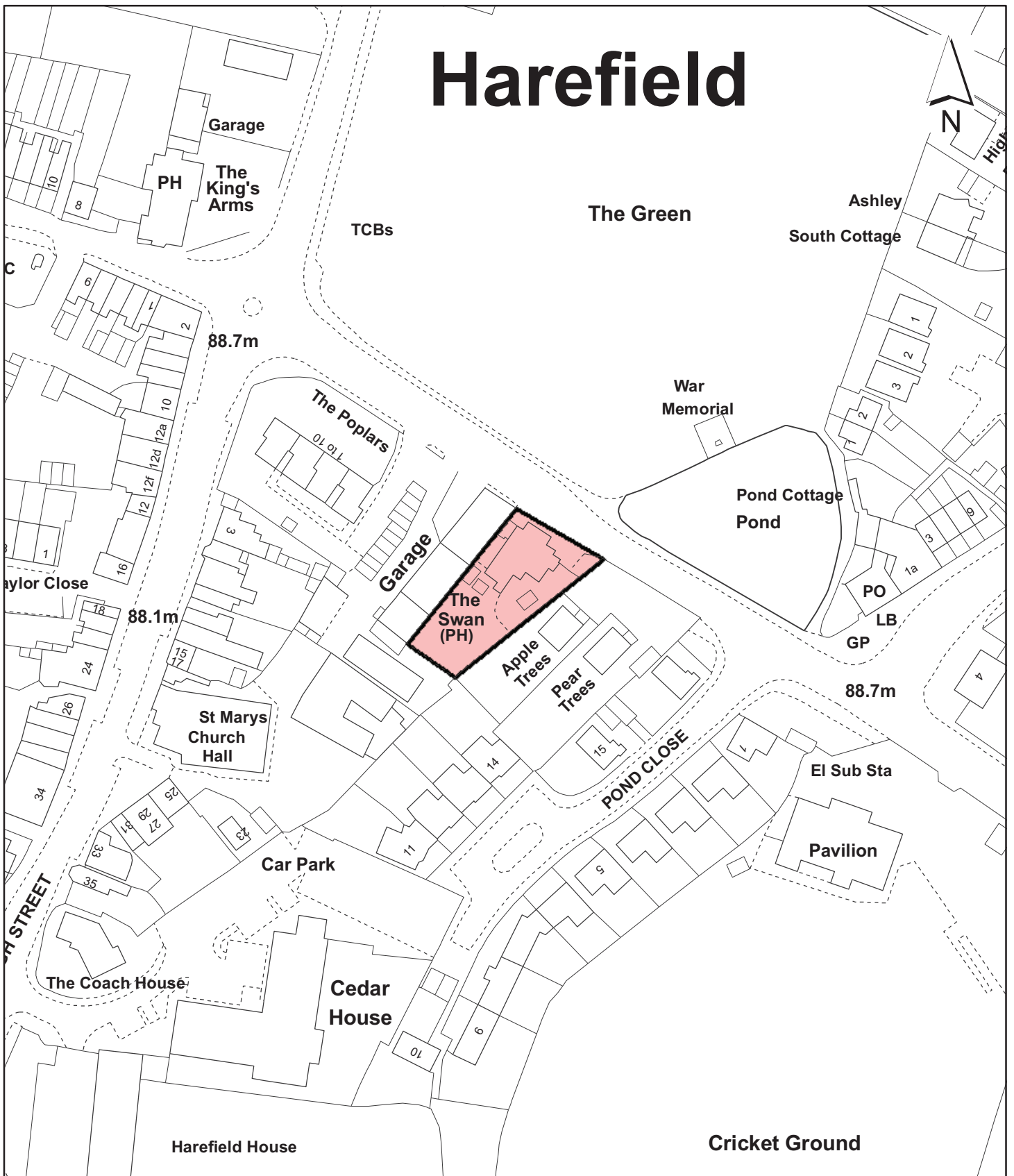
Conclusion

24. Nevertheless, for the reasons given above I concur with the Council that the development in Appeal B would: harm the character and appearance of the Harefield Village Conservation Area due to the design, size and location of the proposed bin store; result in unacceptable mutual overlooking between the rear windows of the proposed flats and the flat at Harefield Garage; and provide a poor standard of privacy, outlook and light in respect of the main living rooms and private amenity space of some of the proposed flats. In the absence of an acceptable scheme of redevelopment for the site, I consider demolition of the building in Appeal A would give rise to an unsightly gap within the Conservation Area and thereby harm its character and appearance. Accordingly, in a very finely balanced decision, I conclude that both the appeals should be dismissed.

Edward Grace

Inspector

Harefield



Notes

 Site boundary

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Site Address

**The Swan P.H.
Breakspear Road North
Harefield**

Planning Application Ref:

18239/APP/2012/242

Planning Committee

North Page 909

Scale

1:1,250

Date

**April
2012**

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

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

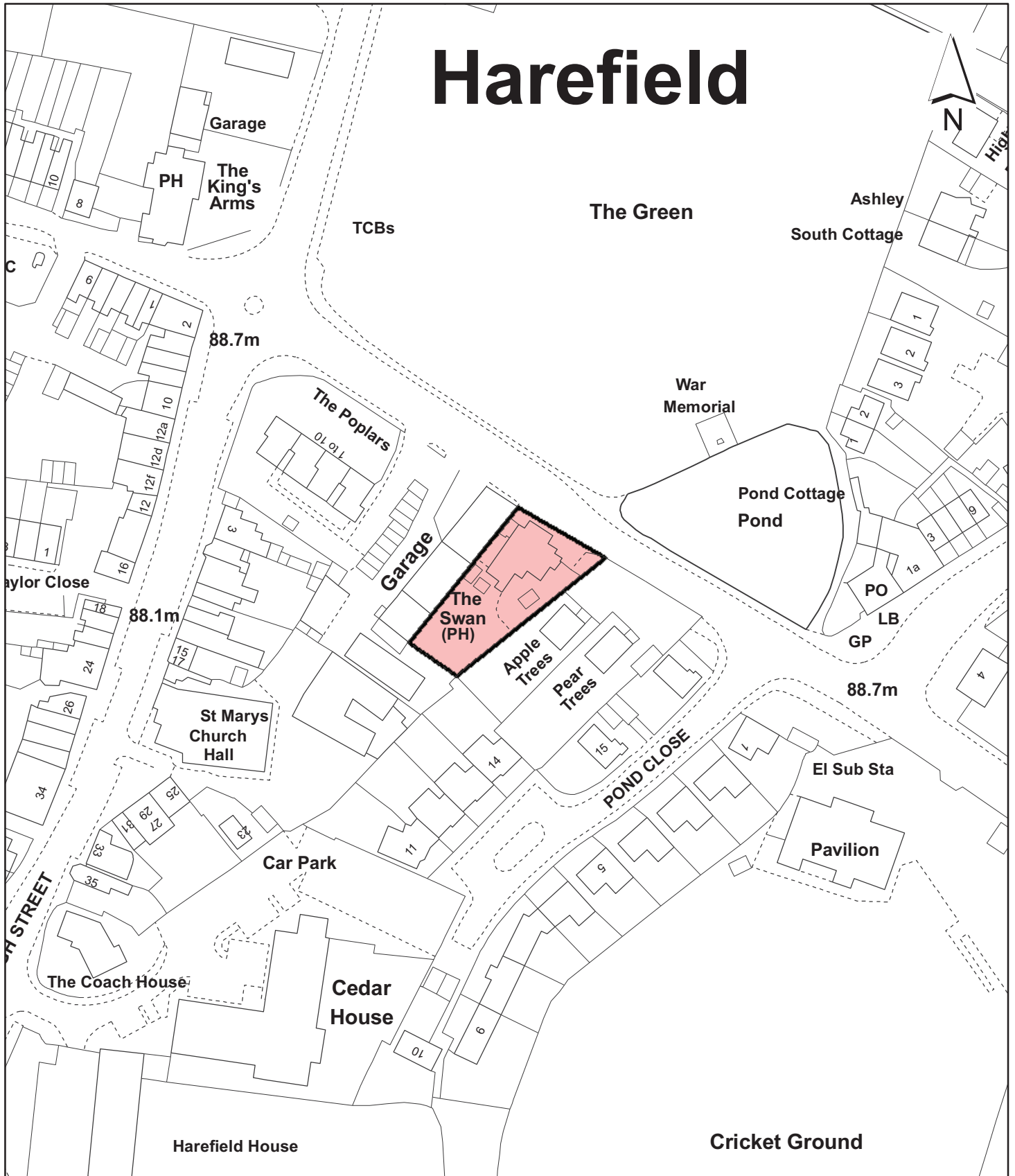


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APPENDIX B

	external flue to be submitted (to the Planning Department for approval).	
170.	<p>214 WHITBY ROAD, RUISLIP - 35710/APP/2012/171 (<i>Agenda Item 11</i>)</p> <p>214 Whitby Road, Ruislip - 35710/APP/2012/171</p> <p>Change of use of ground floor from retail (Use Class A1) to dental surgery (Use Class D1).</p> <p>The recommendation for approval was moved, seconded and on being put to the vote was unanimously agreed.</p> <p>Resolved – That the application be approved as per the officer’s report and the changes set out in the addendum.</p>	<p>Action by</p> <p>James Rodger & Meg Hirani</p>
171.	<p>THE SWAN PH, BREAKSPEAR ROAD NORTH, HAREFIELD - 18239/APP/2012/242 (<i>Agenda Item 12</i>)</p> <p>The Swan PH, Breakspear Road North, Harefield - 18239/APP/2012/242</p> <p>Two storey detached building to contain 6, two-bedroom, self contained flats with associated parking and amenity space and alterations to existing vehicle crossover to front, (involving demolition of existing building). (Resubmission)</p> <p>Officer’s introduced the report. In discussing the application, the Committee noted that since the Addendum had been published the applicant had contacted the Council with further information about the use of a geogrid membrane which sought to address the outstanding arborial issues concerning the application.</p> <p>Referring to the officer report, the Committee questioned how architectural features of the building could be retained if the building was approved for demolition. Officers clarified this condition related to removal and retention of the Swan motif from the existing building and the requirement for this to be integrated into frontage of the proposed development.</p> <p>In relation to the protected ash tree highlighted in the report, officers confirmed that a non standard condition could be used to ensure this was protected and not damaged during the construction phase.</p> <p>The recommendation for approval was moved, seconded and on being put to the vote was unanimously agreed.</p> <p>Resolved – That the application be approved as per the officer’s report and the changes set out in the addendum subject to issues relating to trees being satisfactorily resolved (with the final decision delegated to the Head of Planning).</p>	<p>Action by</p> <p>James Rodger & Meg Hirani</p>

Harefield



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Breakspear Road North
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Planning Application Ref:

18239/APP/2012/242

Planning Committee

North Page 94

Scale

1:1,250

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Telephone No.: Uxbridge 250111



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A separate document to be read in conjunction with the NPPF has also been produced by Central Government entitled 'Planning policy for traveller sites'. This advises that local planning authorities should make their own assessment of need and working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites. However, paragraphs 14 and 15 specifically deal with traveller sites in Green Belt. Paragraph 14 states that traveller sites, both temporary and permanent, in the Green Belt are inappropriate development.

Paragraph 15 goes on to state:

'Green Belt boundaries should be altered only in exceptional circumstances. If a local planning authority wishes to make an exceptional limited alteration to the defined Green Belt boundary (which might be to accommodate a site inset within the Green Belt) to meet a specific, identified need for a traveller site, it should do so only through the plan-making process and not in response to a planning application. If land is removed from the Green Belt in this way, it should be specifically allocated in the development plan as a traveller site only.'

No objections are raised to the horse rearing and breeding element of the use of the site and associated stables which appear rural in scale and appearance and have been discretely sited. This part of the use would be akin to an agricultural use and would be appropriate within the Green Belt, maintaining its open character.

The clarification of the proposed works is welcomed. However, the proposal involves increasing the residential mobile home footprints on site and it is considered that the assessment provided in Section 7.07 would not fundamentally alter in that the various residential structures would have an urbanising impact, harmful to the openness of the Green Belt.

As regards the revised scheme and the use of a septic tank, the Sustainability Officer advises:

'Drainage - Use of Septic Tank

I object to the use of a septic tank for the proposed development.

It is a slight improvement from the original scheme which proposed a cesspit. However, there is no information provided to demonstrate that a septic tank will work in this location. I therefore object to the proposed development due to the lack of information on drainage:

Circular 03/99 provides a hierarchy for foul drainage requirements of new development. Circular 03/99 states:

This Circular provides advice on the exercise of planning controls on non-mains sewerage and associated sewage disposal aspects of future development so as to avoid environmental, amenity or public health problems which could arise from the inappropriate use of non-mains sewerage systems, particularly those incorporating septic tanks.

The hierarchy is as follows:

- Connection to Public Sewer
- Use of Package Treatment Plant
- Use of Septic Tank
- Use of Cesspool only in exceptional circumstances

The site is in rural location, and the connection to a mains sewer may be uneconomical for the

development; however this still needs to be investigated as part of a wider non-mains drainage assessment. Circular 03/99 states:

If, by taking into account the cost and/or practicability, it can be shown to the satisfaction of the local planning authority that connection to a public sewer is not feasible, a package sewage treatment plant incorporating a combination of treatment processes should be considered.

A package treatment plant is a more advanced form of treatment than a septic tank and should always be seen as a preferred solution. Nonetheless, the circular proceeds to state:

Only if it can be clearly demonstrated by the developer that the sewerage and sewage disposal methods referred to in paragraphs 3 and 4 [i.e. mains drainage or package treatment plant] above are not feasible, taking into account cost and/or practicability, should a system incorporating septic tank(s) be considered and proposed if appropriate

The use of a cess pit with the previously approved temporary permissions is considered acceptable. However, this application is now for a permanent siting, which requires reconsideration of the preferred method of drainage in line with Circular 03/99.

A septic tank provides no treatment to foul water, relying on gravity to remove solids. The remaining foul liquid discharge is then directed to a soakaway. In this area, soakaways may not be appropriate, which means that raw sewage will either discharge to nearby watercourses creating a pollution incident, remain at ground level creating a health issue, or flow directly to groundwater creating a pollution incident. For these proposals, a package treatment plant may be the best alternative to a mains sewer. However the site is within a source protection zone 1. The groundwater in this area is highly vulnerable to pollution and therefore any discharges needs to be carefully considered.

The applicant needs to carry out a full foul drainage assessment in accordance with C03/99 that considers the use of a package treatment plant. It should consider the requirements of C03/99 and in particular it should also provide details on:

- . If the receiving environment is suitable
- . What level of sewage treatment is required
- . How the groundwater can be protected.

Ecology

The site is designated as a Site of Importance for Nature Conservation. The applicant needs to respect this designation and the site, which performs a valuable role to play in the ecological setting of the Borough. The change from temporary siting of existing mobile homes to permanent will have a long term impact on the Grade 1 SINC. The applicant should therefore be required to contribute to the enhancement of the SINC.

The proliferation of development on the SINC beyond that already approved, and these proposals would have a significant effect.

Sustainability

The applicant should be required to submit a sustainability statement demonstrating how the site can contribute to sustainable development. In particular the statement shall demonstrate how the applicant shall reduce potable water demand (London Plan Policy 5.15), reduce energy demands (London Plan Policies 5.3 and 5.2) and promoting ecology (London Plan Policy 7.19).

With the introduction of the National Planning Policy Framework in March 2012 and the important changes made to national policy in the 'Planning policy for traveller sites', March 2012 there is now stronger policy support for a refusal of permission on this site. This application is therefore similarly recommended, but the reasons for refusal have been updated to take account of the amended plans and the new National Planning Policy Framework.

1. SUMMARY

This application seeks permanent planning permission for the use of the site as a gypsy and traveller caravan site which has previously been granted twice at appeal, albeit on a temporary basis.

The application site comprises a 0.25ha triangular shaped field located on the southern side of Jackets Lane, approximately 700m to the south east of its junction with Northwood Road. It is located within open countryside which forms part of the Green Belt and a Countryside Conservation Area and also lies adjacent to a Nature Conservation Site of Metropolitan or Borough Grade 1 Importance.

The two previous Inspectors did not consider that this site was suitable for a permanent gypsy and traveller caravan site, the harm to the character and appearance of the Green Belt and Countryside Conservation Area being too great. They have only been prepared to grant temporary permission, mainly due to the compelling personal circumstances of the applicant and his family. The previous Inspectors were also concerned about the Local Planning Authority's lack of assessment of traveller's needs within the UDP and no alternative site's being available in the vicinity. A temporary permission would enable the Local Planning Authority to progress the LDF and for site-specific allocations to be made (if appropriate).

Although the personal circumstances of the applicant and, to a more limited extent his family, are still valid and there are still no alternative sites available, in considering the previous application, the last Inspector considered that the matter was finely balanced so that a 4 year temporary permission was considered acceptable so that at least the harm to the Green Belt could be restricted by limiting the duration of the use, in which time it was hoped the LDF could be progressed. The LDF has been progressed but not to the extent that specific sites have been allocated (if required). To allow a further period would be to extend the duration of the harm so that it is considered that on balance, the other factors, including the personal circumstances of the applicant and his family would no longer justify a further extension of time with a continuation of the harm.

Furthermore, although this application is described as being for the permanent use of the land as a gypsy and traveller caravan site and no operational development is described, the submitted plan does not accurately show existing caravans/mobile homes/buildings on site. The agent has been advised of the apparent discrepancies and requested to clarify what is being sought but to date, no such clarification has been forthcoming. As such, the Local Planning Authority could not be certain of the full extent and impacts of the works being proposed. Nonetheless, it is clearly evident that the real harm of the proposals is greater than the submitted plans indicate with respect to the Green Belt and landscape of the Countryside Conservation Area.

The Environment Agency also object to the absence of an assessment dealing with pollution risks of foul drainage.

The scheme also fails to demonstrate that it will contribute towards sustainable

development.

The application is recommended for refusal on these grounds.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The residential use and associated development is considered to represent inappropriate development within the Green Belt in terms of the guidance contained in the National Planning Policy Framework which is harmful by definition to its open character and appearance. Furthermore, there are no very special circumstances provided or which are evident which either singularly or cumulatively justify the permanent retention of the residential use which would overcome the presumption against inappropriate development in the Green Belt. The development is therefore harmful to the Green Belt and the landscape of the Countryside Conservation Area, contrary to the National Planning Policy Framework (including the accompanying Government Guidance 'Planning Policy for Traveller sites'), Policy 7.16 of the London Plan (July 2011) and Policies 1.1, OL1 and OL15 of the adopted Unitary Development Plan Saved Policies (September 2007).

2 NON2 Non Standard reason for refusal

The proposed mobile homes and associated residential structures are harmful to the Green Belt and the landscape of the Countryside Conservation Area contrary to the National Planning Policy Framework, Policy 7.16 of the London Plan (July 2011) and Policies PT1.1, OL1 and OL15 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 NON2 Non Standard reason for refusal

It is proposed that foul drainage is dealt with by maintaining the connection to a septic tank. In the absence of a non-mains drainage assessment, it has not been demonstrated that other more appropriate means of disposal are available and for an assessment to be made of the risks of pollution to ground and surface waters arising from the proposed development within this Source Protection Zone 1. As such, it is considered that the permanent retention of the gypsy/traveller use discharging to a cesspool results in an unacceptable risk to groundwater quality, contrary to the National Planning Policy Framework (March 2012) and policy 5.14 of the London Plan (July 2011).

4 NON2 Non Standard reason for refusal

In the absence of a Sustainability Statement, the proposal fails to demonstrate how the permanent use of the site will contribute towards sustainable development. As such, the proposal is contrary to Policies 5.2, 5.3, 5.15 and 7.19 of the London Plan (July 2011).

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

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

LPP 3.1	(2011) Ensuring equal life chances for all
LPP 3.8	(2011) Housing Choice
LPP 5.14	(2011) Water quality and wastewater infrastructure
LPP 7.2	(2011) An inclusive environment
LPP 7.16	(2011) Green Belt
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL4	Green Belt - replacement or extension of buildings
OL15	Protection of Countryside Conservation Areas

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a 0.25ha triangular shaped field located on the southern side of Jackets Lane, a mainly single width track which links Northwood Road with Ducks Hill Road, although the track is gated and bollarded towards its ends to prevent a through route for vehicles. Vehicular access to the site is from Northwood Road. The site is roughly halfway along the track's length, being approximately 470m to the south east of its junction with Northwood Road and 620m to the north west of its junction with Ducks Hill Road. The site lies within a valley surrounded by open fields and wooded areas, with some linear residential development along the valley ridges. The immediately adjoining fields are also in the applicant's ownership and are in use for the breeding and rearing of horses.

The main residential building on site is located at the front of the site, along its north western boundary and appears to comprise a mobile home which has been placed on a brick base and has a tiled hipped roof and bay windows. Another temporary building has been sited to the rear which also has a tiled roof and appears to provide residential accommodation. Two caravans were also present on site at the time of the site visit and two stable buildings have been erected towards the rear of the site with this part of the site being used as a paddock area. A mature hedgerow forms the north western boundary and an overhead national grid power line crosses the site. A number of public footpaths surround the site, and meet outside its entrance, namely U10 which runs along Jackets Lane from Northwood Road, R13 which crosses the field to the south east to join Jackets Lane further to the east and U11 which runs along the north eastern boundary of the site. Jackets Lane to the east of the site forms an ancient highway (bridle way) which is not adopted.

The site forms part of the Green Belt, a Countryside Conservation Area and lies adjacent to a Nature Conservation Site of Metropolitan or Borough Grade 1 Importance.

3.2 Proposed Scheme

The proposal is for the permanent use of the land as a gypsy and traveller caravan site. Two mobile homes are shown on the submitted site plan, sited parallel to the north eastern boundary of the site, close to its entrance, the larger one sited closest to the entrance and measuring approximately 13.5m by 6m, the other one behind being 11.5m by 6m. A small

garden area would separate the two homes, with a shed sited between the buildings, some 4.5m by 2.5m. A 3.5m square of concrete hardstanding is shown at the front of the larger mobile home. A total of five car parking spaces would be provided in front of the mobile homes, with a caravan stored on the south eastern side of the smaller mobile home. The rear of the site would provide a yard area, with the south western part of the site providing a paddock, separated by a post and rail fence. The two mobile homes would be connected to a cesspool. Tree planting and a new hedge is also shown along the south eastern boundary of the site and along the line of the new fencing.

A number of supporting documents have been submitted with the planning application, namely:-

Planning, Design and Access Statement:

This states that the documents which must be taken into account in determining these proposals include the Inspector's decision letter dated 20th June 2007; the Council's Local Development Framework (LDF) including the core Strategy (2011) and any emerging Land Allocations Development Plan Document(PDP); London's Gypsy and Traveller Accommodation Assessment; the replacement London Plan (2009); the West London Housing Partnership Study; the advice contained in Circular 01/2006 (until it is replaced) and any Government guidance published before the applications are determined.

The statement then lists and briefly describes planning policy, as recorded by the Inspector in his decision letter at the time of the previous appeal in June 2007. The previous Inspector's conclusions on the planning policy position are described. The statement then goes on to describe the current plan policy position.

The statement then refers to the need for gypsy caravan site provision generally in the area in 2007 as referred to by the Inspector. The statement notes that at that time, 12 families were on the waiting list for a pitch at the Council's site at Colne Park and future demand from family growth was expected. The Inspector noted that two bids in 2006 and 2007 for funding to improve and provide two additional pitches had been made. The statement notes that that funding is no longer available. The Inspector also noted that the Council's letting policy would preclude the Connors family from being considered for a pitch. A West London survey of 7 boroughs (including Hillingdon) is also cited which identified chronic overcrowding, lack of facilities and poor environmental quality at most public sites. Furthermore, The neighbouring counties of Buckinghamshire and Hertfordshire GTAA's found a need for some 100 additional permanent pitches in each area whilst the Thames Valley Sub-Region, the GTAA indicated a requirement for 187 additional pitches for the period 2006 - 2011. The Inspector concluded that there was a clear need for additional gypsy accommodation.

The statement considers that that need has not diminished over the intervening period and the initial Replacement London Plan (2009) originally specified the level of need for additional pitches in Hillingdon. It states that the prospects of the Connors family of securing an alternative site were slim indeed and the situation has not improved. There is still no suitable, affordable, available alternative site in the locality to which they could relocate.

The statement then considers the occupation of the site and compares the 2007 situation with that of the present. In 2007, the site was occupied by Mr Michael Connors (Snr.) and his children, Michael (Jnr.), his wife Barbara, Luke (aged 17 years), Johnny (16) and Mary (14). Since that time, Michael (Jnr.), his wife, Barbara and their two sons (Michael, aged 3

years and Tommy (3 months) have vacated the site for a traditional travelling lifestyle. Luke has married and with his wife Anne and their daughter, Kathleen (9 months) is shortly to move into a house. Mary and her partner are away from the site travelling. Mr Connors eldest daughter Elizabeth (aged 22 years) has returned to the site with her two children, Michael (18 months) and Ellie-Marie (4 months). Johnny has remained on site and helps with the horse breeding.

The statement goes on advise that although the children have now completed their formal education, the medical circumstances of Michael Connors (Snr.) remain a significant material consideration. The Inspector previously attached significant weight to Mr Connors' poor health and the good access this site afforded to Mount Vernon and Harefield Hospitals. The statement advises that Mr Connors (Snr.) condition has deteriorated further over the last 4 years. Also, Ellie-Marie suffers from a rare genetic condition which leads to the build up of amino acid in the blood and brain which if left untreated, can lead to severe learning difficulties. Ellie-Marie is seen regularly by consultants at Great Ormond Street Hospital and Elizabeth is visited by a nurse and a social worker on a twice-weekly basis.

The statement concludes by stating that the reduction in the number of households on the site, with less domestic activity and paraphernalia and vehicle parking in the open has reduced the impact of the site on the Green Belt. There is considerable scope for structural planting to add to the planting that has already taken place. Permanent permission would enable the site layout and landscaping to be finalised and fully implemented.

Tree and Shrub Planting Schedule:

This details the essentially native hedge and tree planting, including Hawthorn, Hazel, Holly and Blackthorn.

Supporting Information:

A confidential report from the Gypsy Council has also been submitted which details the health needs of Michael Connors (Snr.) and Ellie-Marie and includes supporting collaborative information from hospitals.

Supporting letters have also been received from health visitors and the Harefield Children's Centre.

3.3 Relevant Planning History

Comment on Relevant Planning History

An application for the part retention and use of the site as a permanent private family caravan site (6 pitches) (57685/APP/2002/2129) was refused on 24/04/2003.

Following an appeal against the serving of an enforcement notice, an application was deemed to have been made for the use of land for the stationing of mobile homes and caravans for residential purposes and the parking and storage of commercial vehicles (57685/APP/2003/241). Following a Public Inquiry held in July and October 2003, the enforcement notice was quashed and planning permission was granted on 13 January 2004 for the use of the land for a mixed use comprising the stationing of mobile homes and caravans for residential purposes, the parking and storage of commercial vehicles and the breeding and keeping of horses and associated operational development. The permission was personal to the appellant, Mr Michael Connors, only and limited to a 2-year temporary period. The Inspector also imposed a number of other planning conditions including a condition allowing no more than one mobile home and one touring caravan or

caravanette/motor home to be stationed on the site at any time. The temporary permission expired on 13 January 2006.

Two applications were submitted seeking to discharge condition 4(i) of the Inspector's decision notice requiring details of the site layout to be submitted. The first of these (57685/APP/2004/418) was refused on the 7 May 2004 on the grounds that the proposed stables/barn, horse trailers, garden and shed for the mobile home would be detrimental to the openness of the Green Belt. The second application (57685/APP/2004/1083) was approved on the 27 May 2004 which showed a mobile home parallel with the northern boundary of the site with a caravan behind.

An application for the renewal of planning permission granted on appeal dated 13/01/2004 (57685/APP/2006/120) was refused on 27/07/2006 for the following reasons:

1. The development is considered to represent inappropriate development within the Green Belt in terms of the guidance contained in Paragraph 3.4 of Planning Policy Guidance Note 2 (Green Belts). Furthermore, there are no very special circumstances provided or which are evident which either singularly or cumulatively overcome the presumption against inappropriate development in the Green Belt. The development is therefore contrary to the aims of Policy OL1 of the adopted Hillingdon Unitary Development Plan.

2. The development, by reason of its siting, size, appearance and the additional traffic generated, is prejudicial to the character, openness and visual amenities of the Green Belt and Countryside Conservation Area. As such, it is contrary to the aims of Policies OL1 and OL15 of the adopted Hillingdon Unitary Development Plan.

Following an appeal and a public enquiry, permission was granted on 20/06/07 but again, the permission was made personal to Mr Michael Connors (senior) and his resident dependants, Mr Michael Connors (junior) and/or his wife Barbara and their resident dependants, limited to a 4 year period and no more than 3 caravans (of which no more than one shall be a static or mobile home) shall be stored at the site.

An application seeking to discharge details of the internal layout of the site was submitted (57685/APP/2007/2898) but not determined.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.1 To maintain the Green Belt for uses which preserve or enhance the open nature of the area.

Part 2 Policies:

LPP 3.1 (2011) Ensuring equal life chances for all

LPP 3.8 (2011) Housing Choice

LPP 5.14 (2011) Water quality and wastewater infrastructure

LPP 7.2	(2011) An inclusive environment
LPP 7.16	(2011) Green Belt
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL4	Green Belt - replacement or extension of buildings
OL15	Protection of Countryside Conservation Areas

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **18th July 2011**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

53 surrounding properties have been consulted, three site notices have been displayed (one outside the site, the other two at each end of Jackets Lane) and the application has been advertised in the local press as being a departure from the development plan. 15 responses objecting to the proposal have been received, together with a petition with 64 signatories. 2 responses in support have also been received.

The petition states:

We the undersigned appeal against new planning application for the land at Willow Farm (3116) Jackets Lane, Harefield, submitted by Mr Michael Connors, for Permanent use of land as Gypsy & Traveller Caravan site, Hillingdon Ref. No. 57685/APP/2011/1450.

Letters of objection raise the following matters/concerns:-

- (i) Proposal would spoil the quality of the area,
- (ii) This land has always been designated as Green Belt and has never been re-zoned for any type of housing, whether it be for travelling people or any other,
- (iii) If this settlement should be permitted to remain, it would open up the whole valley to further planning applications, which would surely be hard to refuse and cause more destruction of Green Belt land,
- (iv) In 2003, the Secretary of State said that this settlement was inappropriate but granted temporary permission in order for Mr Connors' children to complete their education which has now been done and for Mr Connors senior to receive medical care, yet there is still no sign of the family moving from this Green Belt land,
- (v) The Connors family say that they cannot live in a house made of bricks and mortar and because of their background have refused Council property. However, their static mobile home has not moved in 10 years and when they do go travelling, the caravan is taken,
- (vi) The Connors family have stated that they need to be there for the horses/livestock, but other keepers/breeders of horses in the local area do not have caravans/mobile homes on site. If there should be a problem, owners sit in their cars and wait in case they need a vet or the mare foaled. If anybody else placed a mobile home on the land, the Council would not allow it. The travelling community should not be treated differently,
- (vii) If permission granted, other family members and relatives might move in and site could become an encampment like site in Essex,
- (viii) Has Hillingdon done the work of identifying new sites for the travelling community?
- (ix) House prices in the area will be affected,

- (x) concerns regarding anti-social behaviour,
- (xi) Current employment brings me into contact with travellers and I feel this location is not one where they or the local community would benefit,
- (xii) Walkers will avoid this area if permission passed,
- (xiii) Will be able to see traveller/gypsy site,
- (xiv) Area has many different animals and is more like a nature reserve which will be damaged by gypsy site,
- (xv) People do have a right to live somewhere but there must be more remote sites around the country,
- (xvi) Scheme just to let Willow Farm make money,
- (xvii) I have just purchased a house in Harefield and if I had known this was going ahead I would not have considered moving to Harefield,
- (xviii) I note that in 2007, similar plans were not approved,
- (xix) Local facilities will be stretched,
- (xx) What legislation exists to restrict usage?
- (xxi) Jacket Lane is a bridle path to Ducks Hill which goes back to the Doomsday Book. 'Willow Farm' used to be part of 'Battlerswell Farm'. When the farm was sold, field 3116 was sold to a Mr Edwards for his daughter to keep her pony. A small hardstanding was put there for a barn/stable for the pony in bad weather, nothing more. Many years passed and Jacket Lane was just wide enough to walk down with a small stream at the side. After a long while, the pony was moved and the field lay empty and overgrown. In January 2002, a man introduced himself as 'Paul' to neighbours and said he had bought the field for his wife and daughter to keep their horses and would be tidying up the field and making the lane wide enough to get his car down. The lane became wider and wider and at the end of July they all moved in and the rest is history,
- (xxii) Jacket Lane now a two lane road with cars and trucks coming up and down the lane at all hours,
- (xxiii) The settlement has grown and more young children live there who will no doubt want to explore their own and neighbouring surroundings which could threaten neighbouring property, given reputation of travelling people,
- (xxv) It has never been confirmed that Mr Connors is the legal owner of 'Willow Farm' and that they are still the current owners,

The responses in support of the proposal (albeit from people who do not reside within the borough) make the following points:

- (i) I have known the Connors for at least 10 years and visit Jacket Farm at least twice a week with my two children who have great pleasure in seeing and riding the horses. The Connors are always welcoming and very polite,
- (ii) I have known Mr Connors for over 30 years and when he moved to Jacket Farm, I would see him on a regular basis and still go there every other day. He is very helpful and very well mannered and has a lot of time for people. I help him maintain Jacket Farm and we both share a great interest in horses.

Nick Hurd MP:

I have been contacted by several constituents who are very concerned over the proposed planning application for the land to be used as a permanent gypsy and traveller caravan site. The proposed development will be in violation of Green Belt guidelines.

I share their concerns and also wish to register my objection to this planning application.

Ward Councillor: Requests that the application be heard at committee.

Northwood Residents Association:

The Northwood Residents Association wishes to object to this proposal on the grounds that the development would be on Green Belt land contrary to the UDP Part One Policies - notably Pt1.1 'To maintain the Green Belt for uses which preserve or enhance the open nature of the area'. In no way could this proposal enhance the open nature.

Harefield Village Conservation Panel:

Although the site does not fall within the Harefield Village Conservation Area, the panel have commented thus:

1. The layout shown in the drawing MCA-2, submitted as part of the planning application, does not show correctly the layout of elements on the site. When viewed from the gate to the property, instead of a mobile home parallel to the site boundary there is what appears to be a substantial single storey building at right angles to the boundary - see photograph attached. It was not possible to see what lay behind this building.

2. The page with site ownership details was not included with the application form.

The Panel objects to the application for permanent use of the object site as a gypsy and traveller site for the following reasons:

a. The use proposed for the site is quite inappropriate for an undisturbed and attractive area of Green Belt.

b. The decision to grant temporary use of the site as a gypsy and traveller site in 2007 was based upon Mr Connor Snr's health needs and the proximity of local hospitals and schooling for his children. The children have now been educated and various members of the family have left the site and Mr. Connor's chronic health conditions are deteriorating.

c. Having left previously, some members of the family are now returning to the site with children creating a succession which was not envisaged in the original consent for a temporary use.

d. It is noted from the colouring of the site plan that the whole of Field 3116 appears to be in the same ownership as the object site. The Panel is concerned that if permanent use is granted for the object site it would just be a matter of time before the whole of the field became a gypsy and traveller site with a significantly increased area.'

Harefield Tenants and Residents Association:

Our members discussed this application at our last meeting and we wish to register our objections to the permanent use of this Green Belt land as a Gypsy and Traveller site.

It is totally in the Green Belt and residential use is against planning policy guidance. In our view there are not very special circumstances shown for the Council to go against Green belt planning policy and we therefore request refusal and a time scale for the removal of all the associated structures present on the land.

The Council meets the need of the travelling community by providing a site in the Borough for them at West Drayton.

Environment Agency:

We object to the proposed development as submitted because it involves the use of a non-mains foul drainage system. No assessment of the risks of pollution to ground and surface waters have been provided by the applicant. We recommend that planning permission should be refused on this basis.

Reason

The site is in Source Protection Zone (SPZ) 1, which is an area of high ground floor vulnerability which supplies an abstraction point for drinking water.

The application form indicates that foul drainage is to be discharged to a cesspool. The applicant has not justified the use of non-mains drainage facilities in line with DETR Circular 03/99. It advises that full and detailed consideration is given to the environmental criteria listed in Annexe A.

The application does not provide a sufficient basis for an assessment to be made of the risks of pollution to ground and surface waters arising from the proposed development.

This poses significant risks to the environment which cannot be overcome by a condition.

Resolution

The applicant needs to complete and submit a satisfactory foul drainage assessment (see <http://www.environment-agency.gov.uk/research/planning/33368.aspx>).

Within this the applicant needs to:

* Justify the use of a cesspool over preferred alternative means of foul disposal, for example, mains foul sewage system, septic tank or package treatment plant in accordance with the hierarchy set out in DETR Circular 03/99/WO Circular 10/99 and Building Regulations Approved Document H.

* Demonstrate London Clay in the area is thick enough and provides enough coverage to protect the drinking water aquifer beneath.

Thames Water:

Waste Comment

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

Water Comment

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

Internal Consultees

TREES AND LANDSCAPE OFFICER:

LANDSCAPE CONTEXT: The site lies within an undulating valley landscape characterised by a mosaic of woodland and farmland, with field boundaries defined by hedgerows with trees. It is currently occupied by two mobile homes, a caravan and shed which are situated within a yard and garden. The site is enclosed by a mix of post and rail fences, with some mature and some young hedgerows with trees. This area, in the north of the Borough, is identified within London's Natural Signatures as the 'Ruislip Plateau Natural Landscape Area', as designated by Natural England.

The site lies within an area of designated Metropolitan Green Belt, at the junction of Jackets Lane (an Ancient Highway) and three statutory footpaths (ref. U10, U11 and R13), which link Ducks Hill Road (Northwood) to the east and Harefield to the west. Hillingdon's draft Landscape Character Assessment includes a detailed description and appraisal of this area which it refers to as 'South Harefield Wooded Undulating Farmland' (ref.LCA D1). Several parcels of land close to the site are

designated Nature Conservation Sites of Metropolitan or Borough Grade 1 Importance. There are no Tree Preservation Orders on, or close to, the site, nor does it fall within a designated conservation Area.

PROPOSAL: The proposal is to extend a temporary permission to a permanent use of the land as a gypsy and traveller site. The application includes a drawing which shows the existing field hedge along the north-west boundary and a new native hedgerow with trees along east boundary.

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

* No trees or other landscape features will be affected by the proposal. However, the location of the site, which is on a hillside, is clearly visible from Jackets Lane and the vantage points from footpath ref. R13 to the east. Approaching the site from the west, along footpath ref. U10, intervening hedges and woodland effectively screen the site from view, when the vegetation is in leaf. There is little scope for providing additional planting to screen views across the valley in what is predominantly open countryside.

* One of the five purposes of including land in the Green Belt is to assist in safeguarding the countryside from encroachment (PPG2). The visual effect of retaining the mobile homes, caravan and outbuildings has an urbanising influence in an area which is predominantly agricultural and pastoral. Again it is not considered that the impact of the development on the character and appearance of the surrounding landscape can be overcome by landscape conditions.

RECOMMENDATIONS: For the reasons above, I object to this proposal. The retention of the mobile homes and ancillary buildings/caravans is visually intrusive and inappropriate in the Green Belt. They fail to harmonise with the landscape character and visual amenity of the area.

SUSTAINABILITY OFFICER:

Drainage - Use of Cess Pit

I object to the proposed development due to the lack of information on drainage:

Circular 03/99 provides a hierarchy for foul drainage requirements of new development. Circular 03/99 states:

This Circular provides advice on the exercise of planning controls on non-mains sewerage and associated sewage disposal aspects of future development so as to avoid environmental, amenity or public health problems which could arise from the inappropriate use of non-mains sewerage systems, particularly those incorporating septic tanks.

The hierarchy is as follows:

- * Connection to Public Sewer
- * Use of Package Treatment Plant
- * Use of Septic Tank
- * Use of Cesspool only in exceptional circumstances

The site is in rural location, and the connection to a mains sewer may be uneconomical for the development, however this still needs to be investigated as part of a wider non-mains drainage assessment. Circular 03/99 states:

If, by taking into account the cost and/or practicability, it can be shown to the satisfaction of the local planning authority that connection to a public sewer is not feasible, a package sewage treatment

plant incorporating a combination of treatment processes should be considered.

A package treatment plant is a more advanced form of treatment than a septic tank and should always be seen as a preferred solution. Nonetheless, the circular proceeds to state:

Only if it can be clearly demonstrated by the developer that the sewerage and sewage disposal methods referred to in paragraphs 3 and 4 [i.e. mains drainage or package treatment plant] above are not feasible, taking into account cost and/or practicability, should a system incorporating septic tank(s) be considered and proposed if appropriate.

The use of a cess pit with the previously approved temporary permissions is considered acceptable. However, this application is now for a permanent siting, which requires reconsideration of the preferred method of drainage in line with Circular 03/99. The circular discourages the use of Cess Pits/ Pools.

Whilst this Circular primarily deals with septic tank drainage systems, the attention of developers and local planning authorities is drawn to the implications of the use of cesspools. In principle, a properly constructed and maintained cesspool, being essentially a holding tank with no discharges, should not lead to environmental, amenity or public health problems. However, in practice, it is known that such problems occur as a result of frequent overflows due to poor maintenance, irregular emptying, lack of suitable vehicular access for emptying and even through inadequate capacity.

The Environment Agency also discourages the use of Cess Pools for permanent drainage purposes. Their Pollution Prevention Guideline 4 states:

If you require a temporary sewage disposal system whilst you are preparing a permanent solution, a cesspool might be a suitable method. We don't encourage the use of cesspools and you might need permission from the local authority Environmental Health Officer. In Scotland, the Building Standards do not permit the use of cesspools.

The main issue with cesspools is down to the mismanagement which has resulted in considerable complaints to the Environment Agency, particularly in rural areas. Cesspools require a strict management regime to maintain safety and avoid pollution. They require emptying by specialist permitted contractors to take the contents to sewage treatment works. These contractors can be costly, particularly if called out in an emergency i.e. when the tank unexpectedly reaches capacity. The mismanagement referred to in Circular 03/99 is associated with the need to reduce the reliance on an expensive third party contractor. Mismanagement techniques include putting holes in the base of cess pools so they leak into the ground, or emptying contents into nearby watercourses. These save individuals money by not requiring expensive contractors, but can have significant impacts on the environment through the discharge of untreated sewage.

The best course of action is to avoid the use of cess pools in the first instance as outlined in the hierarchy in Circular 03/99.

For these proposals, a package treatment plant may be the best alternative to a mains sewer. However the site is within a source protection zone 1. The groundwater in this area is highly vulnerable to pollution and therefore any discharges needs to be carefully considered.

The applicant needs to carry out a full foul drainage assessment in accordance with Circular 03/99 that considers the use of a package treatment plant. It should consider the requirements of Circular 03/99 and in particular it should also provide details on:

* If the receiving environment is suitable

- * What level of sewage treatment is required
- * How the groundwater can be protected.

Cess pools should only be seen as a last resort and may preclude the permanent siting of development in this area. Any use of cess pools on this site should not set a precedent to allow the proliferation of further development.

Sustainability

The applicant should be required to submit a sustainability statement demonstrating how the site can contribute to sustainable development. In particular the statement shall demonstrate how the applicant shall reduce potable water demand (London Plan Policy 5.15), reduce energy demands (London Plan Policies 5.3 and 5.2) and promoting ecology (London Plan Policy 7.19).

ENVIRONMENTAL HEALTH OFFICER:

I do not wish to object to this proposal.

I have spoken with the Environmental Health Officer in Private Sector Housing Enforcement Team about this proposal and am advised that the site would need to comply with model site licence conditions under the Caravan Sites and Control of Development Act 1960.

I note that foul drainage is proposed to be made to a cesspit.

Should planning permission be granted, please add the construction site informative.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

As confirmed by the Inspectors in considering the two previous appeals (App. Nos. 57685/APP/2003/241 and 2006/120 refer), the use of the site for a gypsy and traveller caravan site represents inappropriate development within the Green Belt.

Paragraph 3.2 of the PPG2: Green Belts makes clear that inappropriate development inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The guidance adds that such circumstances will not exist unless the harm is clearly outweighed by other considerations and that it is for the applicant to show why permission should be granted.

The two previous Inspectors both considered that the use was only acceptable on a temporary basis, given the personnel circumstances of the family and the lack of an adequate assessment of gypsy and traveller needs and plot/pitch provision in the UDP.

In considering the latest appeal (App. No. 57685/APP/2006/120), the Inspector in his decision letter dated 20th June 2007 at paragraph 15 stated:

'Inappropriate development is, by definition, harmful to the Green Belt (PPG2, paragraph 3.2); such definitional harm is accepted by the appellant. In addition, I consider harm would arise from the presence on site of a mobile home and touring or other caravans and any ancillary buildings such as a shed. The site is in an area of predominantly open countryside and so the items already on site or sought detract from the area's openness (which paragraph 1.4 of the PPG notes is the most important attribute of Green Belts). The developed, occupied appearance of site results in encroachment into the countryside and some harm to the Green Belt's visual amenities.'

The Inspector goes on in paragraph 18 that:

'The appeal site is in attractive, undulating countryside, the landscape quality of which is recognised by its CCA designation (which remains part of the development plan and so I attach little weight to speculation about its continuance). The site is clearly visible from its Jackets Lane entrance and its various structures can also be seen particularly readily across the valley from the south-east end of Jackets Lane (and, I would expect, from some of the dwellings in that area).'

The Inspector concludes the assessment on the impact upon the character and appearance of the area by stating that the proposed development would cause unacceptable harm to the character and appearance of the surrounding area.

The Inspector then goes on to assess other considerations. He states in paragraph 23 that

'The previous appeal Inspector deplored the absence of an appropriate gypsy policy in the UDP and found the Council's failure to undertake a proper quantitative assessment of the accommodation needs of gypsies to be a matter of serious concern. The UDP policy position is unchanged and does not conform with the more recent London Plan.'

Previously, policy 3A.11 (London's travellers and gypsies) of the London Plan (February 2004) stated that boroughs should, in co-ordination with other boroughs, assess the accommodation needs of gypsies and travellers and review pitch capacity and formulate policies to protect existing sites, establish criteria for new sites and identify them where shortfalls occur.

More recently, there has been some discussion as to how demand for gypsy/traveller sites should be assessed which has influenced changes to national and strategic guidance on gypsy and traveller sites.

In April 2011, the Government produced a Consultation Paper on PLanning for Traveller Sites which it is intended will replace Circular 01/2006. As the guidance is at consultation stage, only limited weight can be given to it.

In the explanation of the proposed new policy stance, this advises that discrimination and poor social outcomes among traveller communities must be addressed (paragraph 2.15) but that it also wants to tackle unauthorised development in all its forms (paragraph 2.16) and goes on to advise that the Government:

'... will not tolerate abuse of the planning system by a small minority of travellers, who set up unauthorised developments which create tension, undermine community cohesion and create resentment against the over-whelming majority of law-abiding travellers who do not live on unauthorised sites'.

The attached Draft Planning Policy Statement states at paragraph 4:

'The Government's overarching objective is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.'

The Government specifically states at paragraph 5 that one of the objectives for planning as regards traveller sites will be to protect the Green Belt from development and proposes

greater clarity at paragraph 14 by stating that traveller sites in the Green Belt are inappropriate development, whereas Circular 1/2006 advises that they are 'normally inappropriate development'.

The draft guidance goes on to advise that development plans should have policies and strategies in place for delivering their locally set targets, including identifying specific sites that will enable continuous delivery of sites for at least a 15 year period and a 5 year supply of deliverable sites. In terms of transitional arrangements, the draft guidance states that if after six months of the new guidance being adopted, a five year supply of deliverable sites is not available, local planning authorities should consider favourably applications for the grant of temporary planning permission.

As regards the Local Development Framework which will replace the UDP, the issue of gypsy and traveller pitch provision is addressed in emerging Core Strategy Policy H3 (Gypsy and Traveller Pitch Provision). This sets broad criteria for the location of sites to accommodate the specific needs of the travelling community. Any policy on gypsy and traveller pitch provision would need to be in general conformity with the London Plan.

The 2004 London Plan has now been replaced and policy 3.8 advises that whilst working with the Mayor, boroughs should ensure that 'the accommodation requirements of gypsies and travellers (including travelling show people) are identified and addressed in line with national policy, in co-ordination with neighbouring boroughs and districts as appropriate.' This has undergone various revisions prior to the replacement London Plan being adopted in July 2011. For instance, in October 2009, the then Policy 3.9 of the Draft Replacement London Plan stated that Hillingdon should provide 22 traveller pitches between 2007-2017. In March 2010, the Mayor proposed minor alterations to this policy with Hillingdon's pitch provision target being reduced to 7 pitches. In September 2010, Further Minor Alterations to then policy 3.9 were published by the Mayor, stating that 'boroughs are best placed to assess the needs of these groups...'. It was therefore proposed to remove borough specific pitch provision targets from the policy. In March 2011, the Examination in Public (EIP) Panel Report was published and proposed the inclusion of sub-regional targets for gypsy and traveller pitch provision in policy 3.9. In July 2011, the Mayor adopts the London Plan and chooses not to accept the Inspector's recommendations on policy 3.9. The provisions of the policy are thus consistent with the September 2010 Proposed Minor Alteration.

As a result of the changes to the Mayor's policy on Gypsy and Traveller Provision, policy H3 in the Submission version of Hillingdon's Core Strategy states that the Council will work with the Mayor to ensure that needs are identified and the accommodation requirements for gypsy and traveller groups are addressed locally and in line with national policy.

Therefore, in terms of emerging policy, there is nothing to suggest that this site should now be considered as being more suited to provide a permanent gypsy/traveller site.

The two previous Inspectors were only prepared to grant temporary permission on this site given the lack of any alternative gypsy/traveller sites in the vicinity and the compelling personal circumstances of the applicant and his family. In considering the last appeal (App. No. 57685/APP/2006/120), the Inspector noted that during the course of the Inquiry, the Council and the appellant reached an agreement that the appropriate way forward would be to grant a temporary consent for 4 years, subject to conditions, so that the level of need for gypsy sites could be identified and properly addressed through the Local Development Framework (LDF). This agreement was taken into account.

Although there are still no alternative gypsy/traveller sites available in the vicinity of the application site, progress is being made to ensure that the emerging LDF does conform to the London Plan (July 2011) and now the NPPF that will include appropriate assessment and specific site allocation (if appropriate). However, the numerous changes to the London Plan has delayed the process.

As regards the personal circumstances of the applicant and his family, in considering the last appeal, the Inspector noted that Michael Connors (Snr.) continues to suffer from chronic ill health requiring numerous hospital (Hillingdon or Mount Vernon) visits and surgery consultations and he and other family members are registered with the Harefield Health Centre. The children also had health problems, but the Inspector noted that the children's below average health is not untypical of the gypsy community and although access to health services would be more difficult with no settled base, this did not provide a compelling reason by itself for the occupation of the site. However, the Inspector did attach significant weight to the benefit of stability for Michael (Snr.) close to medical facilities where staff are familiar with his condition.

The Inspector also considered the educational needs of the children and noted that Mary was at an important stage in her education at Harefield Community College and although there was nothing to suggest that her needs could not be met as well elsewhere, unplanned moves would be particularly disruptive at such a stage and so some weight was attached to this.

The last Inspector concluded:

'... the family's needs as gypsies are not unusual. Nor do I consider permanent residence on the appeal site to be essential to look after the horses.

On the other hand, the plan policy shortcomings are a supporting matter and there is a general need for additional gypsy accommodation in the area, notwithstanding the lack of a London GTAA. The medical needs of Mr Michael Connors (senior) and the education needs of Mary are particularly significant. There is no known available, affordable or suitable alternative land for the family to move to and, in light of this, the interference in the family's human rights would have a disproportionate effect. When these matters are taken in combination and with the main parties' suggestion of a temporary permission, I conclude that the harm to the Green Belt and the surrounding area's character and appearance for only a limited time period would be clearly outweighed by these other considerations. Consequently, very special circumstances exist to justify the inappropriate development in the Green Belt.'

As regards the current personal circumstances of the applicant and his family, the submitted Planning, Design and Access Statement advises that:

'In 2007, the site was occupied by Mr Michael Connors (Snr.) and his children, Michael (Jnr.) and his wife, Barbara, Luke (aged 17 years), Johnny (16) and Mary (14). Since that time, Michael (Jnr.), his wife and their two sons (Michael aged 3 years and Tommy (3 months) have left the site and have taken up the traditional travelling lifestyle. Luke has married and with his wife Anne and their daughter, Kathleen (9 months) is shortly to move into a house. Mary and her partner Michael are away from the site travelling. Mr Connor's eldest daughter, Elizabeth (aged 22 years) has returned to the site with her two children, Michael (18 months) and Ellie-Marie (4 months). Johnny (20) has remained on site and helps his father with their horse breeding business.

As regards the families' personal circumstances, although the children have now completed their formal education, the medical circumstances of Michael Connors (Snr.) remain a significant material consideration. Evidence of Mr Connors' chronic ill health was before the inquiry in 2007 and his condition has deteriorated further over the past 4 years. The Inspector attached significant weight to Mr Connors' poor health and his not infrequent need for immediate access to facilities at both Mount Vernon and Harefield Hospitals (paragraphs 37 and 38). In addition to Mr. Connors' health problems, Elizabeth's daughter Ellie-Marie suffers from Phenylketonuria (PKU), a rare genetic condition present from birth. The body is unable to break down an amino acid called Phenylalanine which builds up in the blood and brain. If left untreated high levels of this chemical can disrupt the normal development of a child's brain and can cause severe learning difficulties. A strict dietary regime and constant monitoring are necessary especially in early life to ensure that the condition is controlled. Ellie-Marie is seen regularly by consultants at Great Ormond Street Hospital and Elizabeth is visited by a nurse and a social worker on a twice-weekly basis.'

A confidential report has also been submitted from the Gypsy Council which details the health needs of Michael Connors and Ellie-Marie and includes supporting collaborative information from hospitals. In particular, the evidence submitted substantiates the difficulties Mr Connor would experience due to his medical condition from having to resume a travelling lifestyle and the importance to Ellie-Marie of having a stable base so her dietary requirements can more easily be met. This involves a special low phenylalanine diet which avoids many staple food types, and an artificial amino acid supplement which is quite unpalatable and time consuming to encourage a child to take. Also, Ellie-Marie's diet has to be monitored carefully, with weekly blood samples sent off for analysis and results conveyed back to the family with possible discussions and modification of her diet.

Supporting letters have also been received from health visitors and the Harefield Children's Centre. These also substantiate the health care needs of Ellie-Marie and advise that the site is close to Elizabeth's mother, Kathleen Connors who is able to provide support in the care of Ellie-Marie and also help to her other daughter, Mary following the birth of her first baby. Both sisters attend the Harefield Children's Centre. The supporting information stresses the detrimental impact that would be caused by the disruption of the relationship and trust the family has built with health professionals by having to move from the site. However, officers consider that the healthcare needs of Ellie-Marie do not mean that it is imperative for her to stay at this site.

Therefore the personal circumstances that the previous Inspector considered warranted very special circumstances to outweigh the harm to the Green Belt on a temporary basis in the case of Mr Michael Connors (Snr.) are still just as relevant, whilst the education needs of Mary are no longer a factor. The special dietary and monitoring needs of Ellie-Marie are not insurmountable with a travelling lifestyle and therefore justify limited weight being attached. As a result, it is considered that the personal circumstances of the family as a whole are a material consideration, but officers are not convinced that the health needs of Mr Michael Connors (Snr.) should justify a permanent approval.

However, this has to be weighted against the continuing occupation of the site. The last Inspector made his assessment in 2007, five years after the use appears to have commenced in 2002 and after only a two year temporary permission for the site had been granted by the original Inspector. Now the site has been occupied for over 9 years, with the extension of harm to the Green Belt that the use entails. The last Inspector noted that a temporary permission would not lessen the harm to the Green Belt, but by limiting the use's duration, the harm would be restricted and on this basis was prepared to only grant a

4 year temporary permission. This application seeks permanent permission but even considering the compromise of granting a further temporary permission, it is considered that on balance, the overall duration of harm to the Green Belt would no longer be outweighed by other factors, including the families personal circumstances, given that previous Inspectors have made it clear that the site is not suited for permanent retention.

The proposal represents inappropriate development, the permanent retention of which is harmful by definition, to the Green Belt and the Countryside Conservation Area, contrary to PPG2: Green Belts, Policy 7.16 of the London Plan (July 2011) and Policies 1.1, OL1 and OL15 of the adopted Unitary Development Plan Saved Policies (September 2007).

7.02 Density of the proposed development

Not applicable to this development for a gypsy/ traveller caravan site.

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 development.

7.05 Impact on the green belt

This has been considered in Section 7.01 above.

7.06 Environmental Impact

The main environmental impacts of this development are considered in Sections and .

7.07 Impact on the character & appearance of the area

Due to the anomaly between existing buildings/structures and mobile homes/caravans on site and the submitted Block Plan, MCA-2 and the application forms making no reference to the need for any operational development on site, describing the development as retention of the existing gypsy/ traveller site, the full extent of the proposed works is unclear. For instance, the plan shows a larger mobile home parallel and close to the north western boundary of the site whereas it is turned through 90 degrees on site. Also, a second rectangular shaped mobile home is shown behind the larger one on the plan, whereas a square shaped temporary building is in a similar position on site. Sheds have also been erected at the rear of the site which are not shown on the plan. Despite seeking clarification on this point, to date, no such clarification has been forthcoming.

The last Inspector considered that the site was clearly visible from Jackets Lane and the site's various structures were clearly visible across the valley. There has been no change in the conditions on site to suggest that this is no longer the case. The Inspector then went on to consider the use of landscaping but considered that this was unlikely to overcome the harm, particularly in nearer views. He concluded that the residential element was harmful to the special character of the landscape of the Countryside Conservation Area.

The Council's Tree and Landscape Officer has carried out a more recent site inspection and assessment of the current proposal and considers that the retention of mobile homes, caravan and outbuildings has had an urbanising influence in an area which remains predominantly agricultural and pastoral. He concurs with the previous Inspector that the impact of the development on the character and appearance of the landscape could not be overcome by landscape conditions.

7.08 Impact on neighbours

The nearest property to the application site is known as the Bungalow, which is sited on the southern side of Jackets Lane, just over 300m from the application site. From this direction, the site would largely be screened by the boundary hedge and given the single storey height of the proposed mobile homes, the buildings or the use would not unduly

affect their residential amenities. From the other direction, the site is more exposed, and the site can be glimpsed from residential properties on Iveagh Close. However, this distance, at over 400m would ensure that their amenities would not be materially affected.

The previous Inspector also did not consider that the impact of the development upon neighbouring properties, whilst also having regard to the human rights of the appellant, was not so significant to justify a refusal of permission.

7.09 Living conditions for future occupiers

The Council's guidelines relating to internal floor space standards are not applicable to mobile homes and caravans.

The area around the mobile home, temporary structure and caravans functions as informal amenity space and the submitted plan shows a shared area of amenity space between the two mobile homes which is considered of an acceptable size to address the families amenity space requirements.

7.10 Traffic impact, car/cycle parking, pedestrian safety

There is adequate parking and vehicular access to the site. No objections are therefore raised to the development on highway grounds, in accordance with Policies AM7 and AM14 of the adopted Unitary Development Plan Saved Policies (September 2007).

7.11 Urban design, access and security

The relevant issues have been considered in other sections of this report.

7.12 Disabled access

Not applicable to this development.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

There are no protected trees on site. The application site is also sufficiently separated from the adjoining Grade I Site of Nature Conservation Importance so that its ecology would not be adversely affected.

7.15 Sustainable waste management

Not applicable to this development.

7.16 Renewable energy / Sustainability

Policies 5.2 and 5.3 of the London Plan (July 2011) require development proposals to make the fullest contribution towards minimising carbon dioxide emissions and to achieve the highest standards of sustainable design and construction respectively. Policy 5.15 expects development proposals to protect and conserve water supplies and resources and policy 7.19 to protect, enhance, create, promote and manage London's biodiversity.

This application is for permanent use of the site, whereas no sustainability statement has been submitted to demonstrate how the site can contribute to sustainable development. The Council's Sustainability Officer objects to the proposal on this ground.

7.17 Flooding or Drainage Issues

Policy 5.14 of the London Plan (July 2011) requires development proposals to have adequate wastewater infrastructure capacity and advises that proposals which adversely affect water quality should be refused. Circular 03/99 provides additional guidance to that in PPG23: Planning and Pollution Control on foul drainage requirements.

The submitted plan shows the two mobile homes connected to an existing cesspool. The Environment Agency advise that the site is in Source Protection Zone 1, which is an area of

high ground water vulnerability which supplies an abstraction point for drinking water. They object to the proposal as no assessment of the risks of pollution to ground and surface waters has been provided. The use of non-mains drainage facilities needs to be justified, in line with DETR Circular 03/99.

The Council's Sustainability Officer advises that the use of a cess pool/pit with the previously approved temporary permissions is considered acceptable, as if properly constructed and maintained, their use should not lead to environmental, amenity or public health problems as they are essentially holding tanks with no discharges. However, in practice, it is known that problems can occur with overflows resulting from poor maintenance, irregular emptying, lack of vehicular access for emptying and inadequate capacity. Now the application is for permanent use, a reconsideration of the preferred method of drainage is required to accord with the circular.

The EA advise that the use of cesspools is not encouraged as they require a strict management regime with specialist contractors taking sewage away to a sewage treatment works to maintain safety and avoid pollution. These contractors can be costly whereas this cost can be avoided by emptying the untreated contents to nearby watercourses or puncturing the tanks so they leak to the ground.

Circular 03/99 provides a hierarchy for foul drainage requirements of new development and only in exceptional circumstances should the use of cesspools be considered. The site is in a rural location, where the cost of connecting to a mains sewer may be prohibitive, however this still needs to be investigated as part of a wider non-mains drainage assessment. The lack of an appropriate foul sewage disposal system may preclude this site from being suitable for permanent retention.

In the absence of a non-mains drainage assessment, it has not been demonstrated that other more appropriate means of disposal are available and for an assessment to be made of the risks of pollution to ground and surface waters arising from the proposed development within this Source Protection Zone 1. As such, it is considered that the permanent retention of the gypsy/traveller use discharging to a cesspool results in an unacceptable risk to groundwater quality, contrary to Planning Policy Statement 23: Planning and Pollution Control, Circular 03/99 and policy 5.14 of the London Plan (July 2011).

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

The material planning issues raised by the individual objectors have been considered in the main report. The comments in support are noted.

7.20 Planning Obligations

Not applicable to this scheme.

7.21 Expediency of enforcement action

The use of the site as a gypsy/traveller caravan site represents inappropriate development that is harmful to the character and appearance of the Green Belt and the Countryside Conservation Area. To allow the use to continue contravenes PPG2: Green Belts, Policy 7.16 of the London Plan (July 2011) and Policies 1.1, OL1 and OL15 of the adopted Unitary Development Plan Saved Policies (September 2007). If this application is refused, then a further report on the possibility of serving an enforcement notice will be put before committee.

7.22 Other Issues

There are no other relevant planning 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

10. CONCLUSION

The two previous Inspectors did not consider that this site was suitable for a permanent gypsy and traveller caravan site, the harm to the character and appearance of the Green Belt and Countryside Conservation Area being too great. They have only been prepared to grant temporary permission, mainly due to the compelling personal circumstances of the applicant and his family. The previous Inspectors were also concerned about the Local Planning Authority's lack of assessment of traveller's needs within the UDP and no alternative site's being available in the vicinity. A temporary permission would enable the Local Planning Authority to progress the LDF and for site-specific allocations to be made (if appropriate).

Although the personal circumstances of the applicant and his family are still valid and there are still no alternative sites available, in considering the previous application, the last Inspector considered that the matter was finely balanced so that a 4 year temporary permission was considered acceptable so that at least the harm to the Green Belt could be restricted by limiting the duration of the use, in which time it was hoped the LDF could be progressed. The LDF has been progressed but not to the extent that specific sites have been allocated (if required). To allow a further period would be to extend the duration of the harm so that it is considered that on balance, the other factors, including the personal

circumstances of the applicant and his family would no longer justify a further extension of time with a continuation of the harm.

Furthermore, the submitted plans do not show the existing arrangement of buildings, structures and mobile homes/caravans on site. As such, it is not clear precisely what is being proposed.

The Environment Agency also object to the absence of an assessment dealing with pollution risks of foul drainage.

The scheme also fails to demonstrate that it will contribute towards sustainable development.

The application is recommended for refusal.

11. Reference Documents

Planning Policy Statements and Guidance

London Plan (July 2011)

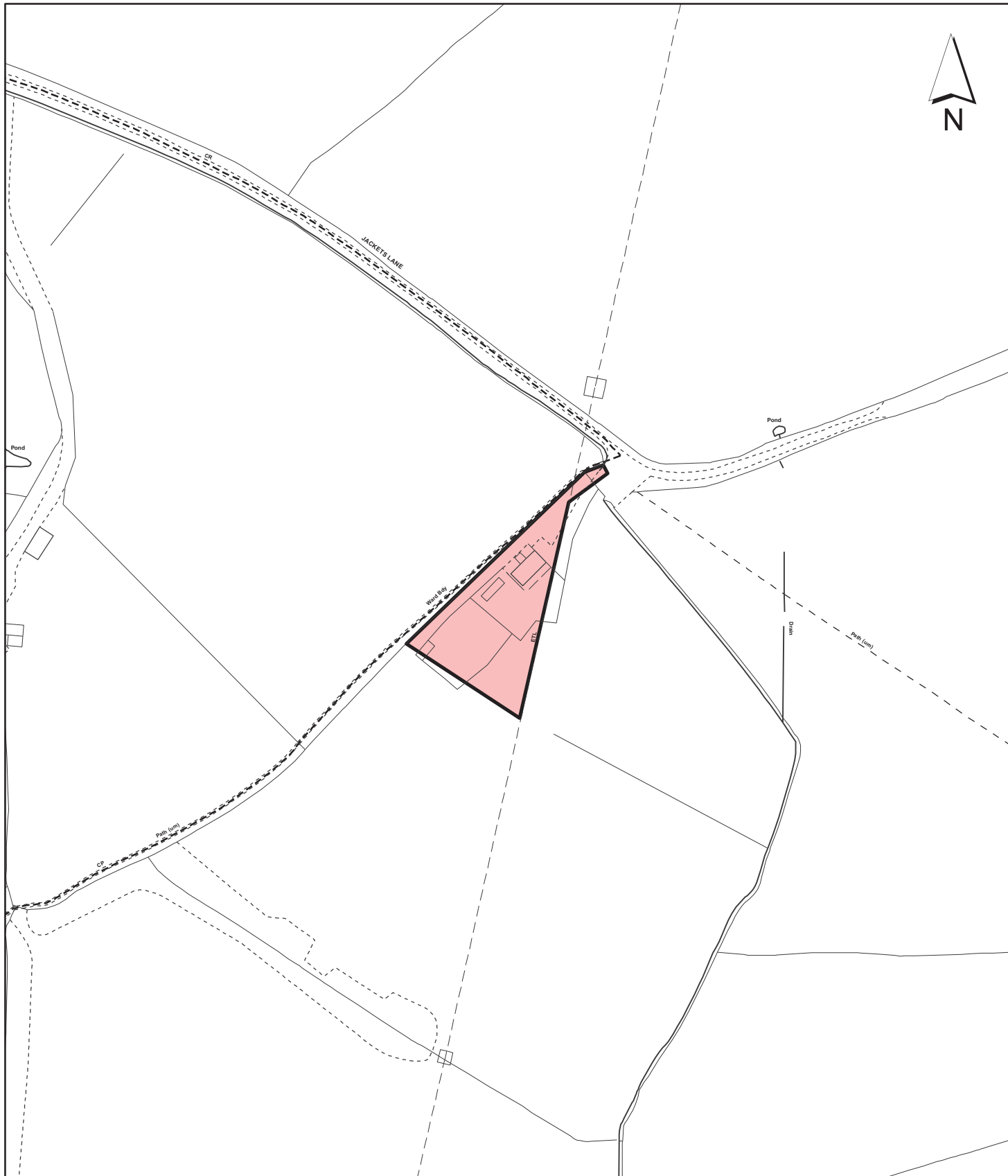
Adopted Hillingdon Unitary Development Plan Saved Policies (September 2007)

HDAS: Residential Layouts & Accessible Hillingdon

Consultation responses

Contact Officer: Richard Phillips

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address

**Land at Willow Farm
Jackets Lane
Harefield**

Planning Application Ref:
57685/APP/2011/1450

Planning Committee
North Page 120

Scale
1:2,000

Date
November 2011

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

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



HILLINGDON
LONDON

Report of the Head of Planning & Enforcement Services

Address 439 VICTORIA ROAD RUISLIP

Development: Change of use of from retail (Use Class A1) to financial and professional services (Use Class A2).

LBH Ref Nos: 67990/APP/2012/728

Drawing Nos: 1:1250 Location Plan
439/VR/R/01/AB Rev. B
439/VR/R/02/AB Rev. B
439/VR/R/03/AB Rev. B
Design and Access Statement

Date Plans Received: 27/03/2012 **Date(s) of Amendment(s):**
Date Application Valid: 27/03/2012

1. **SUMMARY**

This application seeks permission for the change of use of the ground floor of a corner property within a 4 unit retail parade from Class A1 (retail) to Class A2 (financial and professional services) and follows an application (67990/APP/2011/1964) to change the use of this unit to a Class A5 hot food takeaway and install an extract flue to the rear of the adjoining property which Members may recall was due to be considered at the North Planning Committee on the 17/11/11, but was withdrawn prior to the meeting. Although officer's had recommended the application for refusal as the proposed flue was considered to be intrusive to a neighbouring property and highway issues had not been resolved. No objections were raised to the principal of the loss of the retail unit. This proposal, for a financial and professional service unit does not raise similar concerns and is considered acceptable.

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 1:1250 Location Plan, 439/VR/R/01/AB Rev. B, 439/VR/R/02/AB Rev. B, and 439/VR/R/03/AB Rev. B 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).

INFORMATIVES

1 152 **Compulsory Informative (1)**

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

2 153 **Compulsory Informative (2)**

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

NPPF	National Planning Policy Framework (March 2012)
LPP 6.3	(2011) Assessing effects of development on transport capacity
LPP 6.13	(2011) Parking
LPP 7.2	(2011) An inclusive environment
BE19	New development must improve or complement the character of the area.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
S6	Change of use of shops - safeguarding the amenities of shopping areas
S7	Change of use of shops in Parades
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

3 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.

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.

5 115 Control of Environmental Nuisance from Construction Work

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

A. Demolition and construction works 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.

6 125 Consent for the Display of Adverts and Illuminated Signs

This permission does not authorise the display of advertisements or signs, separate consent for which may be required under the Town and Country Planning (Control of Advertisements) Regulations 1992. [To display an advertisement without the necessary consent is an offence that can lead to prosecution]. For further information and advice, contact - Planning & Community Services, 3N/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250574).

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the north eastern side of Victoria Road, some 250m to the north west of the South Ruislip Local Centre, on a prominent corner plot at the traffic lighted junction with West Mead. It forms a two storey, end of terrace property within a retail parade comprising 4 units. This unit was previously in use as a domestic appliance shop, although it is now vacant. The adjoining unit is in use as a mini-supermarket (No. 441), No. 443 is a cafe/takeaway (Class A3/A5) and No. 445 is a nail salon (sui generis). The first floor is in use as residential flats. No.439A is accessed directly from West Mead via an external staircase, with the other three flats being accessed from the service road to the rear of West Mead via their rear yard areas and external staircases. The parade has two

projecting two storey wings at the rear and a number of the ground floor units have single storey extensions at the rear.

Adjoining the site to the rear and on the opposite side of West Mead are residential properties. To the south of the parade is an electricity sub-station. On the opposite side of Victoria Road are retail warehouses which are currently vacant but were last occupied by Focus DIY and Land of Leather.

The application site forms part of a retail parade as designated within the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

3.2 Proposed Scheme

This application seeks the change of use of the application site from retail (Class A1) to financial and professional services (Class A2). Other than the removal of existing signage, no external alterations are proposed to the shopfront or building and the only internal alterations include the removal and installation of internal partition walls and formation of workspaces.

A Design and Access Statement has been submitted which advises that disabled access to the unit would be afforded by means the existing level threshold on the shop entrance and all internal doors would allow wheelchair access.

3.3 Relevant Planning History

67990/APP/2011/1964 439 Victoria Road Ruislip

Change of use of No. 439 Victoria Road from retail (Use Class A1) to hot food takeaway (Use Class A5) and installation of extractor duct to rear of Nos. 441/441A Victoria Road.

Decision: 17-11-2011 Withdrawn

Comment on Relevant Planning History

An application (67990/APP/2011/1964) to change the use of the retail shop (Class A1) to hot food takeaway (Class A5) and install an extract flue to the rear of Nos. 441/441A Victoria Road was placed on the North Committee agenda for the 17th November 2011 but was withdrawn before it could be considered.

Prior to being withdrawn the application was recommended for refusal for the following reasons:

1. The proposed extractor flue, by reason of its size and siting, in proximity to the first floor lounge window at No. 441A Victoria Road, would appear as a dominant and intrusive feature, resulting in an unacceptable loss of residential amenity to the occupiers of the adjoining residential flat. The proposal is therefore contrary to Policies BE21, OE1 and S6 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

2. The proposal fails to demonstrate that the proposed change of use would not give rise to additional on-street parking which would adversely affect traffic conditions on the public highway, including the local bus service and result in harm to the residential amenities of surrounding occupiers. The proposal is contrary to Policies BE19, OE1(iii), S6(iii) and (iv) and AM7(ii) of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

The current application proposes an A2 use, as opposed to the A5 use which was previously sought and does not seek the provision of an external flue.

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.
- PT1.19 To maintain a hierarchy of shopping centres which maximises accessibility to shops and to encourage retail development in existing centres or local parades which is appropriate to their scale and function and not likely to harm the viability and vitality of Town or Local Centres.
- PT1.20 To give priority to retail uses at ground floor level in the Borough's shopping areas
- PT1.31 To encourage the development and support the retention of a wide range of local services, including shops and community facilities, which are easily accessible to all, including people with disabilities or other mobility handicaps.

Part 2 Policies:

- NPPF National Planning Policy Framework (March 2012)
- LPP 6.3 (2011) Assessing effects of development on transport capacity
- LPP 6.13 (2011) Parking
- LPP 7.2 (2011) An inclusive environment
- BE19 New development must improve or complement the character of the area.
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE3 Buildings or uses likely to cause noise annoyance - mitigation measures
- S6 Change of use of shops - safeguarding the amenities of shopping areas
- S7 Change of use of shops in Parades
- AM7 Consideration of traffic generated by proposed developments.
- AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
- AM14 New development and car parking standards.
- LDF-AH Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

5. Advertisement and Site Notice

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

6. Consultations

External Consultees

3 neighbouring properties have been consulted, together with the South Ruislip Residents' Association and a site notice has been displayed on site. No responses have been received.

Internal Consultees

Access Officer: No objection.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The main principle that needs to be considered with this application is the loss of a retail shop.

The main thrust of retail policy within the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) is to maintain an appropriate hierarchy of shopping areas to serve local communities. The application site forms part of a retail parade as designated by the adopted Hillingdon UDP Saved Policies (September 2007), one of the lower levels within the shopping hierarchy where only a limited number of essential shop uses would be expected, serving a small catchment area.

Policy S7 states that permission will only be granted for the change of use of Class A1 shops in parades if:

- (i) the parade retains sufficient essential shop uses to provide a range of shops appropriate to the size of the parade and to its function in the shopping hierarchy;
- (ii) the surrounding residential area is not deficient in essential shop uses; and
- (iii) the proposal accords with Policy S6.

This is a small retail parade comprising 4 units. Of these, No. 443 Victoria Road has been converted to a cafe/hot food takeaway and No. 445 is in use as a nail salon (*sui generis*). This leaves the application site which is currently vacant (although last used as a Class A1 shop selling domestic appliances) and No. 441 which provides a Class A1 convenience store which provides a grocery, off-licence and newsagent. Given the size of the parade, it is considered that the convenience store provides an appropriate range of goods relative to the size of the parade. Furthermore, the parade is some 240m from the northern edge of the South Ruislip Local Centre and 120m from the BP petrol filling station on Victoria Road which also has a BP Connect shop and cafe selling grocery goods, newspapers and beers and wine, together with bread and sandwiches. It should also be noted that the former use of the shop did not provide an essential use and therefore the proposal would not reduce the number of essential shop uses serving the surrounding residential area. As such, it is considered that no objections in principle can be raised to the loss of the retail use.

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 for a change of use only.

7.05 Impact on the green belt

Not applicable to the application site.

7.07 Impact on the character & appearance of the area

No external works are proposed as part of this application. The scheme complies with Policies BE13 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.08 Impact on neighbours

Policy S6 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) states that to safeguard the amenities of shopping areas, the Local Planning Authority will only grant permission for changes of use of class A1 shops if, amongst other criteria, the proposed use will not cause unacceptable loss of amenity to nearby residential properties by reason of disturbance, noise, smell, fumes, parking or traffic related problems.

Policy OE1 states that proposed uses should not have a detrimental impact on the character of an area or the amenities of neighbouring properties by reason of noise and vibration or the emission of dust, smell or other pollutants.

The proposed use as a financial and professional office would not give rise to any additional noise and general disturbance than that likely to be generated by the former use of the premises as a Class A1 shop. As such, the scheme would not be detrimental to the residential amenities of the first floor flats or other surrounding occupiers, in accordance with Policies S6 and OE1 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.09 Living conditions for future occupiers

Not applicable to this scheme.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The London Plan does not stipulate minimum car parking standards for proposed development, only setting maximum limits and these standards require employment uses to generally provide less parking than retail uses. Policy S6 of the UDP Saved Policies (September 2007) advises that to safeguard the amenities of shopping areas, the Local Planning Authority will only grant permission for changes of use of class A1 shops if, amongst other criteria, the proposed use will not cause unacceptable traffic related problems. Policy AM7 at criteria (ii) advises that proposals should not prejudice highway and pedestrian safety.

The site does not provide any off-street car parking. However, it is considered that the proposal for a Class A2 office would not be likely to generate any additional demand for parking over and above that generated by the existing retail use. As such, the scheme would not be detrimental to highway and pedestrian safety as compared to the current situation, in accordance with policies S6 and AM7(ii) of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.11 Urban design, access and security

Not applicable to this scheme.

7.12 Disabled access

The Submitted Design and Access Statement advises that there is an existing level threshold to the premises and the Council's Access Officer advises that on this basis the scheme, no specific access improvements are required and the scheme is acceptable although advises on the use of informatives to advise of provisions within the Equality Act 2010.

7.13 Provision of affordable & special needs housing

Not applicable to this scheme.

7.14 Trees, landscaping and Ecology

Not applicable to this 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

If the application had not been recommended for refusal, the only drainage issue concerns the build up of fat in the sewers and an informative could have been added to any approval, recommending the use of a fat trap in accordance with best practice.

7.18 Noise or Air Quality Issues

This application raises no specific noise and air quality issues that have not already been considered in Section 7.08 of this report and by the Council's Environmental Health Officer

7.19 Comments on Public Consultations

No comments have been received.

7.20 Planning obligations

Not applicable to this application.

7.21 Expediency of enforcement action

No enforcement issues are raised by this application at the application site.

7.22 Other Issues

This application does not raise any 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

Not applicable to this application.

10. CONCLUSION

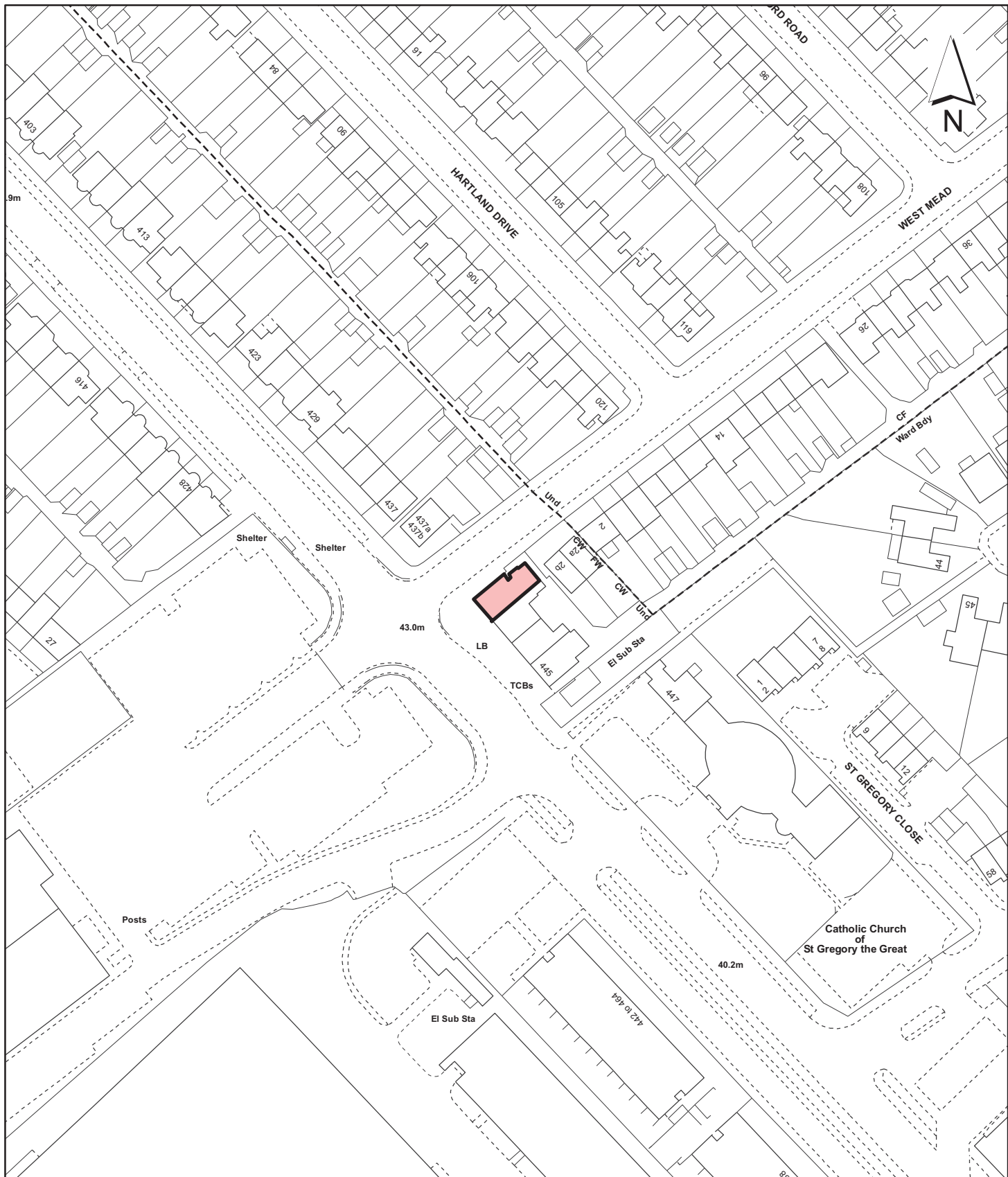
No objections are raised to the loss of this retail unit within a small parade, which would still retain a small convenience store and is sited close to the South Ruislip Town Centre. The proposed financial and professional services use would have no greater impact upon the amenities of the area and surrounding residential properties than the existing retail use and would have no greater requirement for parking. It is therefore recommended for approval.

11. Reference Documents


National Planning Policy Guidance, March 2012
London Plan, July 2011,
Adopted Hillingdon Unitary Development Plan Saved Policies (September 2007)
Consultation Responses

Contact Officer: Richard Phillips

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address	
439 Victoria Road Ruislip	
Planning Application Ref:	Scale
67990/APP/2012/728	1:1,250
Planning Committee	Date
North Page 130	May 2012

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

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



HILLINGDON
LONDON

Report of the Head of Planning & Enforcement Services

Address THE BREAKSPEAR ARMS BREAKSPEAR ROAD NORTH HAREFIELD

Development: Conservatory to side and provision of 'jumbrella' and outdoor seating areas to exterior of property

LBH Ref Nos: 10615/APP/2012/488

Drawing Nos: 11:120/01 Rev: A
11:120/02 Rev: A
11:120/04 Rev: A
11:120/05 Rev: A
11:120/06 Rev: A
Design and Access Statement
11:120/03 Rev: E

Date Plans Received: 01/03/2012 **Date(s) of Amendment(s):**

Date Application Valid: 08/03/2012

1. **SUMMARY**

The application seeks permission for a single storey conservatory to the existing Public House which would be situated along the northern flank. The proposal also includes some minor alterations to the garden area with the provision of a jumbrella and outdoor seating area.

The proposed extension would fail to integrate with the architectural style of the main building due its excessive height and depth. Given the positioning of the conservatory in proximity to a prominent junction, it would have a detrimental visual impact on the character and appearance of the existing building and the Green Belt setting.

It is therefore recommended for refusal.

2. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 **Non Standard reason for refusal**

The proposed extension by reason of its siting, size, bulk, excessive depth, height and design, would fail to appear as a subordinate addition to the existing building and would thus be detrimental to the appearance of the original building and its Green Belt setting. It would therefore be detrimental to the visual amenities of the street scene, harmful to the character and appearance of the Green Belt and contrary to policies OL4, BE13, BE15, and BE19 of the Hillingdon Unitary Development Plan (Saved Policies September 2007).

INFORMATIVES

1 I52 **Compulsory Informative (1)**

The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8

(right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 Compulsory Informative (2)

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

OL1	Green Belt - acceptable open land uses and restrictions on new development
OL4	Green Belt - replacement or extension of buildings
OL5	Development proposals adjacent to the Green Belt
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE21	Siting, bulk and proximity of new buildings/extensions.
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.
AM7	Consideration of traffic generated by proposed developments.
R16	Accessibility for elderly people, people with disabilities, women and children
R7	Provision of facilities which support arts, cultural and entertainment activities
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
LPP 5.3	(2011) Sustainable design and construction
LPP 7.16	(2011) Green Belt
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a two storey detached public house situated on the crossroad where Breakspear Road and New Years Green Lane intersect. The public house is situated on a large plot of land (3.6ha) with a car park and childrens play area to the north and seating areas in front of the entrance to the west. A lawn area separates the public house from the site boundary with several mature trees providing additional landscaping to the site. Directly north and south of the site are large open green fields. To the south west on the opposite side of Breakspear Road South lies the Crows Nest Farm Complex. The area is on the edge of the open countryside with a large residential area situated 80m west of the site on Breakspear Road. These properties are predominately two storey semi detached. The site falls within the Green Belt as designated in the Hillingdon Unitary Development Plan Saved Policies September 2007.

3.2 Proposed Scheme

Planning permission is sought for the erection of a single storey conservatory to be situated along the northern flank of the property facing onto the car park. The conservatory would be located adjacent to the entrance of the public house and would measure 7.2m deep by 8.4m wide. It would have a gable ended roof style which would follow a similar roof line pattern as the existing building and would have a maximum height of 7.4m. The materials used in the finish would be a mixture of glazing and brick work to match the existing.

The front of the property would also include a new patio area adjacent to the entrance which would provide additional outdoor seating for customers. This would be enclosed with a fence and a new gate providing access to the seating area.

A further outdoor seating area including a fixed jumbrella (providing protection against the elements) which would be situated along the southern flank adjacent to the smoking shelter

3.3 Relevant Planning History

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:

OL1	Green Belt - acceptable open land uses and restrictions on new development
OL4	Green Belt - replacement or extension of buildings
OL5	Development proposals adjacent to the Green Belt
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE21	Siting, bulk and proximity of new buildings/extensions.
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.
AM7	Consideration of traffic generated by proposed developments.
R16	Accessibility for elderly people, people with disabilities, women and children
R7	Provision of facilities which support arts, cultural and entertainment activities
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
LPP 5.3	(2011) Sustainable design and construction

- LPP 7.16 (2011) Green Belt
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

Two neighbouring properties as well as Ruislip Residents Association were also consulted on the 12th March 2012 and a site notice was displayed to the front of the property on the 12th March 2012. No representations have been received.

Internal Consultees

Access Officer

As the application is for a conservatory and outdoor area which appears to be accessible, no specific observations are offered.

However, as the proposed plan submitted demonstrates internal reconfiguration and redecoration, the following informative should be attached to any grant of planning permission:

1. 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.

Conclusion: acceptable

Tree Officer:

LANDSCAPE CONTEXT: The site is occupied by a pub at the junction of Breakspear Road and Breakspear Road North, situated within the Green Belt. The pub is set within a space which includes a beer garden, children's play area and car park. There are a number of trees around the site which are not protected by TPO or Conservation Area designation.

PROPOSAL: The proposal is to remove the fixed play equipment from the rear of the building and build a conservatory on part of the existing grass area. To the front (Breakspear Road frontage) a paved seating area is proposed.

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

· The submitted proposals do not provide details of existing trees or landscape features. However, according to the plan proposals, no trees or other landscape features of merit will be affected by the

development. Some loss of green/open space is inevitable to accommodate the conservatory and the new paved area.

- Although no landscape enhancement has been proposed, there is space and opportunity for new planting which should both complement the proposed development and enhance the Green Belt.
- A landscape management/maintenance plan should be submitted to ensure that the landscape is established and maintained in accordance with good practice.

RECOMMENDATIONS: No objection, subject to the above considerations and conditions COM8, COM9 (excluding item 3) and COM10.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. This is achieved by resisting inappropriate development which by definition is harmful to the Green Belt.

There has been an existing Public House on this site for considerable period of time. This provides a community facility within the countryside for a many surrounding neighbours, in particular those situated along Breakspear Road. It contributes significantly to the vitality and viability of the local economy, while also contributing to the social and community infrastructure in the Green Belt. The extension of the building would therefore be acceptable in principle subject to complying with Policy OL4 and OL5 of the UDP.

Policy OL4 states that the replacement or extension of buildings within the Green Belt will only be acceptable where they do not result in a disproportionate change in the bulk and character of the original buildings, and the development would not injure the visual amenities of the Green Belt by reason of siting, design or activities generated.

The proposal would increase the size of the building area by 15.4% adding an additional 60sq.m in floor space. However, in the context of the site, the size, depth and in particular height of the proposal would impact on the character and appearance of the existing building. The proposed gable ended roof design would create an awkward visual relationship with the existing roof styles on the property. The conservatory would have a height and depth of over 7m which is considered excessive given its positioning. The site is situated on a prominent junction and the conservatory would have a bulky appearance that would fail to appear subordinate to the main public house.

Due to the positioning, height and depth of the proposal, it would fail to appear compatible with the existing building or the surrounding area. It would therefore have a detrimental impact upon the visual amenity of the locality, in particular the Green Belt area. As such, it would be contrary to Policies BE13, BE19 and OL4 of the UDP (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

Discussed in Section 7.01.

7.07 Impact on the character & appearance of the area

Discussed in Section 7.01.

7.08 Impact on neighbours

Given the position of the site along the junction with open fields to the north and south, it would not cause an adverse impact on the neighbours' amenity. The nearest residential unit is on the opposite side of Breakspear Road South. While the large residential development on the main Breakspear Road is some 80m away. As such, there would be no loss of outlook, no loss of privacy or light, nor any overshadowing or visual intrusion. In addition no objections have been received to the proposal from the adjoining occupiers.

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 involves improvements to the existing Public House and is considered not to be of such a scale that it would result in a significant increase in traffic. There is already a sizeable car park on site that is capable of accommodating a large number of vehicles. The proposed extension would not affect any parking and/or access to the site and therefore is considered to comply with policies AM7 and AM14 of the UDP (Saved Policies September 2007).

7.11 Urban design, access and security

Discussed in Section 7.01.

7.12 Disabled access

The design and access statement demonstrate that adequate provision has been made for access for people with a visual or mobility impairment. The Access Officer has been consulted on the scheme and has no objection or observations subject to complying with the Disability Act 2010.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

The Tree Officer has been consulted on the scheme and has commented that there would be no trees or other landscape features of merit affected by the development. Some loss of green/open space is inevitable to accommodate the conservatory and the new paved area. The Officer has commented that the opportunity for new planting to complement the proposed development and enhance the Green Belt should be considered. A condition could be attached to the decision requiring a landscape scheme to be submitted if the application is considered acceptable.

Therefore, subject to appropriate conditions the application is considered to comply with Policy BE38 of the UDP (Saved Policies September 2007).

7.15 Sustainable waste management

The proposal is for a conservatory and it would not lead to a significant alteration to the waste management of the business. As such, the existing waste management arrangements would not be altered.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

The proposal is not within a flood risk zone and there would not be any flooding or drainage concerns.

7.18 Noise or Air Quality Issues

Policy OE1 of the UDP (Saved Policies September 2007) states permission will not be granted for uses which are likely to become detrimental to the character or amenities of surrounding properties and OE3 states buildings or uses which have the potential to cause noise annoyance will only permitted if the impact can be mitigated. In this instance given the location of the site in the Green Belt, the proposed conservatory and external seating due to the distance from the neighbours would not result in any additional noise and disturbance, over and above the current site circumstances, thereby complying with policies OE1 and OE3 of the UDP (Saved Policies September 2007).

7.19 Comments on Public Consultations

None.

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

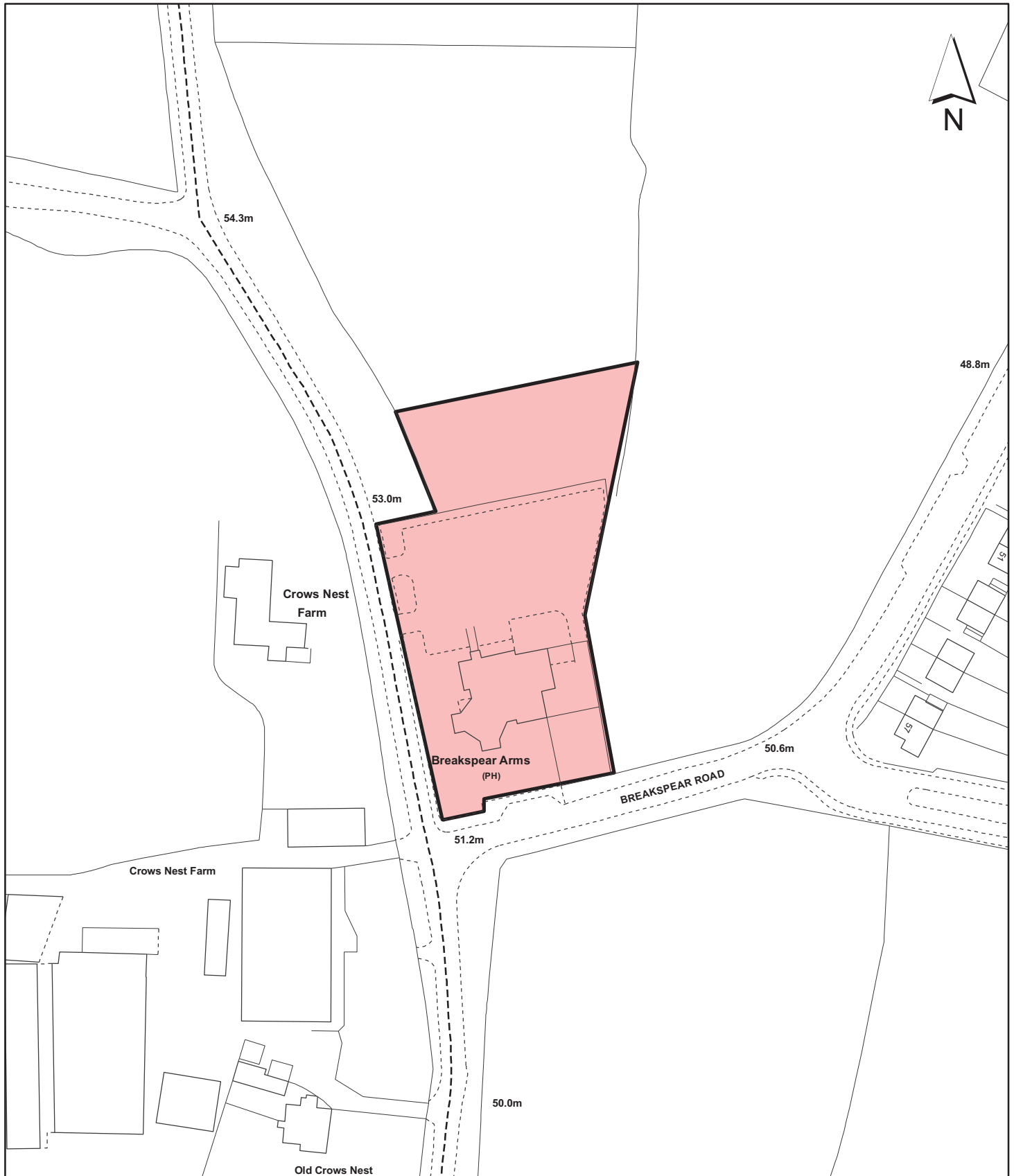
The proposed extension due to its overall size, scale, bulk, height and positioning would fail to integrate with the existing public house and the surrounding area. It would therefore have a detrimental impact on the openness, character and appearance of the Green Belt and would be contrary to Policies BE13, BE19 and OL4 of the UDP. It is therefore recommended for refusal.

11. Reference Documents

Hillingdon Unitary Development Plan Saved Policies September 2007
The London Plan (2011)
National Planning Policy Framework

Contact Officer: Eoin Concannon

Telephone No: 01895 250230



Notes

 Site boundary

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Site Address

**The Breakspear Arms
Breakspear Road North
Harefield**

Planning Application Ref:

10615/APP/2012/488

Scale

1:1,250

Planning Committee

North Page 139

Date

**May
2012**

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

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



HILLINGDON
LONDON

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Plans for North Planning Committee

7th June 2012



HILLINGDON
LONDON



INVESTOR IN PEOPLE

www.hillingdon.gov.uk

Report of the Head of Planning & Enforcement Services

Address LYON COURT AND 28-30 PEMBROKE ROAD RUISLIP

Development: 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.

LBH Ref Nos: 66985/APP/2011/3049

Date Plans Received: 16/12/2011

Date(s) of Amendment(s): 25/01/2012

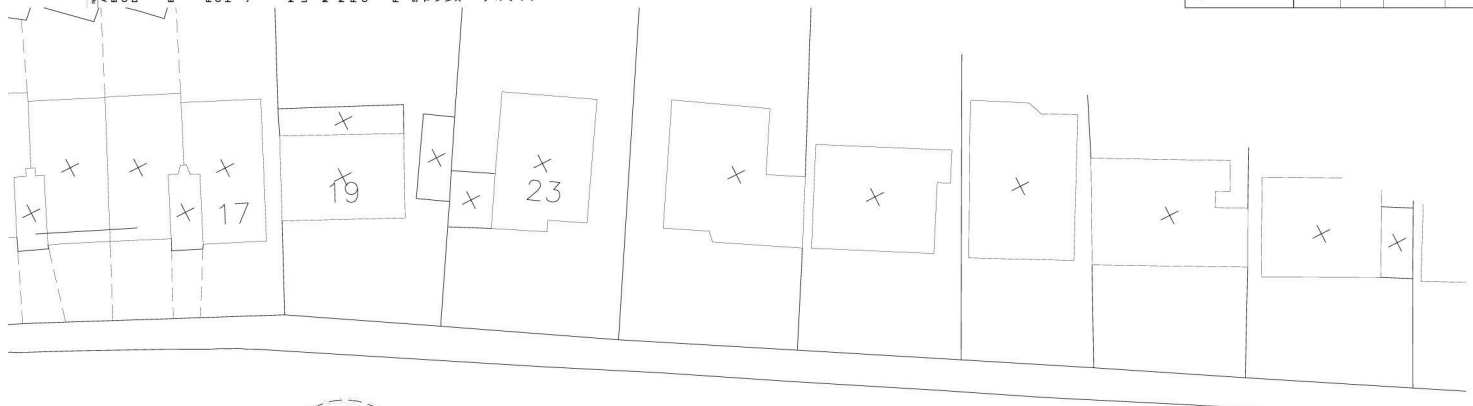
Date Application Valid: 25/01/2012

23/05/2012

Notes

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Rev.	Date	Description
1	03.08.10	JY Preliminary Issue
2	07.08.10	JY A External landscaping added
3	07.08.10	JY C Levels and landscaping added
4	07.08.10	JY D External landscaping added
5	07.08.10	JY E External landscaping added
6	07.08.10	JY F External landscaping added
7	07.08.10	JY G External landscaping added
8	07.08.10	JY H External landscaping added
9	07.08.10	JY I External landscaping added
10	07.08.10	JY J External landscaping added
11	11.10.10	JY K External landscaping added
12	11.10.10	JY L External landscaping added
13	11.10.10	JY M External landscaping added
14	11.10.10	JY N External landscaping added
15	11.10.10	JY O External landscaping added
16	11.10.10	JY P External landscaping added
17	11.10.10	JY Q External landscaping added
18	11.10.10	JY R External landscaping added
19	11.10.10	JY S External landscaping added
20	11.10.10	JY T External landscaping added
21	11.10.10	JY U External landscaping added
22	11.10.10	JY V External landscaping added
23	11.10.10	JY W External landscaping added
24	11.10.10	JY X External landscaping added
25	11.10.10	JY Y External landscaping added
26	11.10.10	JY Z External landscaping added
27	11.10.10	JY AA External landscaping added
28	11.10.10	JY AB External landscaping added
29	11.10.10	JY AC External landscaping added



KEY

- Existing hedge to be retained
- Proposed tree
- Existing tree to be retained

Stanford | Eatwell & Associates
 Chartered Architects
 The Cherry | Bishopscote | Here, CL33 2JH
 T: 01279 851300
 F: 01279 851301
 E: info@eatwellandstanford.co.uk

Project: Lyon Court, Pembroke Road, Ruislip

Scale: 1:200 @ A1
 Date: August 2010
 Rev: JY, MG, AC

Ground Floor Plan as Proposed

Rev: 1214/P100

Notes

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REV	DATE	DESCRIPTION	BY	CHK
A	03.08.10	Primary floor	JY	JY
B	07.09.10	Landscaping added	JY	JY
C	07.09.10	Levels and landscaping added	JY	JY
D	07.09.10	Proposed for approval under block D, provide details for the proposed lift shafts and stairs to upper levels block D	JY	JY
E	21.08.10	Block B units adjoining Block A removed, lift removed from Block A, Block B redesign	JY	JY
F	25.08.10	Remove and relocate lobby to back garden elevations	JY	JY
G	05.10.10	Cycle lockers, refuse and recycling and fire added	JY	JY
H	11.10.10	Remove and relocate lobby to back garden elevations	JY	JY
I	11.10.10	Landscaping added to Southern boundary	JY	JY
J	16.10.10	Block B, C, D removed from drawing	JY	JY
K	16.10.10	Revised in the light of Block (stack) L100 and V100	JY	JY
L	11.11.10	Remove and relocate lobby to back garden elevations	JY	JY
M	11.11.10	Remove and relocate lobby to back garden elevations	JY	JY
N	23.11.10	Remove and relocate lobby to back garden elevations	JY	JY
O	26.10.11	Remove and relocate lobby to back garden elevations	JY	JY
P	14.11.11	Remove and relocate lobby to back garden elevations	JY	JY
Q	14.11.11	Remove and relocate lobby to back garden elevations	JY	JY
R	25.11.11	Remove and relocate lobby to back garden elevations	JY	JY
S	25.11.11	Remove and relocate lobby to back garden elevations	JY	JY
T	25.11.11	Remove and relocate lobby to back garden elevations	JY	JY
U	25.11.11	Remove and relocate lobby to back garden elevations	JY	JY
V	25.11.11	Remove and relocate lobby to back garden elevations	JY	JY
W	25.11.11	Remove and relocate lobby to back garden elevations	JY	JY
X	25.11.11	Remove and relocate lobby to back garden elevations	JY	JY
Y	14.03.12	Remove and relocate lobby to back garden elevations	AT	AT
Z	14.03.12	Remove and relocate lobby to back garden elevations	AT	AT
AA	13.04.12	Remove and relocate lobby to back garden elevations	LS	LS
AB	17.04.12	Remove and relocate lobby to back garden elevations	LS	LS
AC	01.05.12	Remove and relocate lobby to back garden elevations	LS	LS
AD	01.05.12	Remove and relocate lobby to back garden elevations	LS	LS



Stanford | Eatwell & Associates
 Chartered Architects
 The Cherry | Bishopscote | New Chiswick
 T: 01298 851300
 F: 01298 851301
 E: stanford@stanfordeatwell.co.uk

Project: Lyon Court, Pembroke Road, Ruislip

Scale: 1:200 @ A1
 Date: August 2010

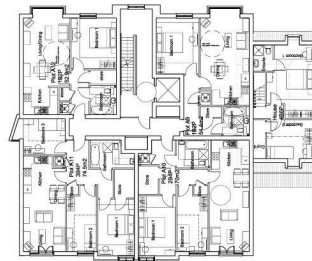
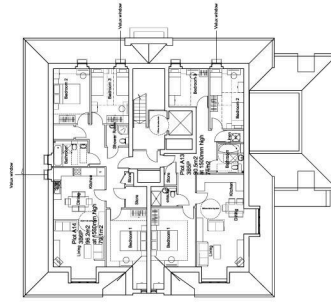
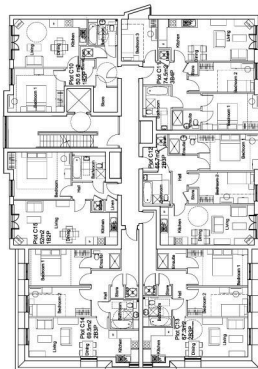
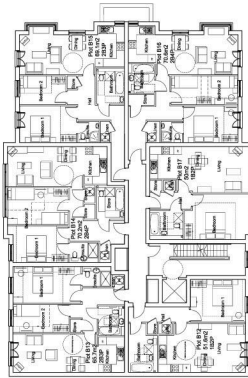
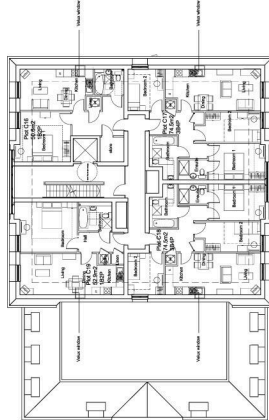
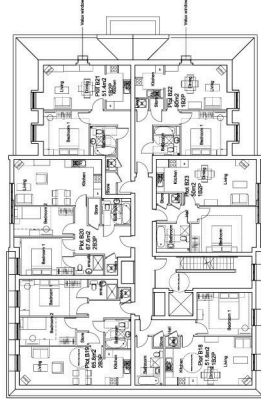
Drawn by: JY
 Check by: MG
 Rev: AC

1214/P101

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REV.	DATE	REVISION
N	18.11.10	Revised 2nd and 3rd floor Plan.
JY	20.11.10	Revised Planning drawing
O	20.11.10	185's revised by B2P Note.
R	26.11.11	New layout involving three separate reduced scale
S	10.11.11	buildings and a house
T	10.11.11	Building and house including part windows to block A.
U	14.05.12	Revised bathrooms and wheelchair apartment layouts
V	13.04.12	In line with LHM comments
W	17.04.12	Angled bays on Block A & C Entrance corner
X	03.05.12	Angled bays revised
		View windows added and Downer windows moved
		Block A/B moved, amended in house as per comment 02.05.12
		AT



1:200 Second Floor Plan

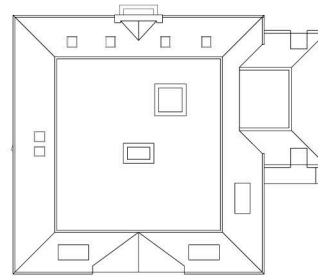
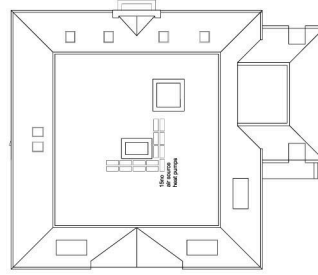
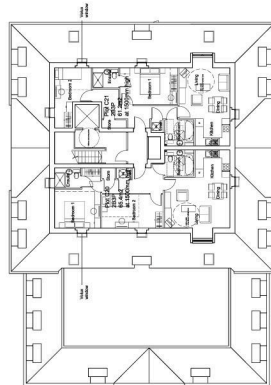
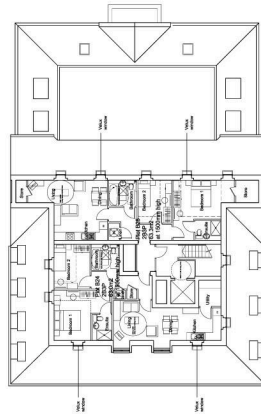
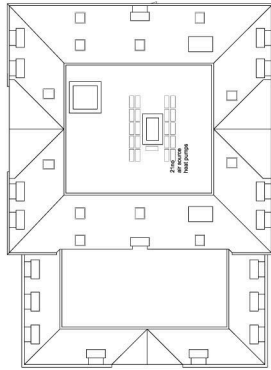
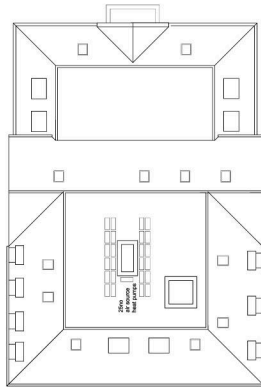
1:200 Third Floor Plan

Stanford Eatwell & Associates Chartered Architects The Cherry Bishopscote New Osoy, Dorset T: 01209 851300 F: 01209 851301 E: info@eatwellandstanford.co.uk	
PROJECT	Lyon Court, Pembroke Road, Rustlip
TITLE	Second and Third Floor Plans
SCALE	1:200 @ A1
DATE	August 2010
REV.	JY OK MG X

Notes

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REV	DATE	REVISION
N	18.11.10	Revised 2nd and 3rd floor Plans
O	20.11.10	18ST reduced by 100% drawing
R	06.05.11	New layout involving three separate reduced scale
S	03.11.11	Building and floor slab and window and doors to block A
T	14.03.12	Revised balconies and Windows/door apartment layouts
U	13.04.12	In line with LPH comments
V	03.05.12	Change former windows to Velux windows on Block C Dormer and Velux windows added, omitted or moved



1:200 Roof Plan

1:200 Fourth Floor Plan



Stanford Eatwell & Associates Chartered Architects The Quay Bishopscott New Quay, PA20 2QR T: 01209 851300 F: 01209 851301 E: info@eatwell.co.uk	
PROJECT	Lyon Court, Pembroke Road, Rustlip
TITLE	Fourth Floor & Roof Plan
SCALE	1:200 @ A1
DATE	August 2010
DESIGNED BY	JY
CHECKED BY	MG
REVISED BY	V
1214/P103	

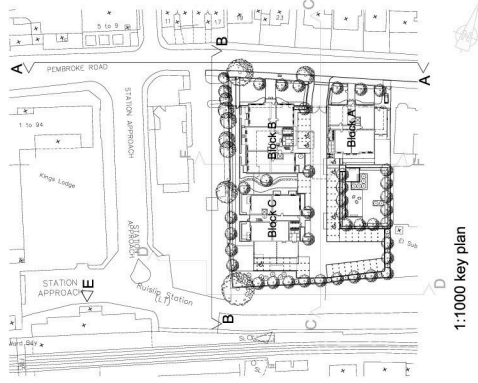
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REV	DATE	DESCRIPTION	BY
A	03.06.10	Final design	JY
B	21.06.10	Final design	JY
C	27.06.10	Final design	JY
D	27.06.10	Final design	JY
E	11.07.10	Final design	JY
F	12.07.10	Final design	JY
G	20.07.10	Final design	JY
H	22.07.10	Final design	JY
I	23.07.10	Final design	JY
J	26.07.10	Final design	JY
K	28.07.10	Final design	JY
L	28.07.10	Final design	JY
M	28.07.10	Final design	JY
N	28.07.10	Final design	JY
O	28.07.10	Final design	JY
P	28.07.10	Final design	JY
Q	28.07.10	Final design	JY
R	28.07.10	Final design	JY
S	03.06.12	Final design	LS



1:200 Elevation B-B



1:1000 key plan



1:500 Elevation B-B

1:500 Elevation A-A Pembroke Road



1:200 Elevation A-A Pembroke Road

Stanford Eatwell & Associates
 Chartered Architects
 The Quay | Belmont Bristol | New Quay Cornwall
 T 01275 831980
 F 01275 831989
 E info@stanfordeatwell.co.uk

Project: Lyon Court, Pembroke Road, Ruislip

Scale: 1:200 @ A1
 Date: September 2010
 Drawn: JY
 Check: MG
 Rev: S

Elevations as Proposed (Sheet 1)

1214/P110

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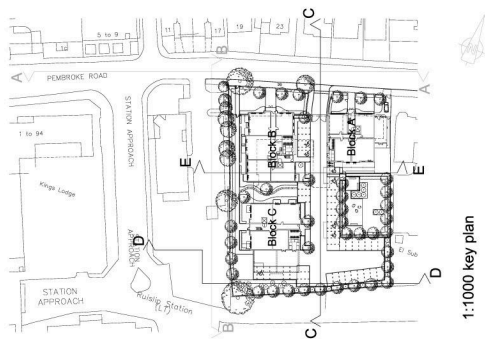
REV	DATE	BY	CHKD	DESC
A	05.10.10	JY		Preliminary issues
B	11.11.10	JY		Redesign of Southern End
C	22.10.10	MG		Revised to current date
D	11.11.10	JY		Revised to current date
E	28.11.10	JY		Revised to current date
F	28.11.10	JY		Site Plan Revised
G	28.11.10	JY		Revised to current date
H	28.10.11	JY		Revised to current date
I	11.11.11	JY		Revised to current date
J	06.12.11	JY		Revised to current date
K	06.12.11	JY		Revised to current date
L	23.03.12	JY		Revised to current date



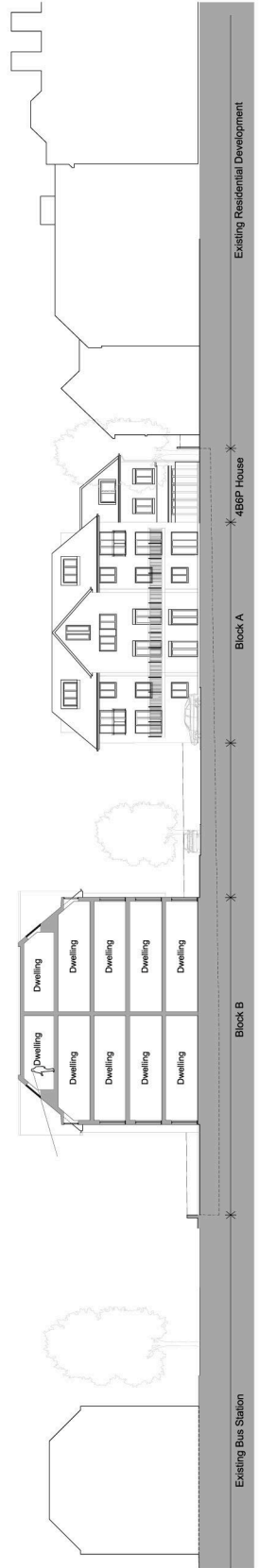
1:200 Elevation C-C



1:200 Elevation D-D



1:1000 key plan



1:200 Elevation E-E

Stanford Eatwell & Associates
 CONSULTING ARCHITECTS
 The Cherry | Bishopscote | New Osoy, Dorset
 T: 01202 851300
 F: 01202 851301
 E: info@seawell.co.uk

PROJECT: Lyon Court, Pembroke Road, Ruislip

NO: Elevations as Proposed (Sheet 2)

SCALE: 1:200 @ A1
 DATE: August 2010
 DRAWN BY: JY
 CHECKED BY: AT
 REVISED BY: M

DWG NO: 1214/P111

Notes

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REV	DATE	ISSUE
A	03.08.10	JY
B	03.08.10	JY
C	21.08.10	JY
D	27.08.10	JY
E	11.10.10	JY
F	12.10.10	JY
G	20.10.10	JY
H	22.10.10	JY
I	19.11.10	JY
J	19.11.10	JY
K	19.11.10	JY
L	28.03.11	JY
M	11.11.11	JY
N	11.11.11	JY
O	19.01.12	JY
P	20.02.12	AT
Q	20.02.12	AT
R	20.02.12	AT
S	03.05.12	LS



1:500 Elevation A-A Pembroke Road

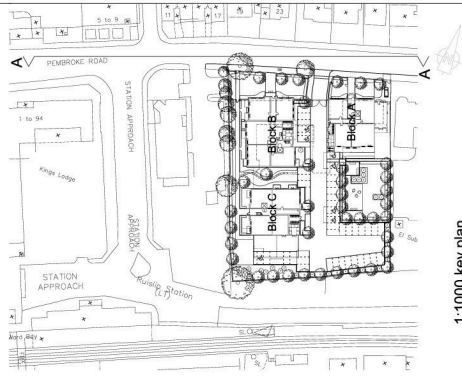


Existing Residential Development

1:200 Elevation A-A Pembroke Road



1:200 Elevation A-A Pembroke Road



1:1000 key plan

Stanford Eatwell & Associates
 CONSULTING ARCHITECTS
 The Cherry | Bishopscote | New Osoy 20R
 T: 01275 851300
 F: 01275 851301
 E: stanford@stanfordeatwell.co.uk

PROJECT: Lyon Court, Pembroke Road, Ruislip

NO: Pembroke Road Elevation

SCALE: 1:200 @ A1
 DATE: May 2012

REV: 1214/P112

KEY

DROPPED KERB / ACCESS

YELLOW LINES

ROAD MARKINGS ARE INDICATIVE ONLY



TITLE:

HILDEN COURT
PROPOSED ARRANGEMENT

FIGURE NO:

1250/SK/29 - Rev A



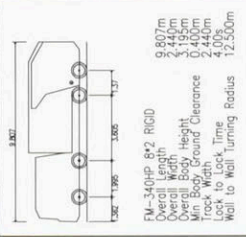
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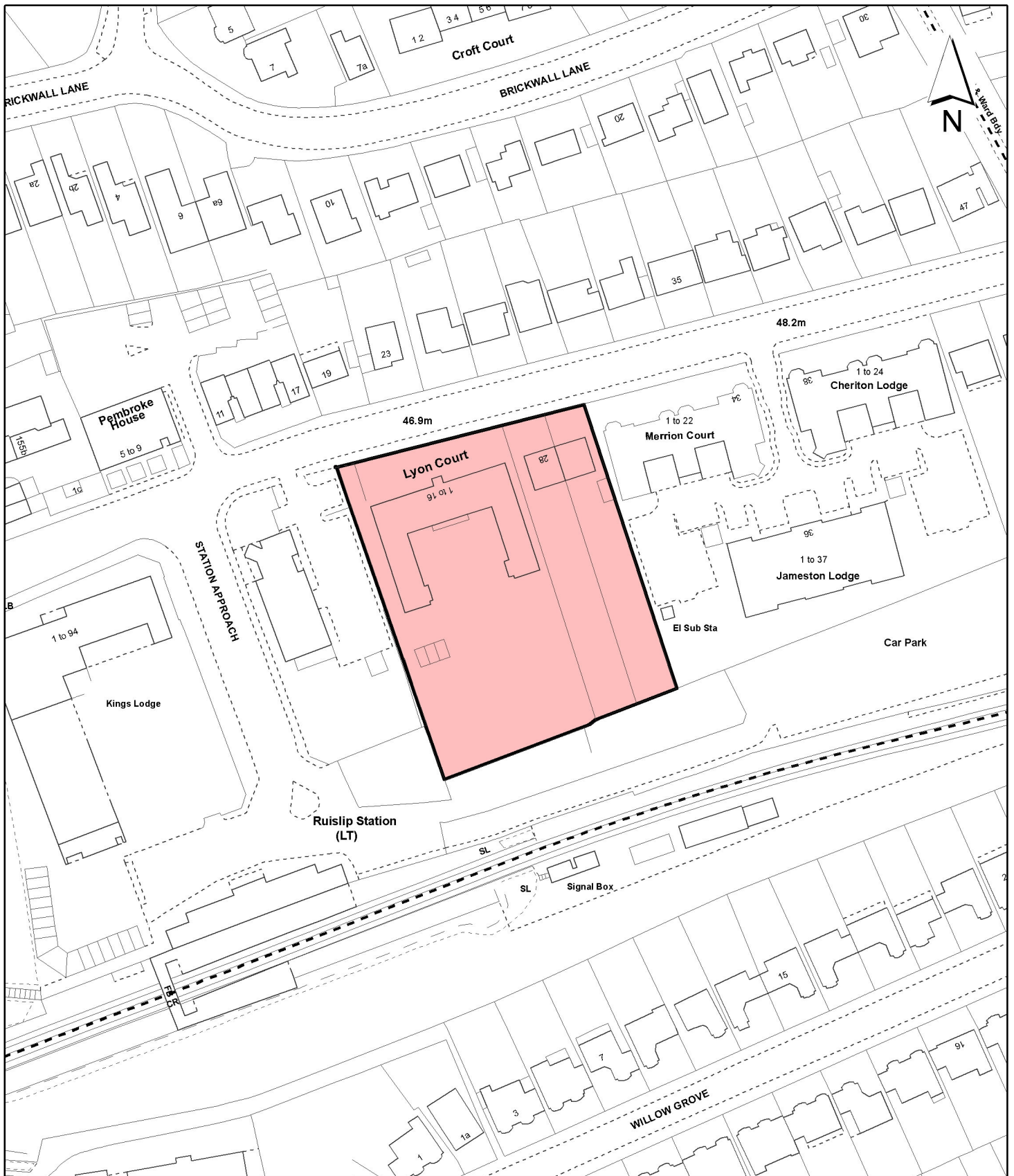


LON BORO OF HILLINGDON
RECEIVED
30 MAR 2012
PLANNING & TRANSPORTATION
GROUP


- KEY
- VEHICLE SWEEP PATH (FORWARD GEAR)
 - VEHICLE SWEEP PATH (REVERSE GEAR)
 - 300mm VEHICLE CLEARANCE ZONE



SCALE @ A2: 1:250		PROJECT: LYON COURT	CLIENT: LONDON SQUARE	 <p>WSP House, 70 Chancery Lane, London, WC2A 1AF Tel: +44 (0)20 7314 5000 Fax: +44 (0)20 7314 5099 http://www.wspgroup.com</p>	<table border="1"> <tr> <th>REV</th> <th>DATE</th> <th>BY</th> <th>DESCRIPTION</th> <th>CHK</th> <th>APP</th> </tr> <tr> <td>B</td> <td>19/03/2012</td> <td>CAN</td> <td>REV. ADOXED</td> <td></td> <td></td> </tr> <tr> <td>A</td> <td>16/03/2012</td> <td>LAK</td> <td>INITIAL ISSUE</td> <td></td> <td></td> </tr> </table>	REV	DATE	BY	DESCRIPTION	CHK	APP	B	19/03/2012	CAN	REV. ADOXED			A	16/03/2012	LAK	INITIAL ISSUE		
REV	DATE	BY	DESCRIPTION			CHK	APP																
B	19/03/2012	CAN	REV. ADOXED																				
A	16/03/2012	LAK	INITIAL ISSUE																				
CHECKED: AF	DESIGN-DRAWN: SK-32	DATE: March 2012	ARCHITECT: STANFORD EATWELL	<p>FOR INFORMATION ONLY</p>																			
PROJECT NO: 11141250	DRAWING NO: 1250/SK/32	REV: B	TITLE: SWEEP PATH REVIEW	<p>© WSP Group plc</p>																			



Notes

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Site Address	
Lyon Court and 28 - 30 Pembroke Road Ruislip	
Planning Application Ref:	Scale
66985/APP/2011/3049	1:1,250
Planning Committee	Date
North Page 175	May 2012

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



HILLINGDON
LONDON

Report of the Head of Planning & Enforcement Services

Address IMADA 12 KADUNA CLOSE EASTCOTE

Development: Erection of a first floor side extension to provide 2 two-bedroom flats with associated parking and amenity space

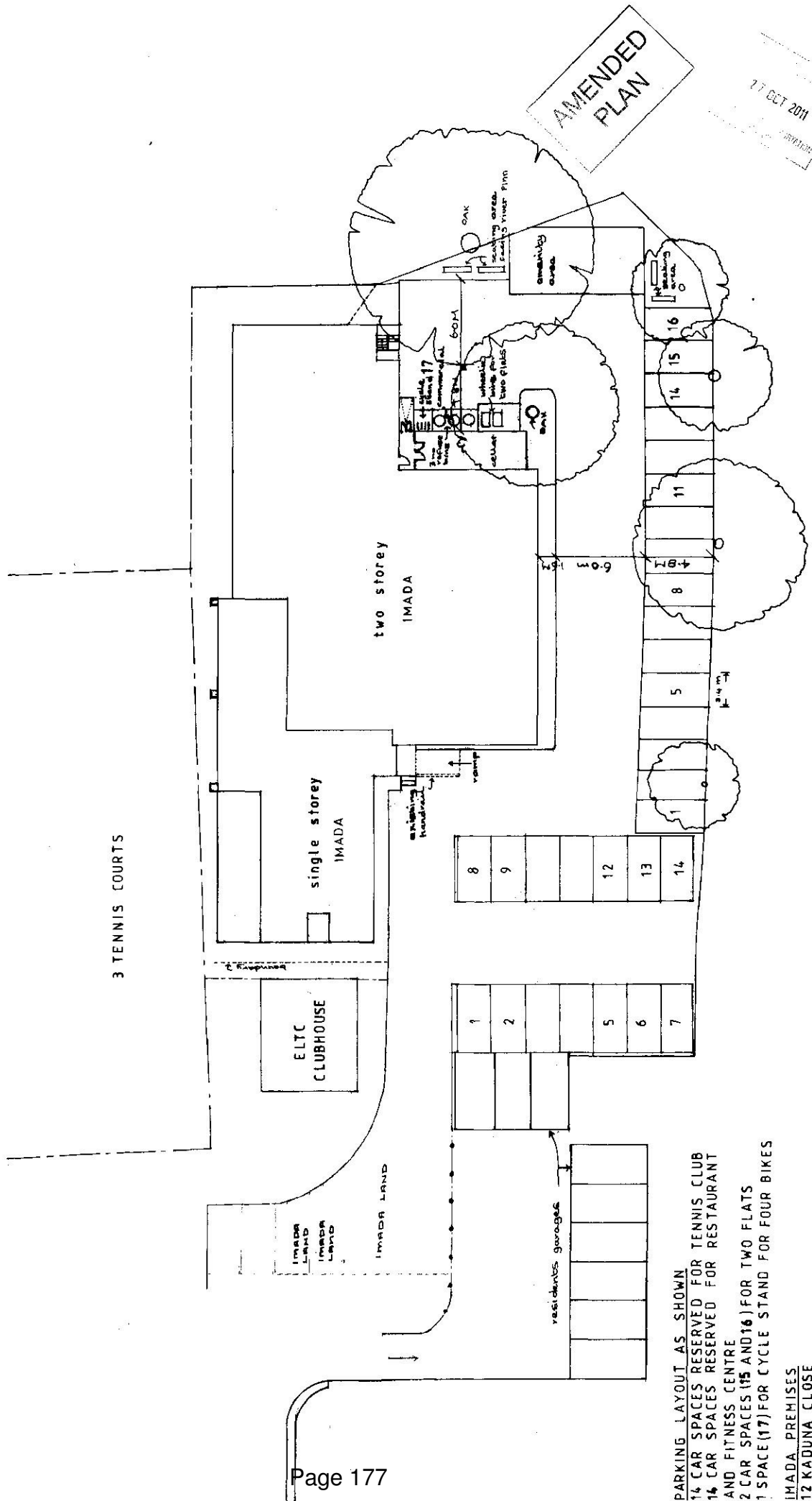
LBH Ref Nos: 52580/APP/2011/2033

Date Plans Received: 18/08/2011

Date(s) of Amendment(s):

Date Application Valid: 26/08/2011

LOCATION OF 2 WHEELIE BINS SHOWN ON SIDE ELEVATION



AMENDED PLAN

27 OCT 2011

PARKING LAYOUT AS SHOWN
 14 CAR SPACES RESERVED FOR TENNIS CLUB
 14 CAR SPACES RESERVED FOR RESTAURANT
 AND FITNESS CENTRE
 2 CAR SPACES (15 AND 16) FOR TWO FLATS
 1 SPACE (17) FOR CYCLE STAND FOR FOUR BIKES

IMADA PREMISES
 12 KADUNA CLOSE
 EASTCOTE
 MIDDLESEX HAS 2PZ
 AUGUST 2010
 DRAWING NO.5 D.

21 OCT 2011

CONSTRUCTION NOTES

FOUNDATION
 As recorded at 600mm wide and 1.2m deep into site information obtained from the Local Authority Building Control for the site. Specify new extension.
 Specify existing foundation for inspection if required by the Building Control Surveyor.

EXTERNAL WALLS (0.2m thick brickwork)
 75mm external brickwork and 75mm cavity filled with rockwool insulation bats or mineral wool and 100mm external calcium blockwork. Seal cavity at roof level with brick on tile and at 100mm above ground level with lead flashing.
 Check cavity at window reveals with insulated cavity insulation bats.
 Provide stainless steel cavity ties at 900mm centres horizontally and 450mm centres vertically. The stainless steel profile and ties to brickwork and blockwork at the top and bottom of the cavity.
 Apply 15mm lightweight plaster finish to the internal walls and ceiling.

ROOFING
 Provide mineral wool insulation (CPI or CMI) or similar over external brickwork and having a minimum 150mm thickness.
 Provide 200mm thick floor finish, obtained and secured at 200mm centres to 2000/50mm joists at 400mm centres. Provide solid blocking at end span. The floor is to have 100mm rock wool supported on joists between joists to achieve sound insulation.

STAIRWORK PARTITIONS
 Internal walls at first floor level to be new masonry partition. To be framed out of 100/50mm softwood vertical studs at 400mm centres with 100/50mm board and sole to be fixed to the floor with 12mm diameter stainless steel anchors. Partition board with 100mm rock wool to be installed into frames rather than external cavity partition equivalent.
 Lining to the internal wall partitions to be 10 lightpink.

ESCAPE WINDOWS
 Provide escape windows to first floor habitable rooms to have an unobstructed openable area that is at least 0.33sqm and 900mm wide and 700mm high. The bottom of the openable area should be not more than 1100mm above the floor.

FISHED FLOOR (LIVING & DINING)
 Provide 225/35mm depth finished at mid-span by 100/50mm and supported off the existing brick wall or masonry. 2mm ceiling joint below register of maximum 600mm centres.
 Lay 150mm fibreglass insulation between 175/50mm ceiling joists at 400mm centres. Lay 150mm lead across the ceiling joists - to give 250mm total thickness.
 V-solite at eaves with 25mm wide stainless steel with 'Wilson Gilchrist' over deck vent. Install at higher level 2mm. Vent slots to provide cross flow ventilation.

CEILING
 Ceiling to be 12.5 mm foil backed plasterboard and 5mm gypsum plaster finish.
 Lateral Stagger at level to be given by 30 x 5 mm mild steel galvanneal strips between timber sections and joists fitted between each joist.
 All timber beams should carry additional loads to be exposed on site to ensure stability and strengthened if found necessary, all subject to the agreement of the Council's Building Control Surveyor.

ELECTRICAL
 Electric cabling wiring installation into the extension. All electrical work required to be installed in accordance with Part P of the Building Regulations.
 Inspect and tested by a person competent to do so.

HEATING
 Central heating system to be extended from the extension by suitably qualified person. New radiator to be sized to achieve minimum 21 degree C when the outside temperature is -1 degree C. Radiators to be provided with thermostatic radiator valves and timing devices.

MECHANICAL VENTILATION
 New central heating boiler is required to be of a condensing type with a minimum 100% efficiency rating not less than 85% unless demonstrated in accordance with Part L to be appropriate.
 The heating system installation is required to be carried out by a COMBAT registered heating engineer.

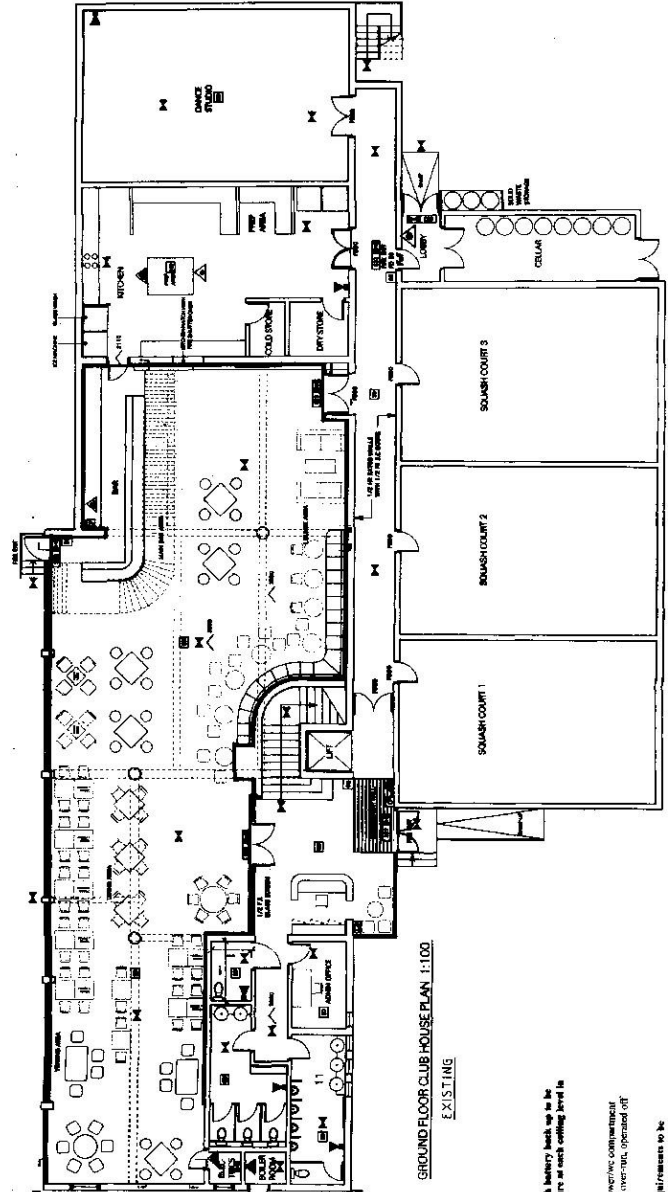
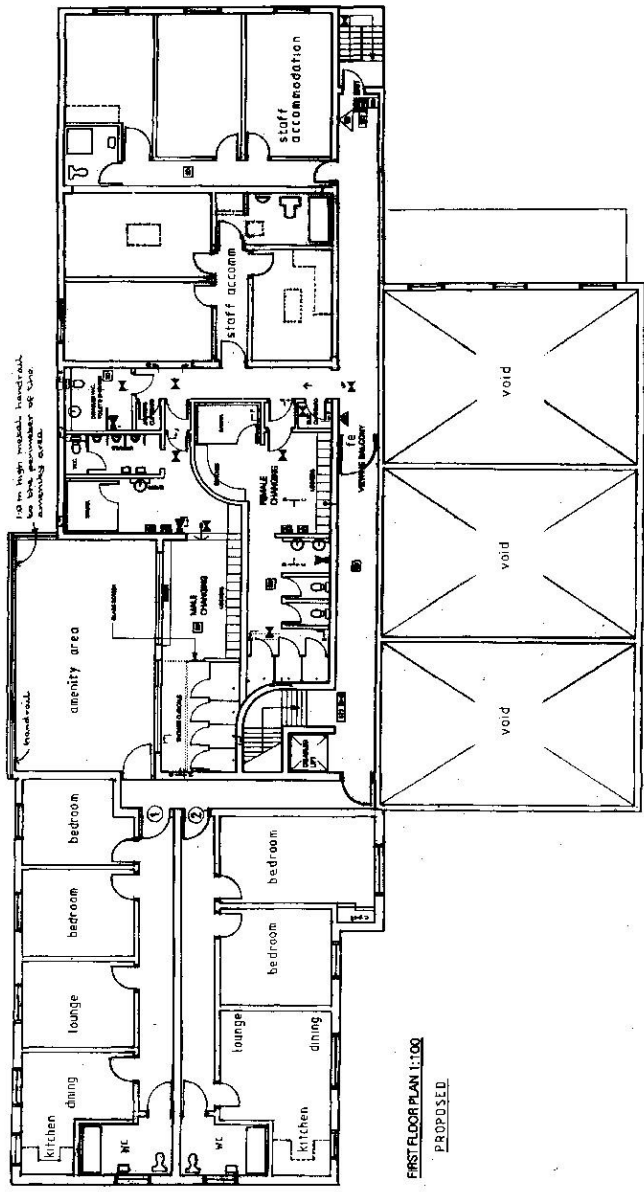
INSULATION
 The insulation of storage tanks and pipework to be to BS 1564, BS199, BS1194, or BS7206 as appropriate.

PLUMBING
 New softwood joists to be laid two coats underneath and one coat above of joist. Clear to allow on remainder of decoration schedule and including floor finish.
 All internal and external decorations to be made good where damaged.
 All skirting and architraves are to be sanded to match the existing and set to be glass painted of a colour directed by the client.
 Any wall surfaces are to be condition painted of a colour directed by the client.
 All new windows to be fitted with trickle ventilator having not less than 2000 sqm of effective ventilation area to all habitable and non-habitable rooms.
 The bathroom (including those with windows) to be mechanically ventilated to give three air changes per hour at an extract rate of 15 litres per second, provided by the light switch with 15 litre over-run facility and ducted to the external air.

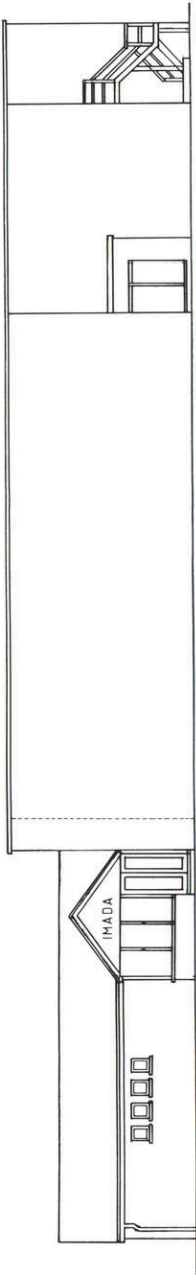
PLASTERING/SKIMMING
 Provide code 4 sand finishing minimum 150mm spaced built into wall at wallfoot corners.
 All lead work to be in accordance with the Lead Development Association's publication 'Lead Sheet in Building - a guide to good practice'.

NO	DESCRIPTION	DATE
1	PROPOSED TWO FLATS LAYOUT AT FIRST FLOOR	21/10/11
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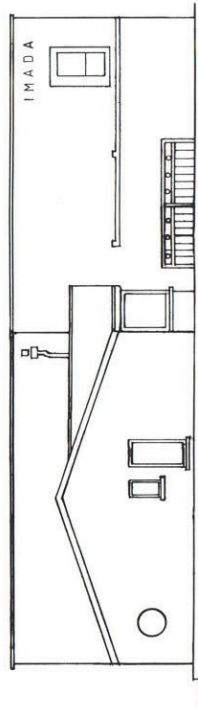
NO	DESCRIPTION	DATE
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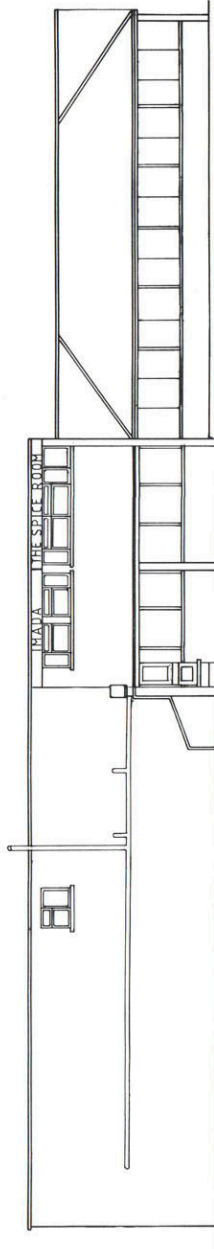
Mechanical ventilation and alarm systems with battery back up to be installed to BS 5839 Part 1, within the alarm enclosure at each ceiling level in compliance with BS 5839 or BS 5446, Part 1.
 Provide minimum three air changes per hour with a 20 minute over-run, operated off the light switch and ducted to the external air.
 Position of lighting, power points, radiators and other requirements to be decided by client in consultation with the builder.



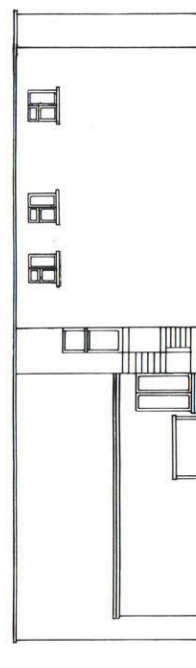
FRONT ELEVATION



SIDE ELEVATION



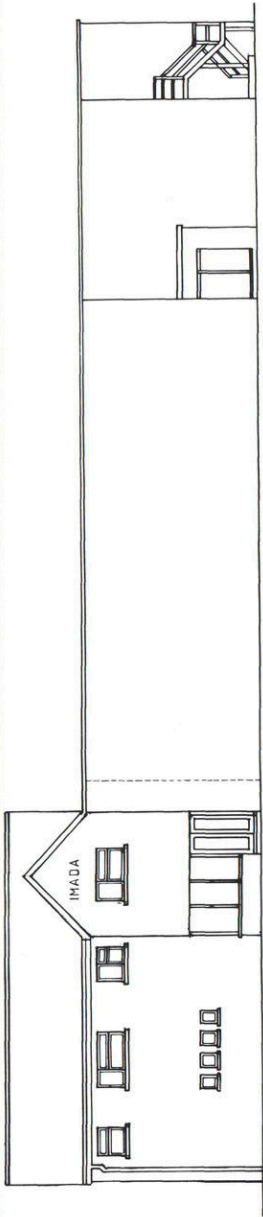
REAR ELEVATION



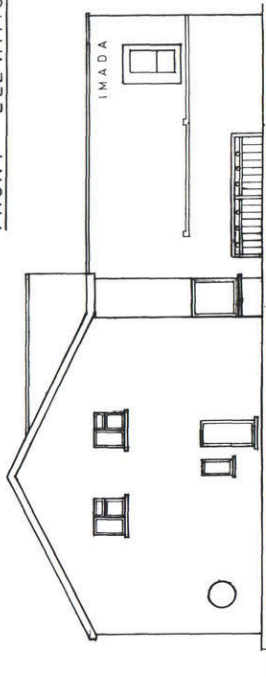
SIDE ELEVATION FACING RIVER PINN

LONDON BOROUGH OF
HILLINGDON
RECEIVED
17 AUG 2011
PLANNING & COMMUNITY
SERVICES

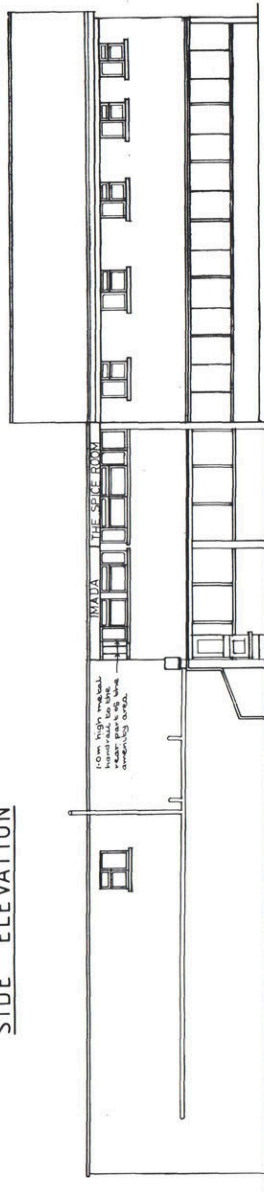
IMADA PREMISES
EXISTING ELEVATIONS
12 KADUNA CLOSE
EASTCOTE
MIDDLESEX HA5 2PZ
SCALE 1:100
DRAWING NO. 3
August 2010



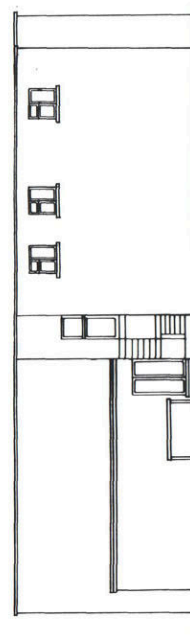
FRONT ELEVATION



SIDE ELEVATION



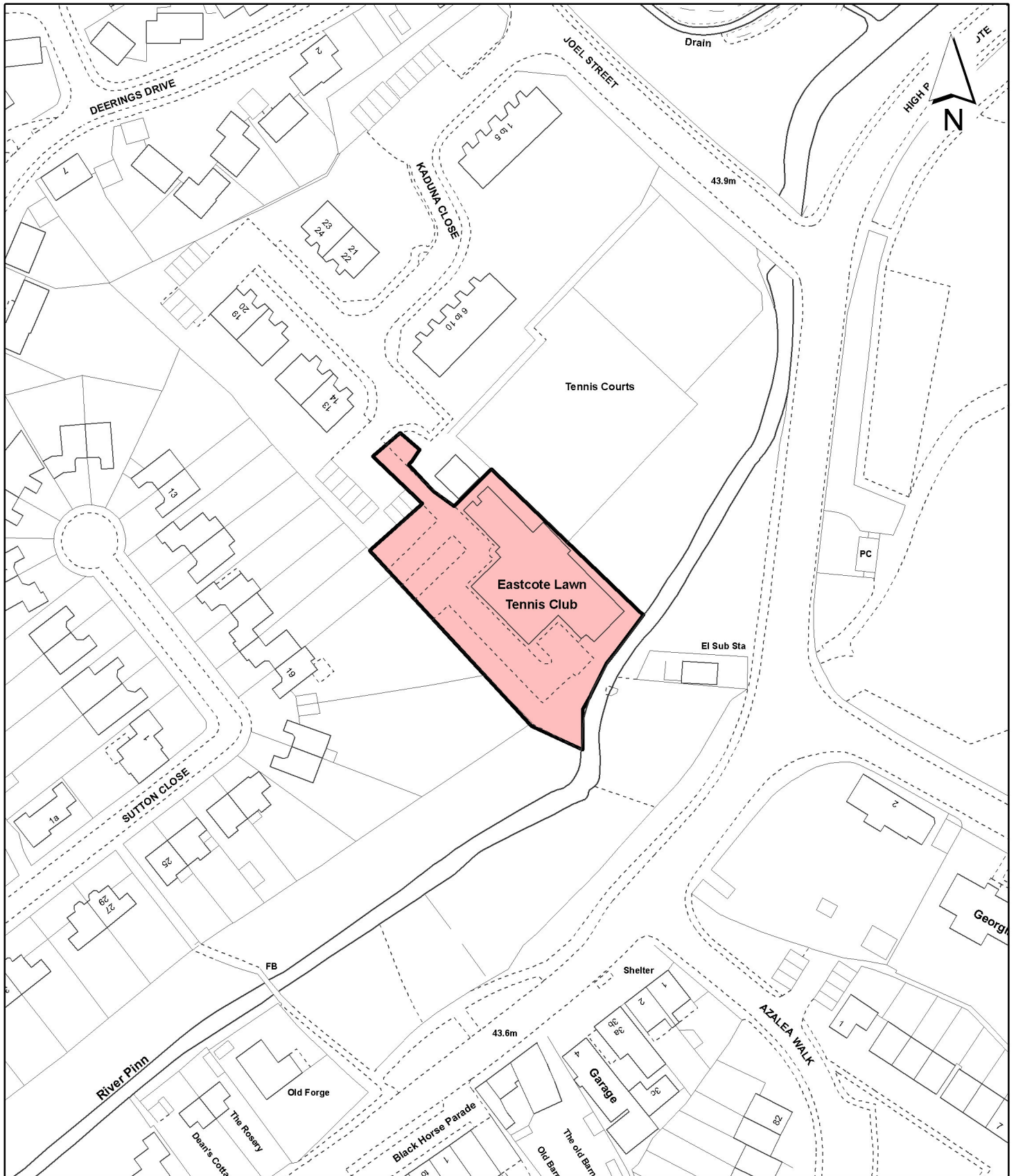
REAR ELEVATION





SIDE ELEVATION FACING RIVER PINN

PLANNING & COMMUNITY SERVICES
17 AUG 2011
RECEIVED
MILLINGTON
TOWN ENGINEERING

IMADA PREMISES
PROPOSED ELEVATIONS
12 KADUNA CLOSE
EASTCOTE
MIDDLESEX HA5 2PZ
SCALE 1:100
DRAWING NO. 4
August 2010



<p>Notes</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2012 Ordnance Survey 100019283</p>	<p>Site Address</p> <p style="text-align: center;">Imada 12 Kaduna Close Eastcote</p>		<p>LONDON BOROUGH OF HILLINGDON Planning, Environment, Education & Community Services Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p> <p style="text-align: center;"> HILLINGDON LONDON</p>
	<p>Planning Application Ref:</p> <p style="text-align: center;">52580/APP/2011/2033</p>	<p>Scale</p> <p style="text-align: center;">1:1,250</p>	
	<p>Planning Committee</p> <p style="text-align: center;">North Page 182</p>	<p>Date</p> <p style="text-align: center;">May 2012</p>	

Report of the Head of Planning & Enforcement Services

Address LAND AT JUNCTION OF WARREN ROAD SWAKELEYS DRIVE ICKENHAM

Development: Installation of a 15m high telecommunications pole, associated antenna, equipment cabinet and ancillary developments works (Consultation Under Schedule 2, Part 24 of the Town and Country Planning (General Permitted Development) Order 1995) (as amended.) Application for prior approval for siting and design.

LBH Ref Nos: 65862/APP/2012/982

Date Plans Received: 18/04/2012

Date(s) of Amendment(s):

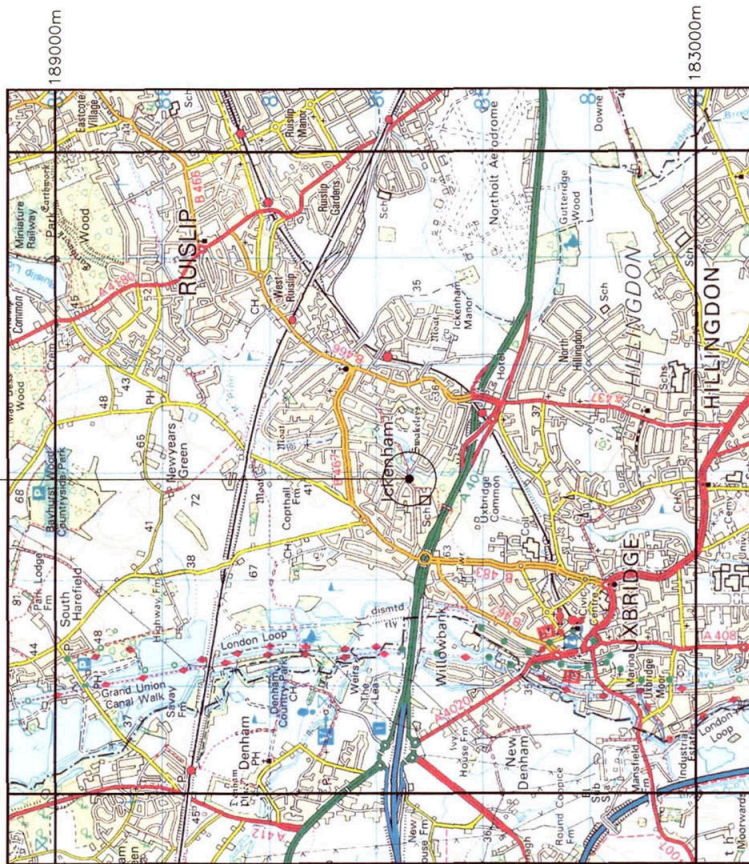
Date Application Valid: 18/04/2012



SITE LOCATION

504000m

510000m



SITE GRID REFERENCE 506915E 185710N
SCALE 1:50000



SITE PHOTOGRAPH

SITE LOCATION

5069000m

507000m



SITE GRID REFERENCE 506915E 185710N
SCALE 1:1250

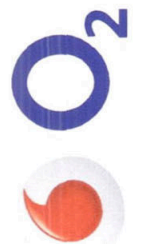
NOTES:
1. EXIT THE A40 AT JUNCTION 1 AND HEAD NORTH ONTO SWAKELEYS ROAD, TAKE THE FIRST RIGHT ONTO WARREN ROAD AND FOLLOW TO END. THE SITE IS LOCATED ON THE JUNCTION OF WARREN ROAD AND SWAKELEYS DRIVE.
2. SURROUNDING AREA IS RESIDENTIAL.
3. DISTANCE TO PUBLIC HIGHWAY IS 5m APPROX.

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CELL NAME	OPTION	DRAWN	CHECKED	APPROVED	DATE	SCALE
WARREN ROAD STREETWORKS	A	SMCG	AKSSS	SY	27.02.12	AS SHOWN
SITE ADDRESS	CORNERSTONE ID	HOST ID	SHARER ID			
WARREN ROAD ICKENHAM MIDDLESEX UB10 8SH	CS - 10444	VF - 76295	02 - 044604			
DRAWING TITLE	PURPOSE OF ISSUE	DRAWING No.	REVISION			
SITE LOCATION MAPS	PLANNING	100	-			
CONSULTANT REF No.	1293/056					



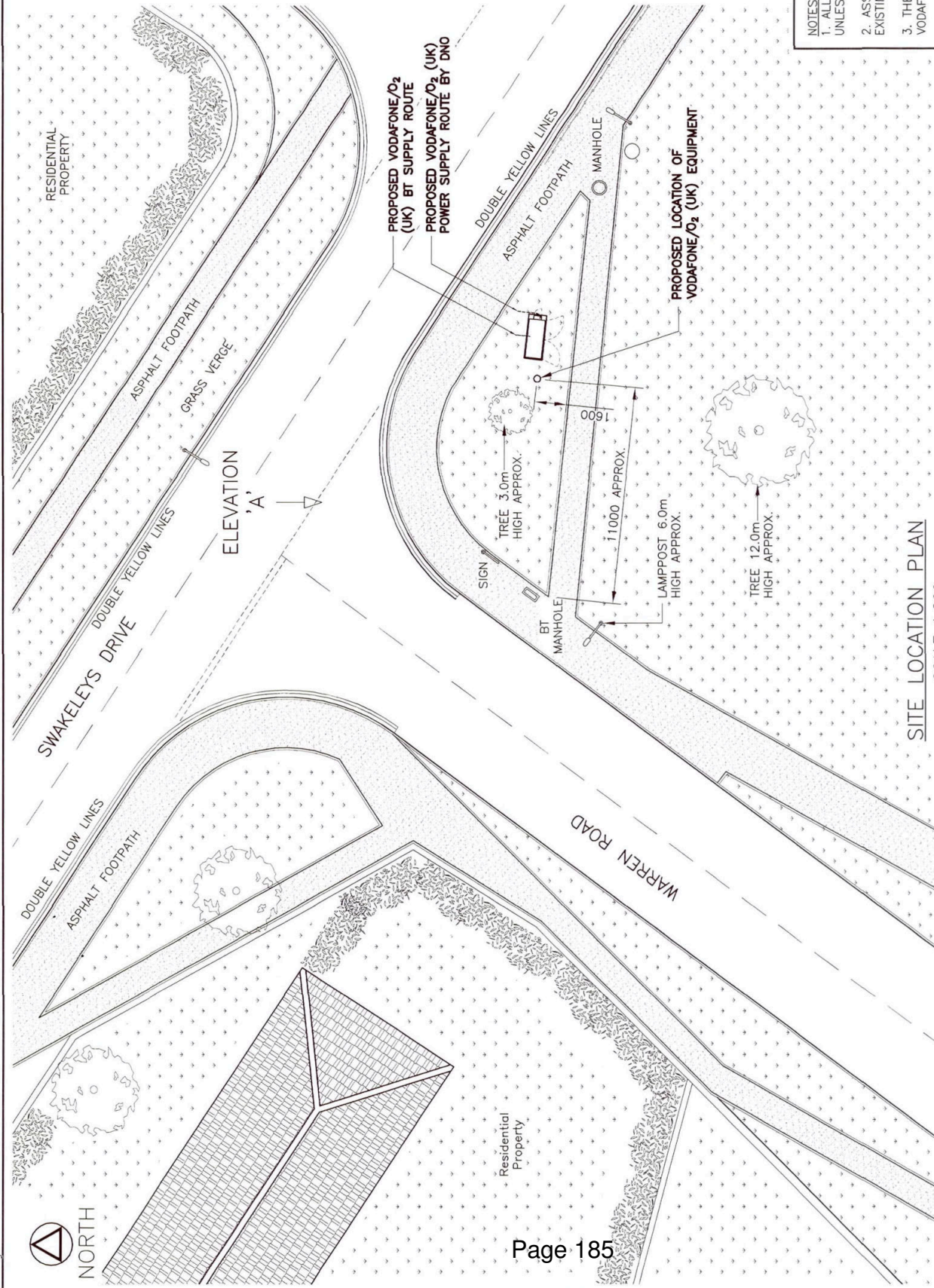
Telephone 0141 7614630 Fax 0141 7614631



CORNERSTONE PROJECT

REV.	DATE	REMARKS	BY	CHK.

LON BORO OF HILLINGDALE
RECEIVED
24 APR 2012
PLANNING & TRANSPORTATION
GBC/JF



NOTES:
1. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE SPECIFIED
2. ASSUME ALL SITE DETAILS ARE EXISTING UNLESS OTHERWISE NOTED.
3. THE DRAWINGS COMPLY WITH O₂ (UK) & VODAFONE STANDARD ICRIP GUIDELINES.

DRAWN	CHECKED	APPROVED	DATE	SCALE
SMcG	AKSSS	SY	27.02.12	AS SHOWN
CORNERSTONE ID	HOST ID	VF - 76295	SHARER ID	02 - 044604
CS - 10444	CONSULTANT REF No.	1293/056	PURPOSE OF ISSUE	PLANNING
DRAWING No.	200	REVISION	-	

CELL NAME	WARREN ROAD STREETWORKS	OPTION	A
SITE ADDRESS	WARREN ROAD ICKENHAM MIDDLESEX UB10 8SH	DRAWING TITLE	SITE LOCATION PLAN

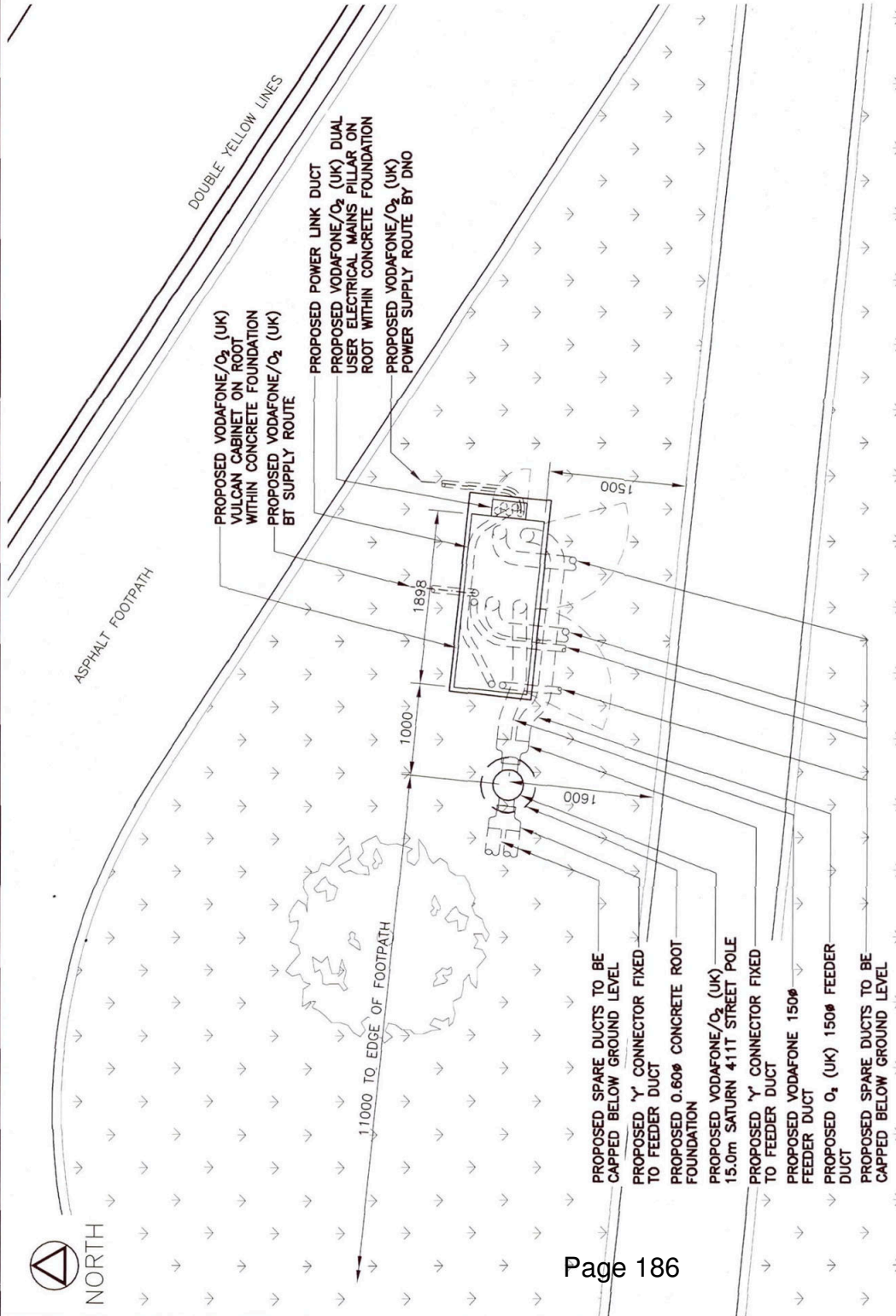
TE connectivity
Tyco Electronics UK Infrastructure Ltd
300 Springhill Parkway
Glasgow Business Park
Baillieston, Glasgow, G68 6GA
Telephone 0141 7814630 Fax 0141 7814631

O₂
CORNERSTONE PROJECT

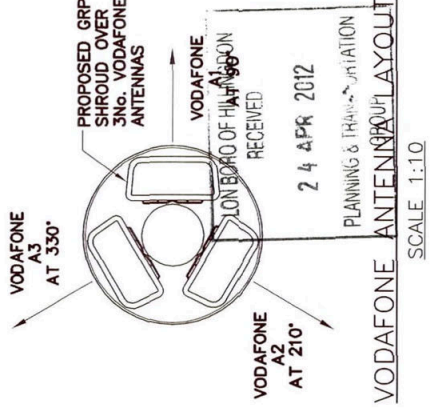
REV.	DATE	REMARKS	BY	CHK.



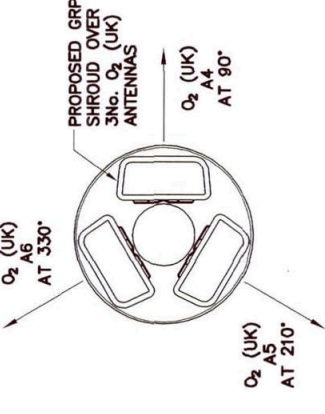
NORTH



EQUIPMENT PLAN
SCALE 1:50



VODAFONE ANTENNA LAYOUT
SCALE 1:10



O2 (UK) ANTENNA LAYOUT
SCALE 1:10

- NOTES:
1. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE SPECIFIED
 2. ASSUME ALL SITE DETAILS ARE EXISTING UNLESS OTHERWISE NOTED.
 3. THE DRAWINGS COMPLY WITH O2 (UK) & VODAFONE STANDARD ICNRP GUIDELINES.

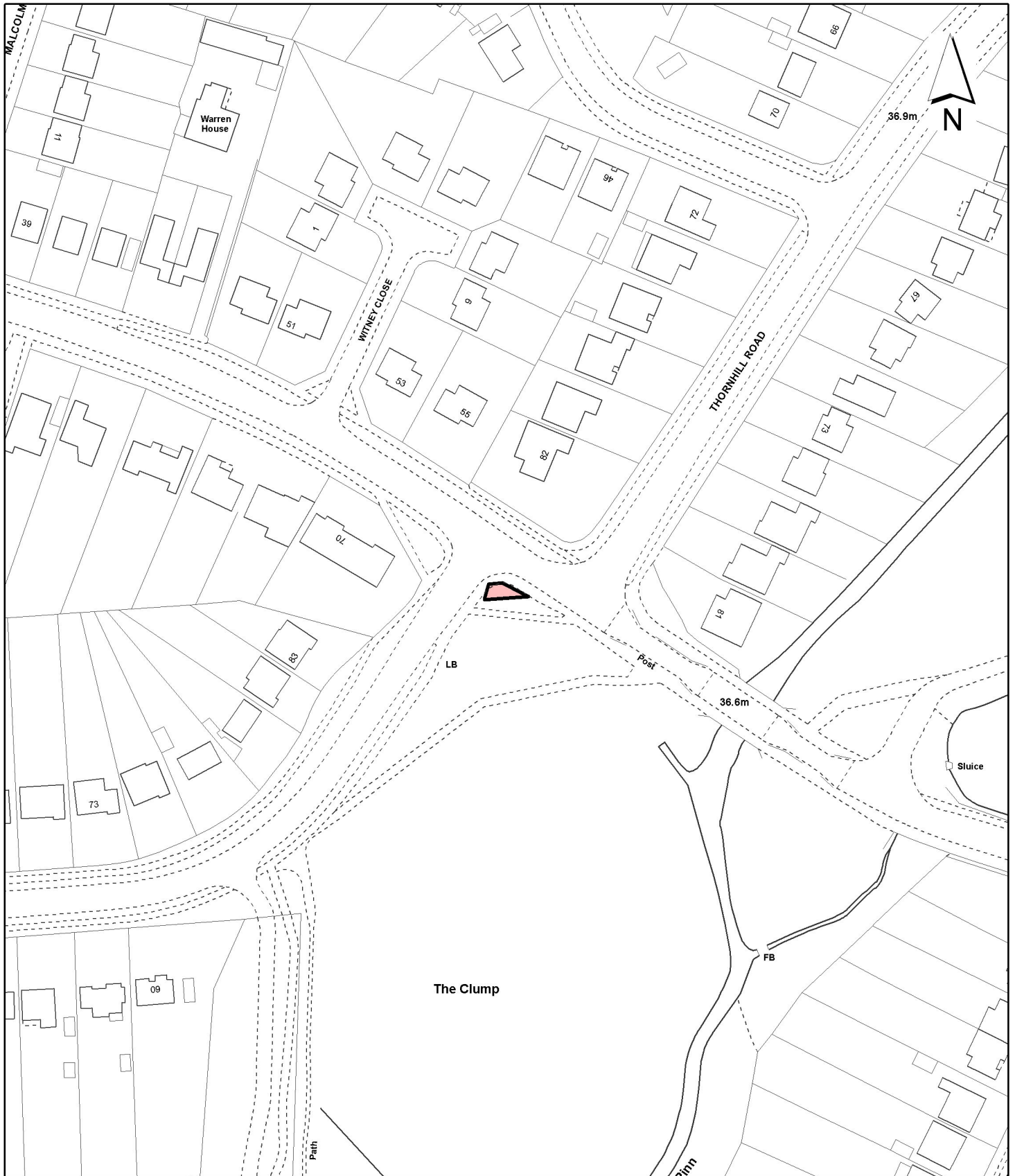
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CS - 10444	VF - 76295	O2 - 044604		
CONSULTANT REF No.		1293/056		
PURPOSE OF ISSUE		DRAWING No. 400		
PLANNING		REVISION -		

CELL NAME	OPTION
WARREN ROAD STREETWORKS	A
SITE ADDRESS	
WARREN ROAD	
ICKENHAM	
MIDDLESEX	
UB10 8SH	
DRAWING TITLE	
ANTENNA/EQUIPMENT LAYOUT	

TE connectivity
Tyco Electronics UK Infrastructure Ltd.
300 Springhill Parkway
Glasgow Business Park
Ballieston, Glasgow, G69 6GA
Telephone 0141 7814630 Fax 0141 7814631

O2
CORNERSTONE PROJECT

REV.	DATE	REMARKS	BY	CHK.



Notes

 Site boundary

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Site Address

**Land at junction of
Warren Road and Swakeleys Drive
Ickenham**

Planning Application Ref:

65862/APP/2012/982

Planning Committee

North Page 188

Scale

1:1,250

Date

**May
2012**

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

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



HILLINGDON
LONDON

Report of the Head of Planning & Enforcement Services

Address LAND AT WILLOW FARM (FIELD 3116) JACKETS LANE HAREFIELD

Development: Permanent use of the land as a gypsy and traveller caravan site and for the keeping and breeding of horses with associated operational development, including the siting of two mobile homes and a touring caravan, retention of two stable blocks, and the formation of a garden area with the erection of a garden shed, yard and paddock areas, parking spaces, landscaping and fencing (Part retrospective application).

LBH Ref Nos: 57685/APP/2011/1450

Date Plans Received: 14/06/2011

Date(s) of Amendment(s): 14/07/2011

Date Application Valid: 11/07/2011

17/05/2012

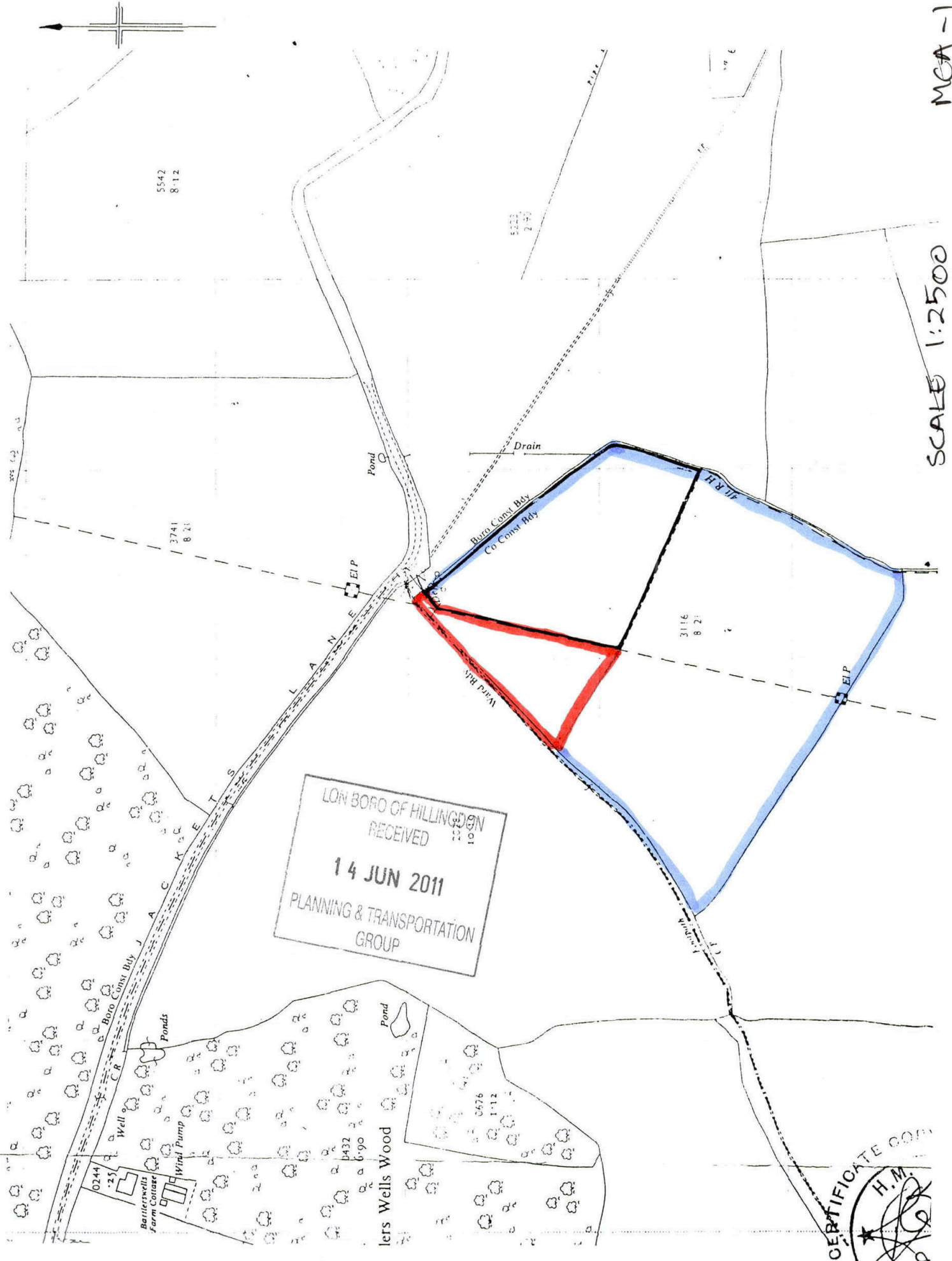
22/05/2012

23/05/2012

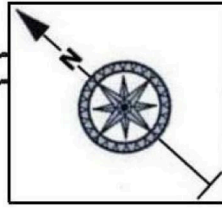
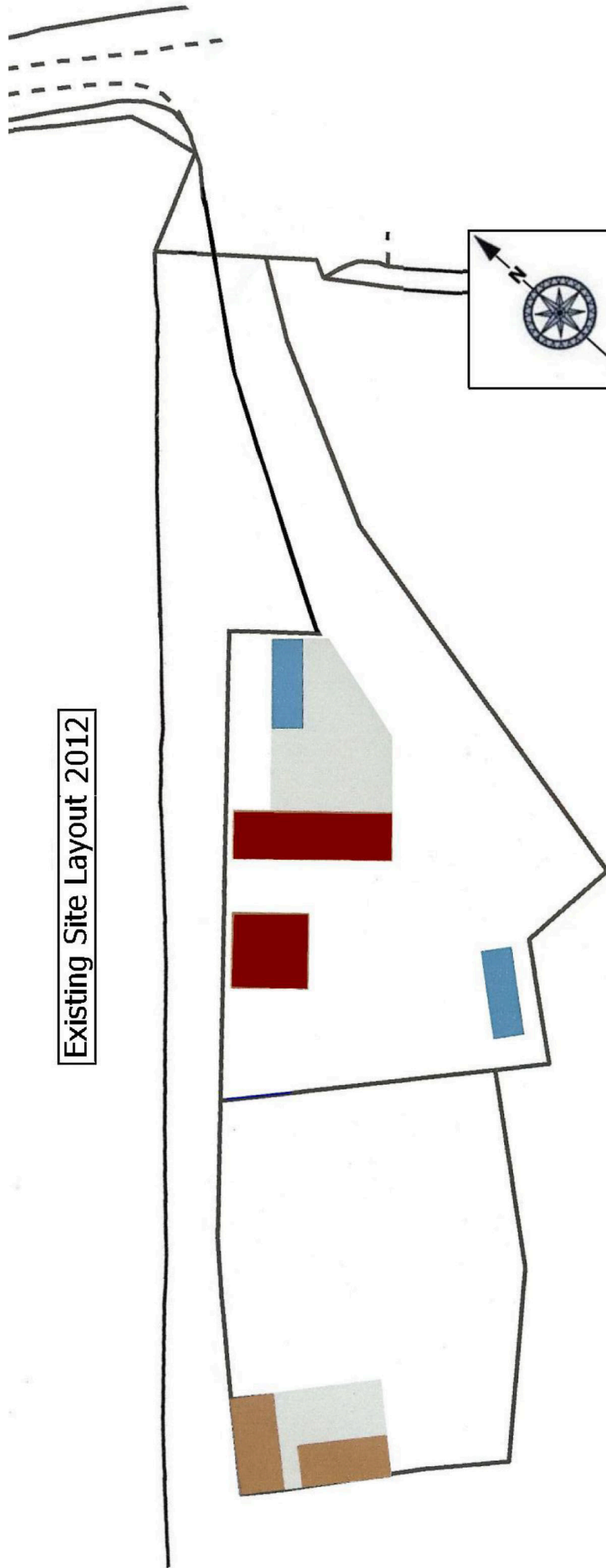
MEA-1





SCALE 1:2500

LOW BORO OF HILLINGDON
RECEIVED
14 JUN 2011
PLANNING & TRANSPORTATION
GROUP



Existing Site Layout 2012



KEY	
	Stables
	Mobile Home
	Touring Caravan
	Hardstanding

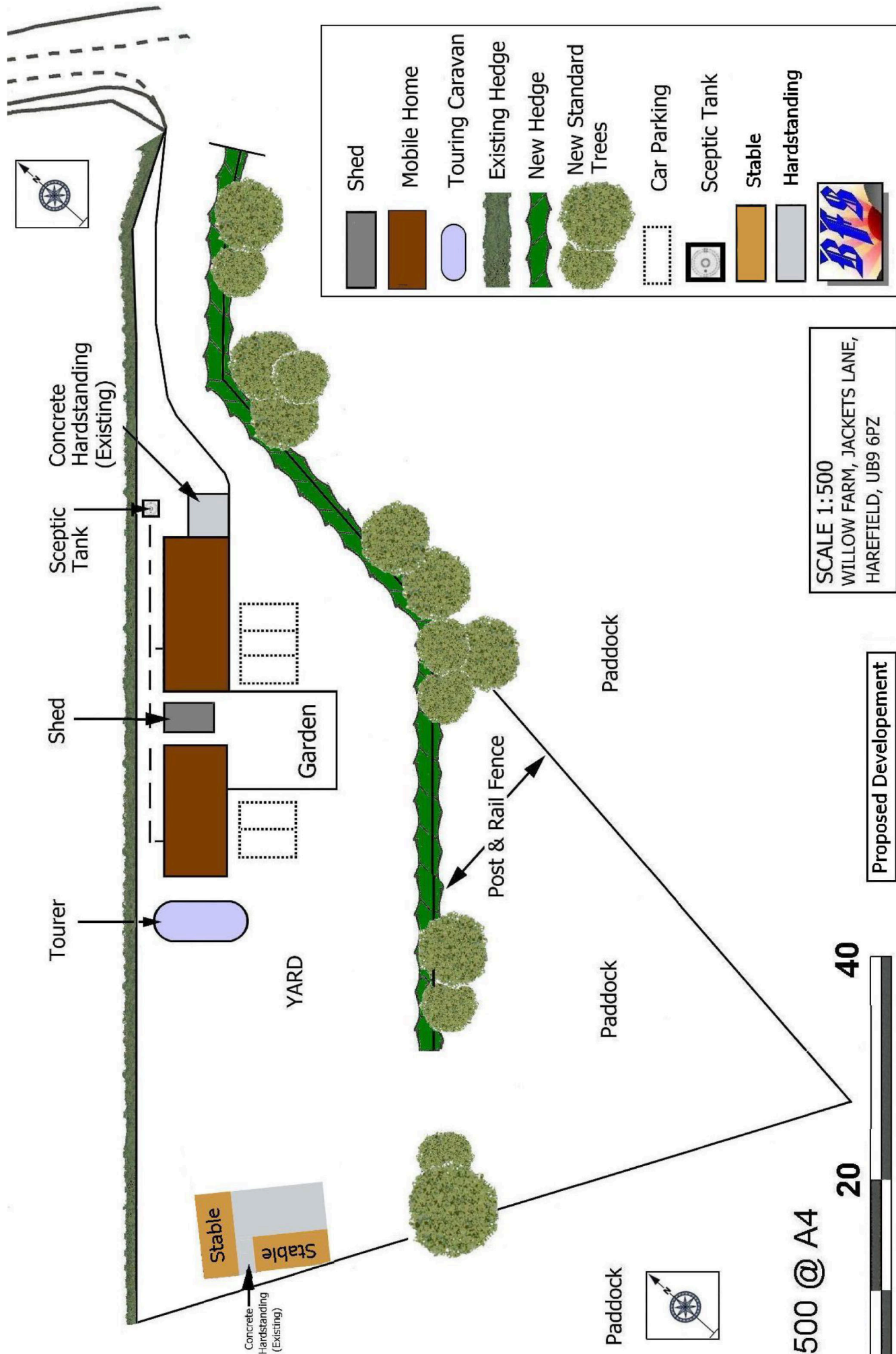
SCALE 1:500
 WILLOW FARM, JACKETS LANE,
 HAREFIELD, UB9 6PZ



Project: Jackets Lane	Design: Laslo Siketti
Client: Connors	Tel: 07756 917937
Drawing: Feb 2012	Saga Ct, Unit 3 Sibleys Rise,
Bucks Floating Support	South Heath, Bucks, HP16 9QQ

1:500 @ A4





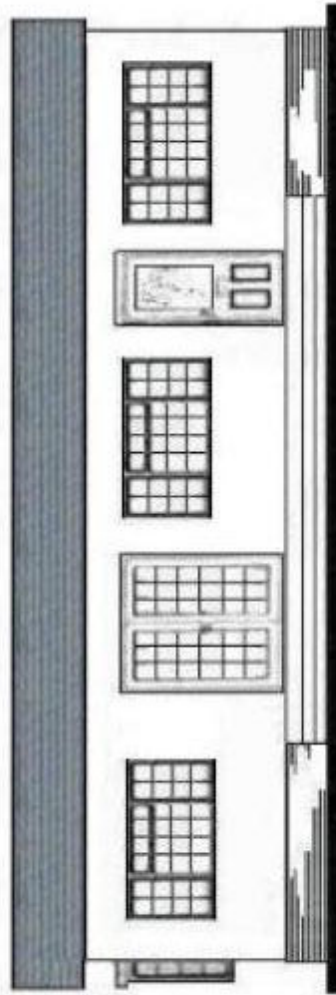
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 WILLOW FARM, JACKETS LANE,
 HAREFIELD, UB9 6PZ

Proposed Development

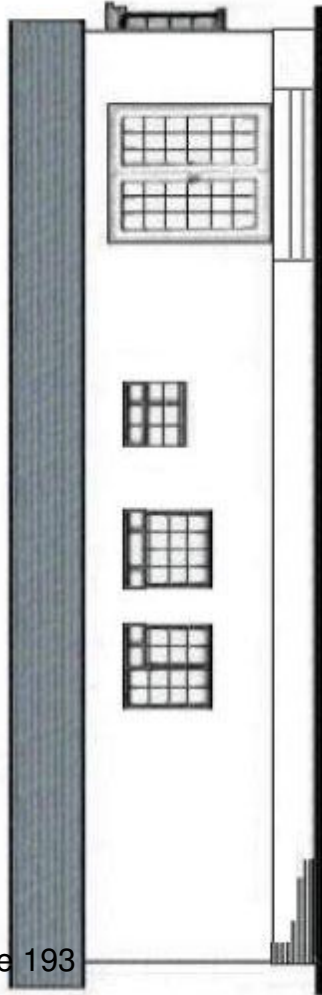
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Proposed Change of Use Drawing No. SC01



Front Elevation



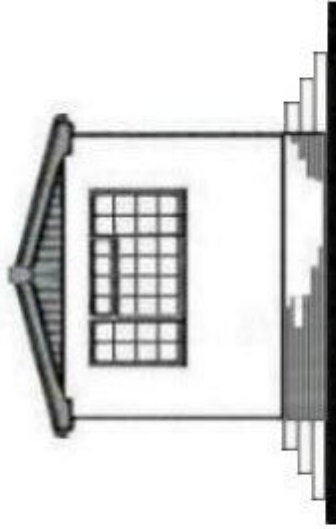
Rear Elevation



Scale 1:100 @ A4

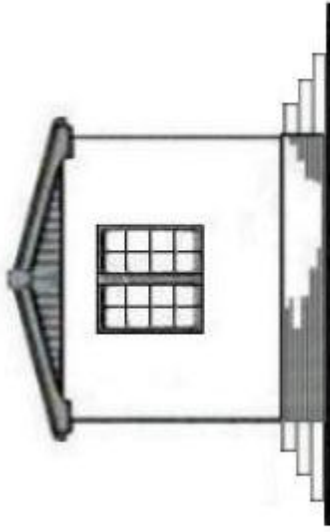
All building works to comply with the relevant British standards and the codes of practice.
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**Land at
Willow Farm
Jackets Lane,
Harefield
APP/2011/1450**



Side Elevation

No. SC01



Side Elevation

Scale 1:100

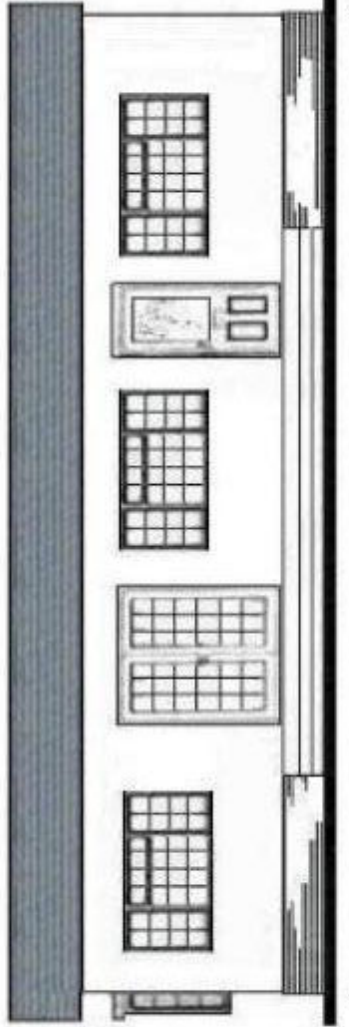
Project Title:	Static Caravan	Design:	Laslo Siketti
Client:	Mr Connors		Saga Ct, Unit 3 Sibleys Rise,
Drawing Title:	Elevation Drawings		South Heath, Bucks. HP16 9QQ
	Bucks Floating Support		Tel: 07756 917937

No. SOC2

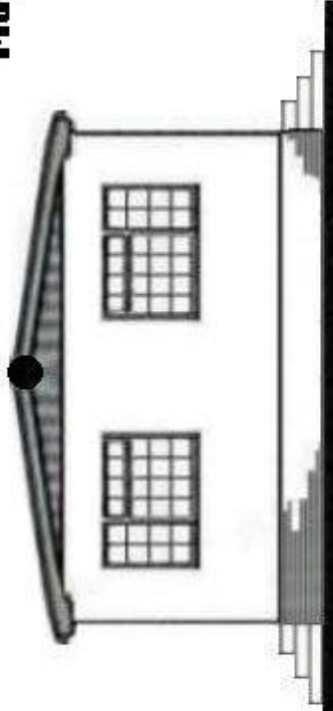
Proposed Change of Use Drawing



May 2012

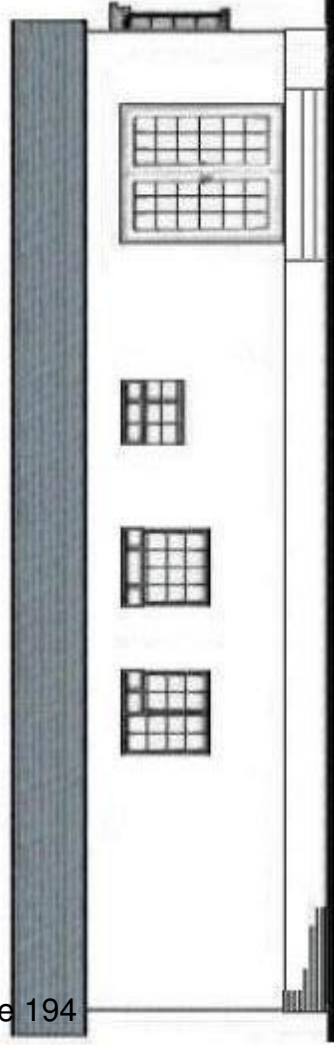


Front Elevation

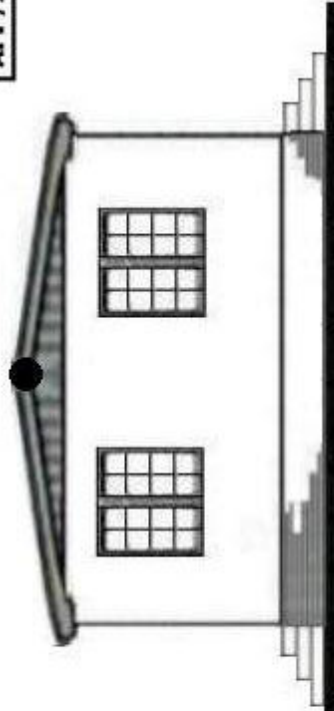


Side Elevation

Land at
Willow Farm
Jackets Lane,
Harefield
APP/2011/1450



Rear Elevation



Side Elevation

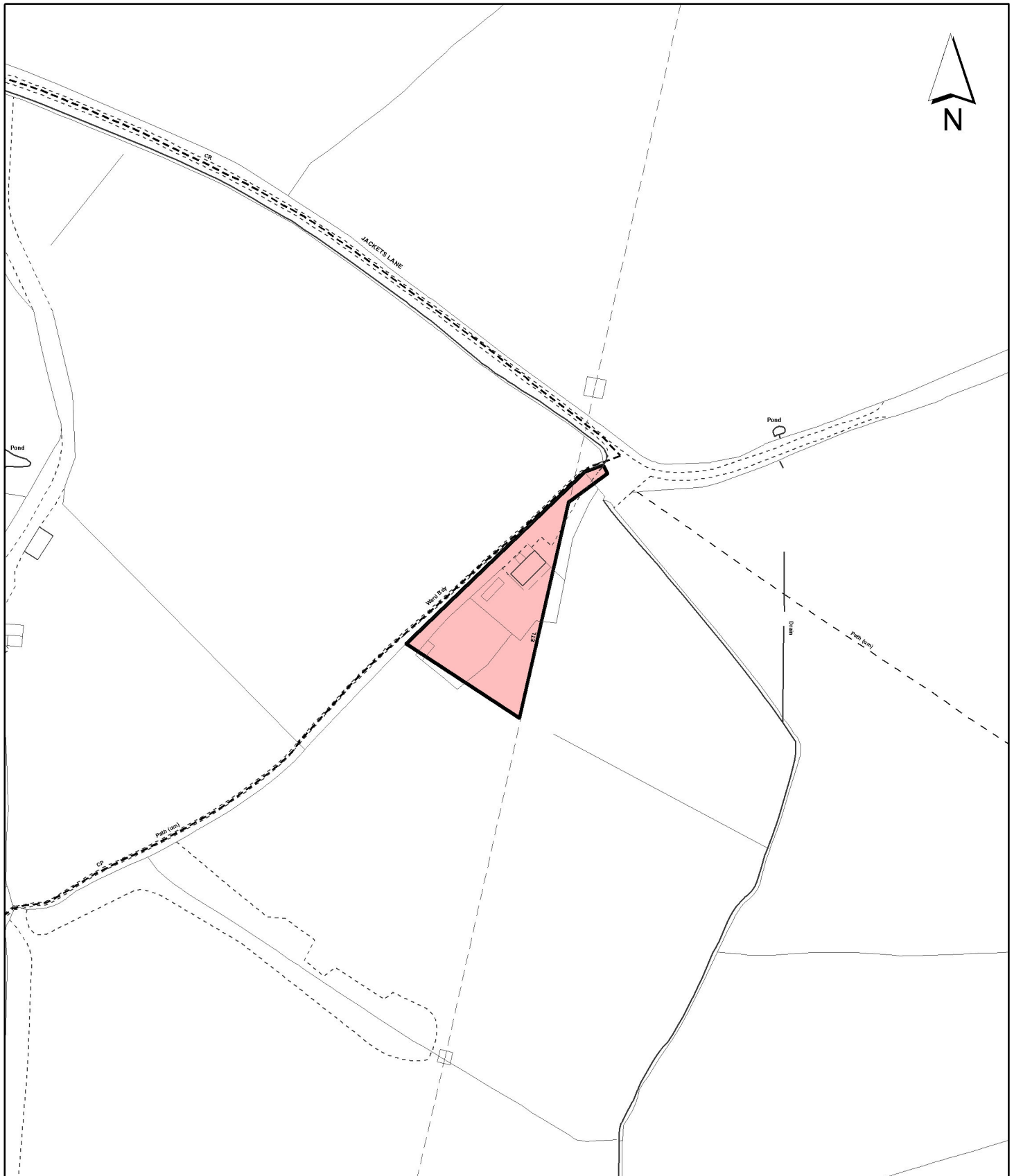




Scale 1:100 @ A4



All building works to comply with the relevant British standards and for copies of protocols. This drawing is design and copyright.

Project Title:	Static Caravan	Design:	Laslo Siketti
Client:	Mr Connors		Saga Ct, Unit 3 Sibleys Rise,
Drawing Title:	Elevation Drawings		South Heath, Bucks. HP16 9QQ
	Bucks Floating Support		Tel: 07756 917937



<p>Notes</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100019283</p>	<p>Site Address</p> <p>Land at Willow Farm Jackets Lane Harefield</p>		<p>LONDON BOROUGH OF HILLINGDON Planning, Environment, Education & Community Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p>57685/APP/2011/1450</p>	<p>Scale</p> <p>1:2,000</p>	
	<p>Planning Committee</p> <p>North Page 195</p>	<p>Date</p> <p>November 2011</p>	
			 <p>HILLINGDON LONDON</p>

Report of the Head of Planning & Enforcement Services

Address 439 VICTORIA ROAD RUISLIP

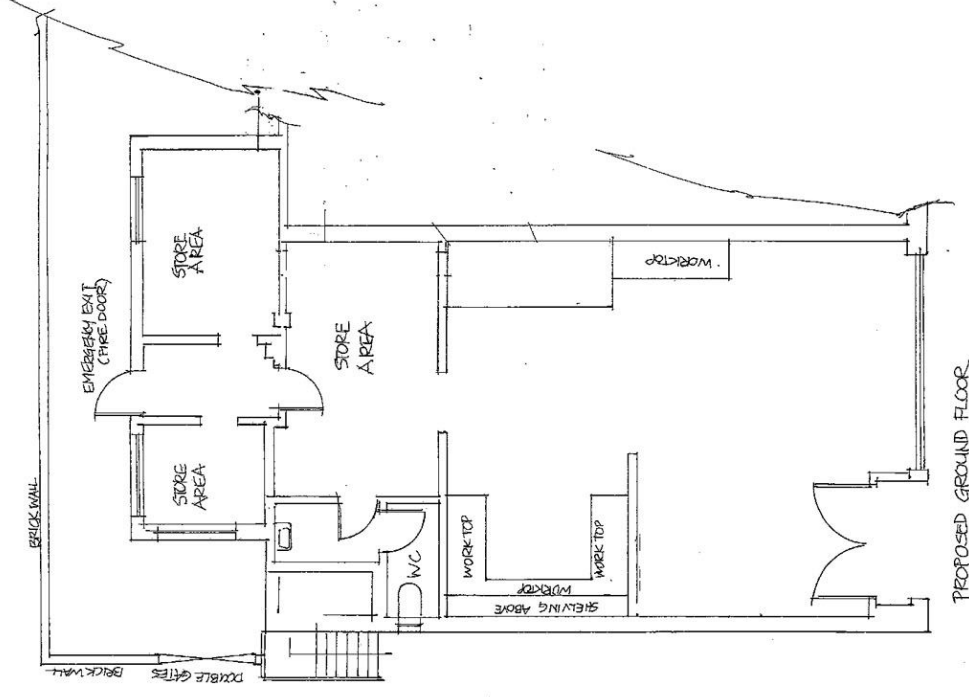
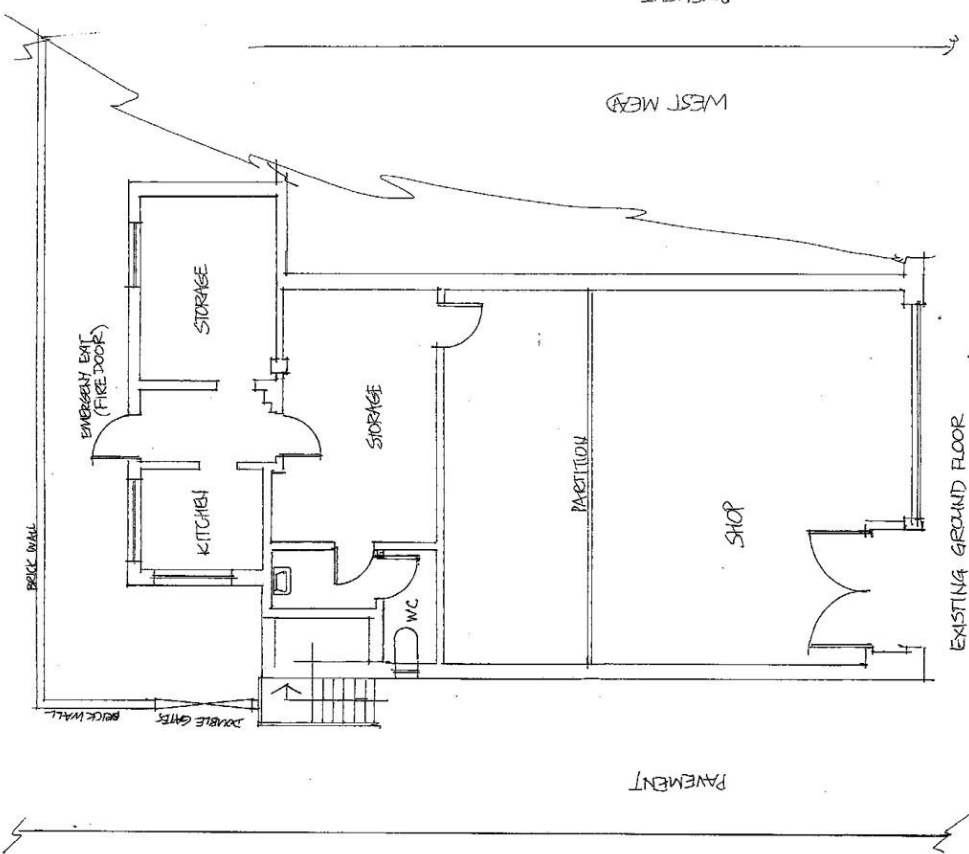
Development: Change of use of from retail (Use Class A1) to financial and professional services (Use Class A2).

LBH Ref Nos: 67990/APP/2012/728

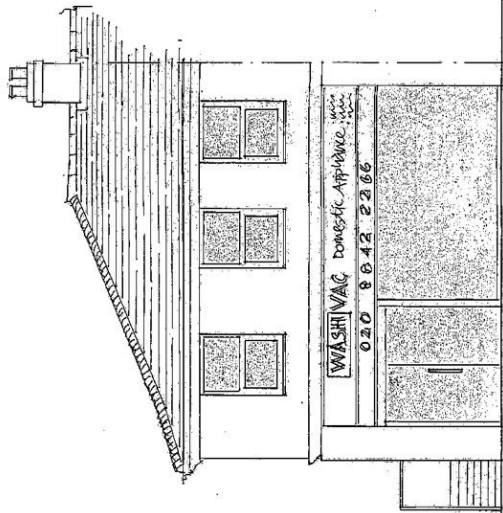
Date Plans Received: 27/03/2012

Date(s) of Amendment(s):

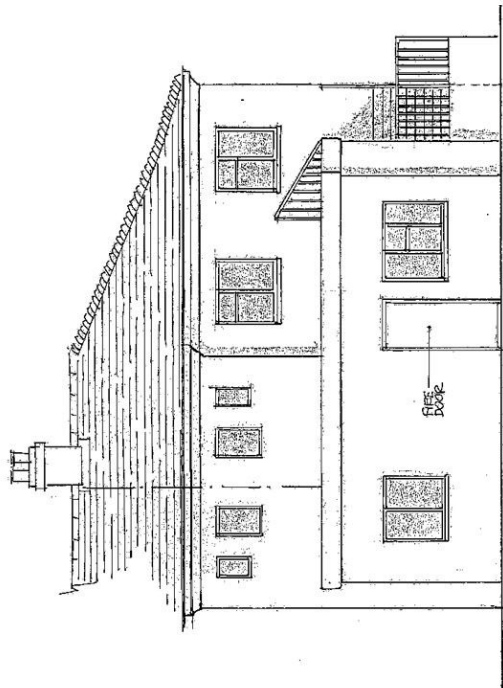
Date Application Valid: 27/03/2012



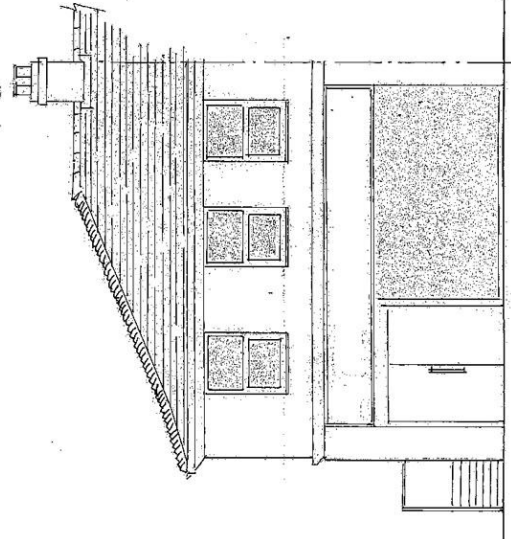
PROJECT: 439 VICTORIA ROAD RUISLIP MIDDY HA4 OEG	DRAWING TITLE: EXISTING AND PROPOSED GROUND FLOOR PLANS	ACB ASSOC. "OAK HOUSE", WELLINGTON ROAD, SANTHURST, BERKSHIRE GUMPT 9AY
SCALE: 1:100	DATE: NOVEMBER 2011	DRAWING NO: 439/VR/R/04/AB
		REV: B



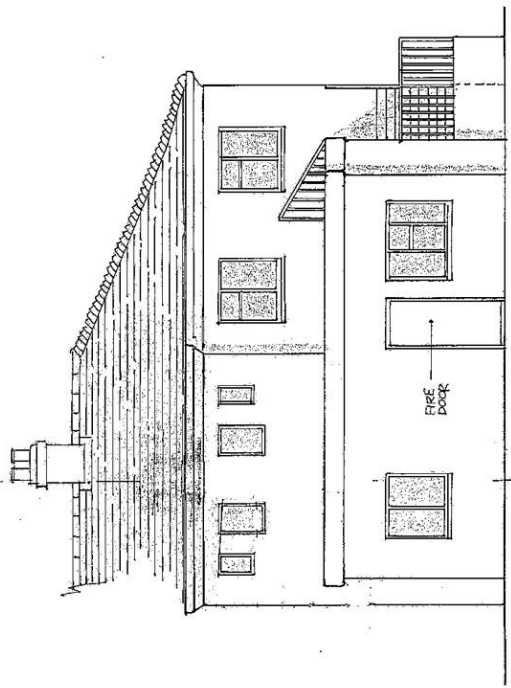
EXISTING FRONT ELEVATION



EXISTING REAR ELEVATION



PROPOSED FRONT ELEVATION

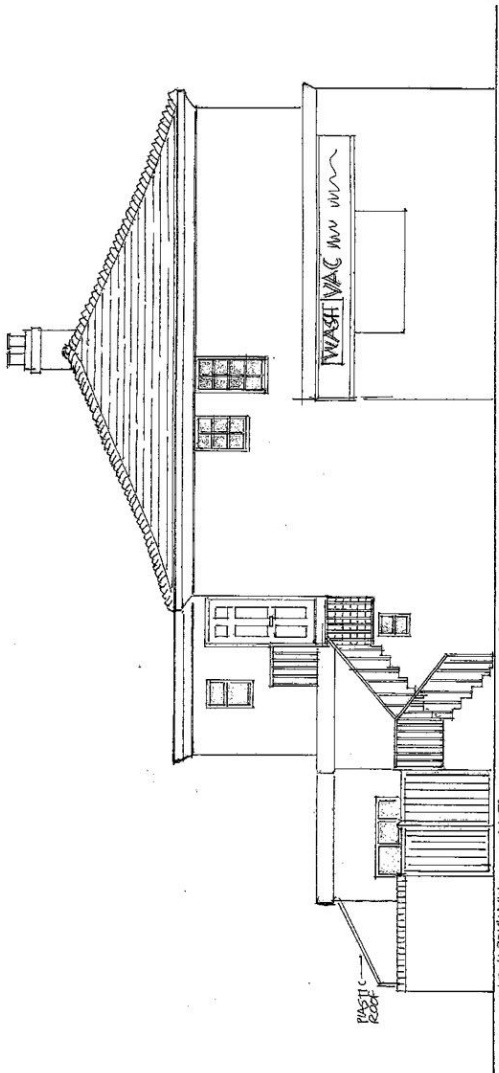


PROPOSED REAR ELEVATION

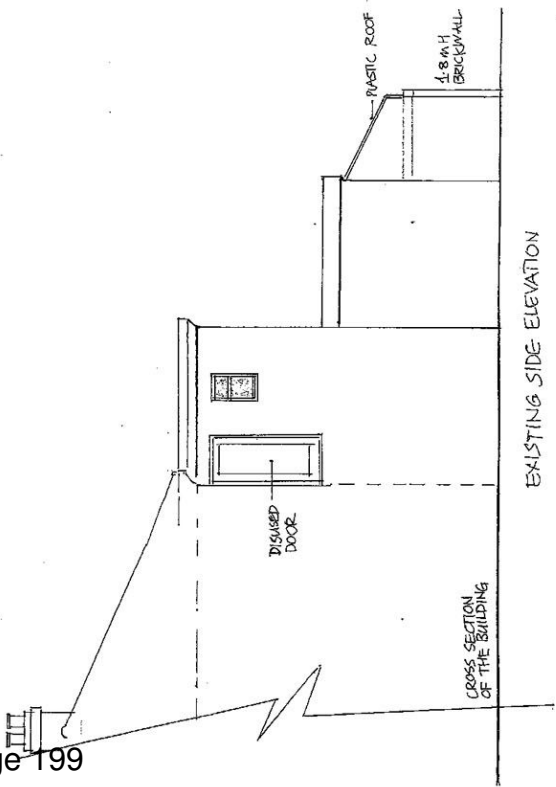


PROJECT: 439 VICTORIA ROAD RULSLIP MIDDX. HA4 0EG	DRAWING TITLE: EXISTING AND PROPOSED FRONT AND REAR ELEVATIONS
SCALE: 1:100	DRAWING NO. 459/VR/R/02/AB
DATE: NOVEMBER 2011	REV: B

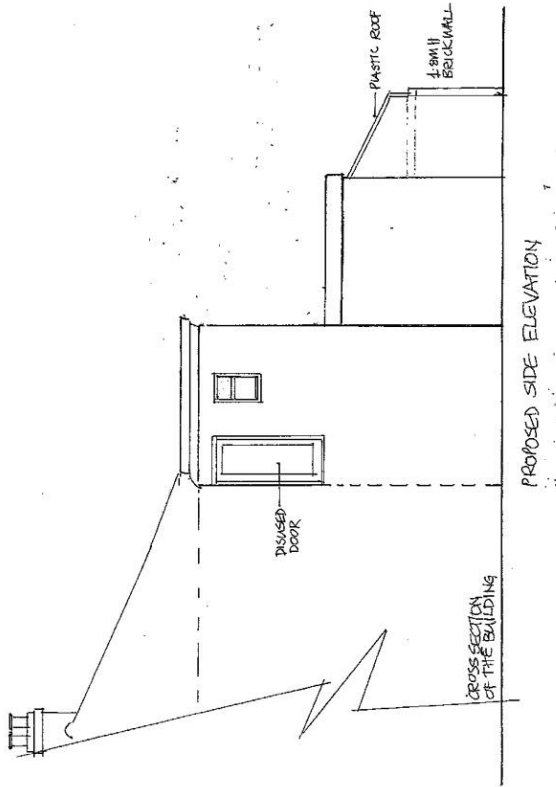
ACB ASSOC.
"OAK HOUSE", WELLINGTON ROAD,
SANDHURST, BERKSHIRE GUY7 9AY



EXISTING AND PROPOSED SIDE ELEVATION (WEST MEAD)
 (THE ONLY DIFFERENCE BEING THE REMOVAL OF THE EXISTING SIGNS ON THE WALL)



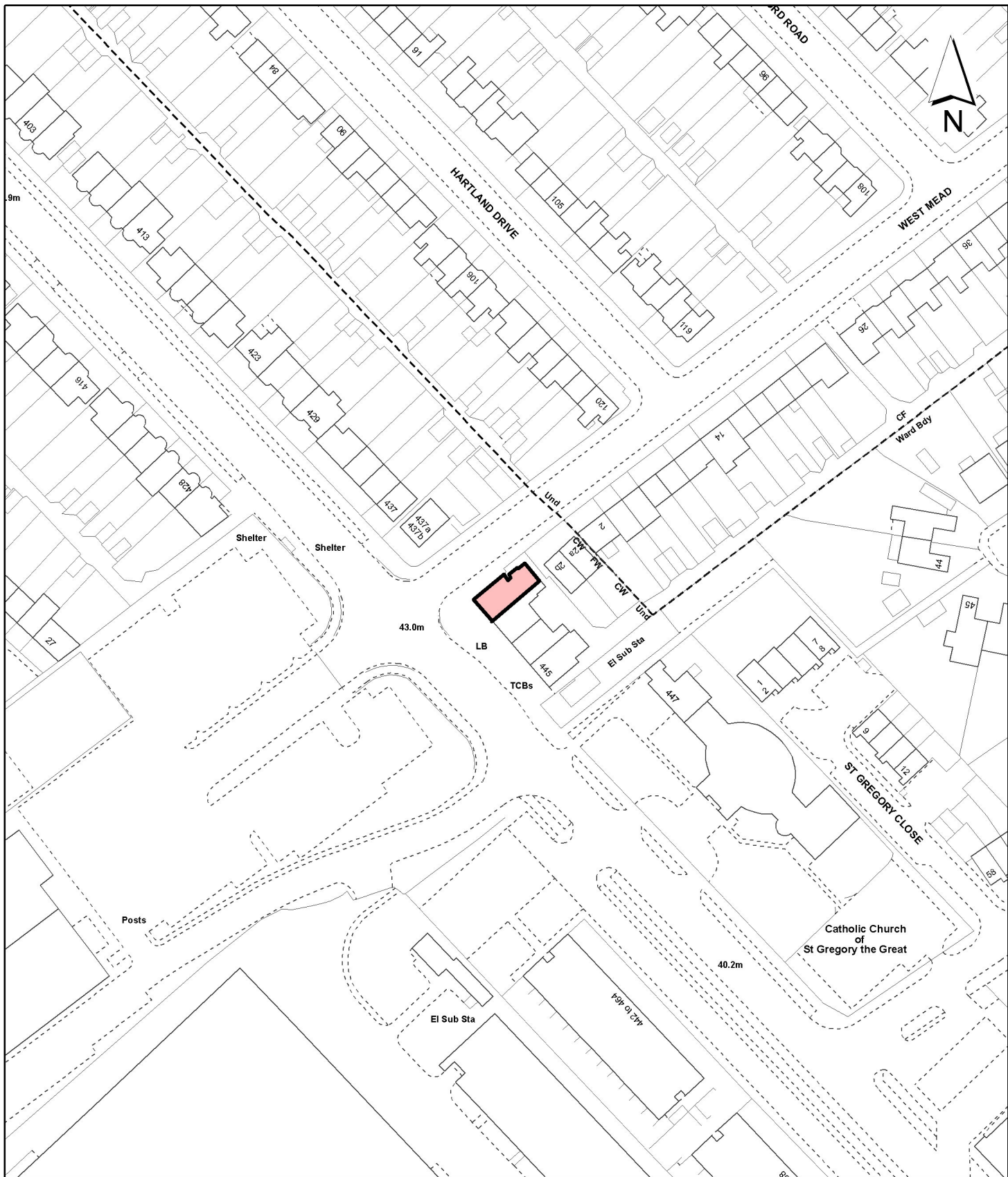
EXISTING SIDE ELEVATION




PROPOSED SIDE ELEVATION



PROJECT: 439 VICTORIA ROAD RIMSLIP MIDDX HA4 0EG4	DRAWING TITLE: EXISTING AND PROPOSED SIDE ELEVATIONS	ACB ASSOC. 'OAK HOUSE', WELLINGTON ROAD, SANDHURST, BERKSHIRE GUAF 9AY
SCALE: 1:100	DATE: NOVEMBER 2011	DRAWING NO: 439/VR/R/03/AB
		REV: B



Notes

 Site boundary

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Site Address	
439 Victoria Road Ruislip	
Planning Application Ref:	Scale
67990/APP/2012/728	1:1,250
Planning Committee	Date
North Page 200	May 2012

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

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

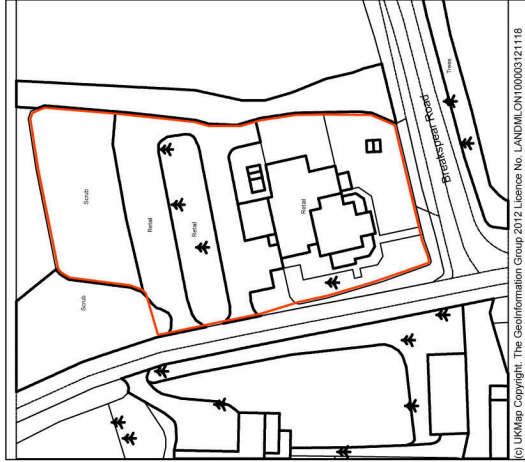
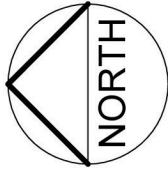


Report of the Head of Planning & Enforcement Services

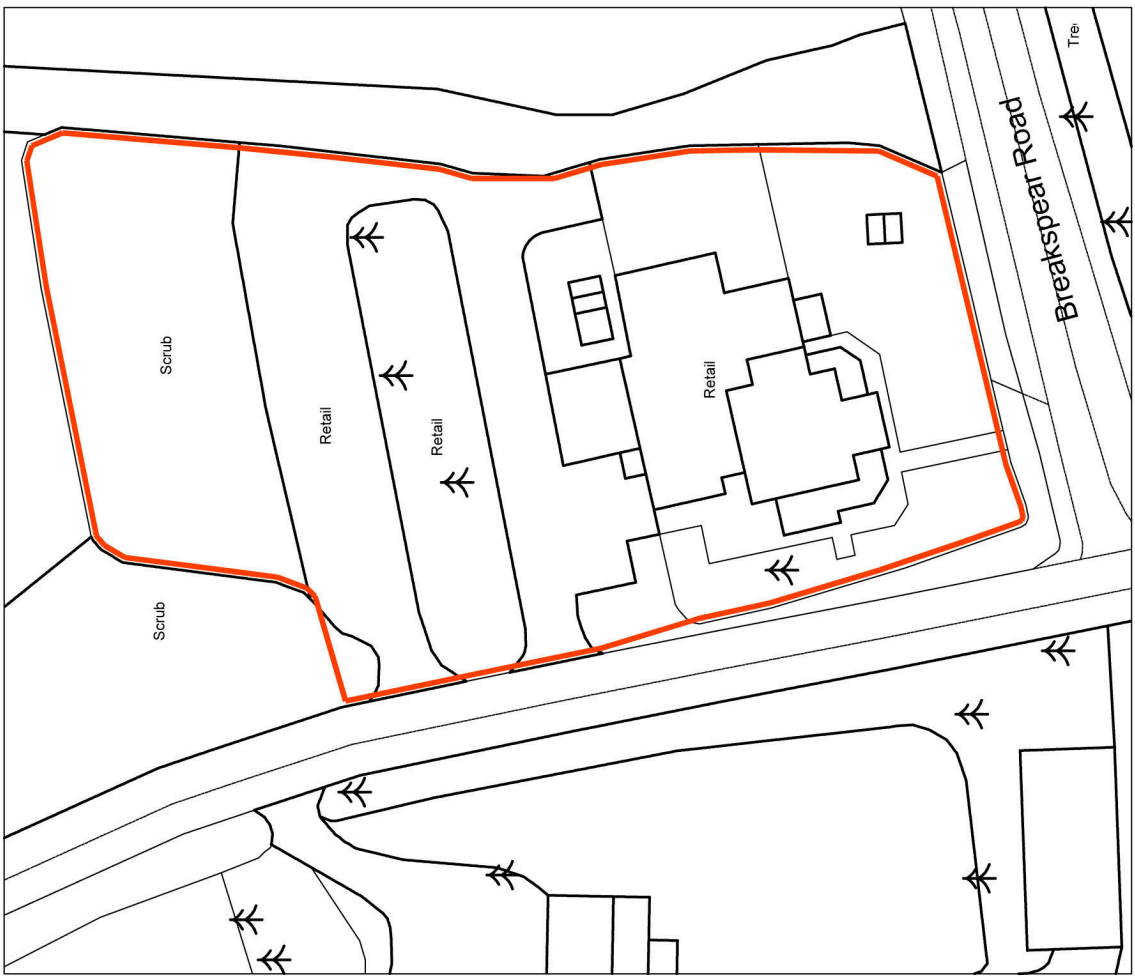
Address THE BREAKSPEAR ARMS BREAKSPEAR ROAD NORTH HAREFIELD
Development: Conservatory to side and provision of 'jumbrella' and outdoor seating areas to exterior of property
LBH Ref Nos: 10615/APP/2012/488

Date Plans Received: 01/03/2012 **Date(s) of Amendment(s):**
Date Application Valid: 08/03/2012

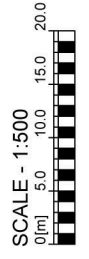
The Contractor is to check and verify all building levels at connection points before work starts. The Contractor is to ensure that all foundations are constructed to the correct levels and are protected against any structural or other damage. The Contractor is to ensure that all foundations are constructed to the correct levels and are protected against any structural or other damage. The Contractor is to ensure that all foundations are constructed to the correct levels and are protected against any structural or other damage.



SITE LOCATION PLAN
Scale 1:1250



BLOCK PLAN
Scale 1:500

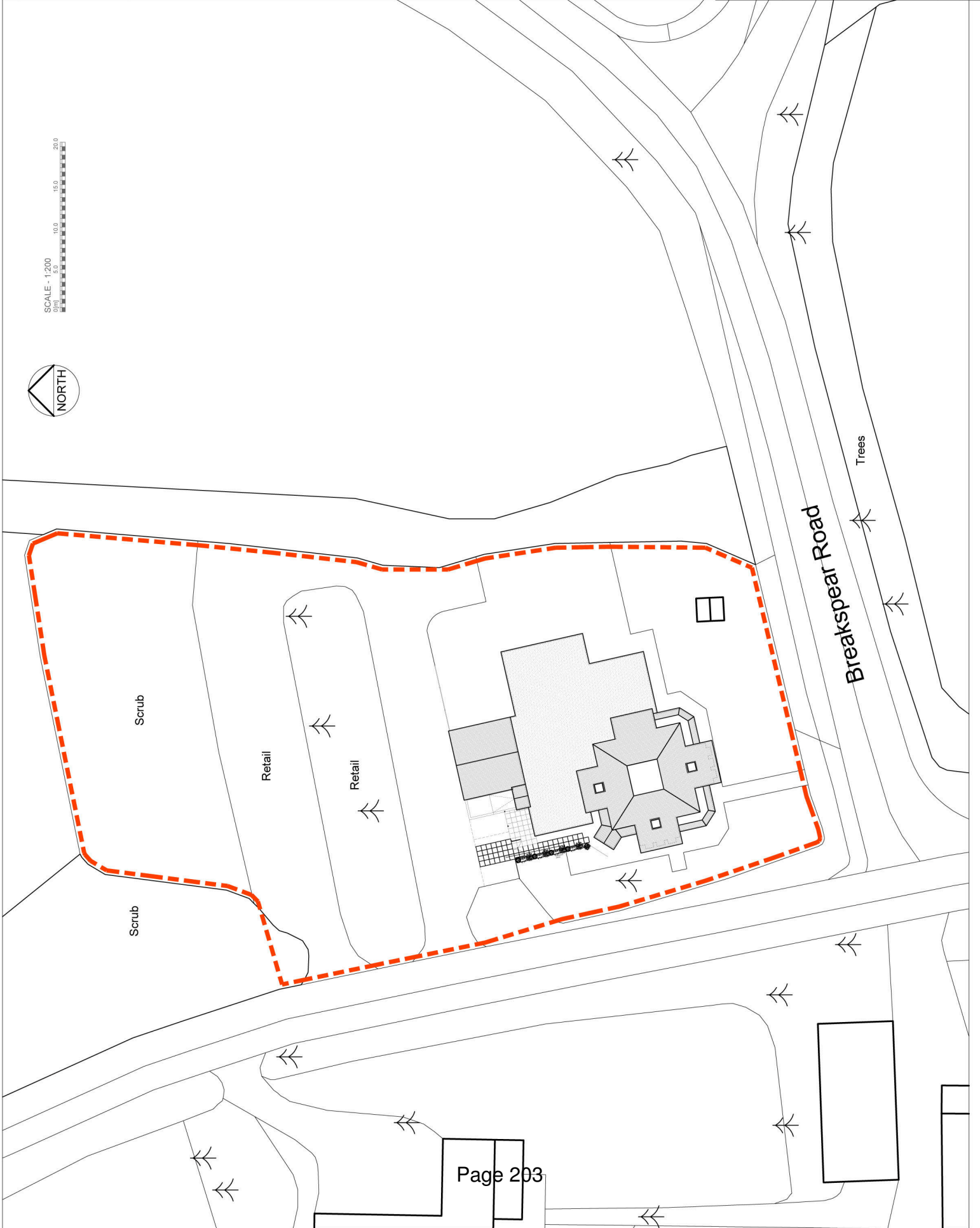


Rev.	By	Date
B	Scale bar amended	SCM 07/03
A	Scale bar and North sign added	SCM 06/03

ARCHITECTURAL AND DESIGN TEAM LTD 150, THE GREEN, HAREFIELD, BUCKINGHAMSHIRE HP8 4JH Tel: 01494 601111 Fax: 01494 601112 Email: info@architecturalanddesignteam.co.uk	
Client: GREENE KING PUB PARTNERS	
Site: THE BREAKSPEAR ARMS HAREFIELD	
Title: PROPOSED BLOCK & SITE LOCATION PLAN	
Project Manager/Checked: SCM	Date: 05.01.20
Drawn By: SCM	Scale: AS NOTED
Arch./Over: HADT	Working Number: 11-120/03
Rev.: E	

NOTE:

The Contractor is to check and verify all building and site dimensions, levels and sewer invert and manhole levels. This drawing must be read with and checked against any structural or other specialist drawings. The Contractor is to comply in all respects with the current Building Regulations whether they are specifically stated on these drawings or not. The Contractor is to verify the condition of foundation or ground conditions. Each area of ground relied upon to support the structure of the building shall be checked and suitable methods of foundation be provided.



Rev.	By	Date
A	SCM	06.03.11

Scale bar and North sign added
Hilltop
120 Acre Road, Bournemouth, Dorset, BH1 1AD Tel: 01202 27274
E-mail: office@hilltop-architects.co.uk Fax: 01202 27275

Brand: GREENE KING PUB PARTNERS
Site: THE BREAKSPEAR ARMS
HAREFIELD

Title: PROPOSED SITE PLAN

Scale / Project / Drawing	Drawn By	Scale	Date
SCM	SCM	A1@1:200	03.02.2011

Author / Date	Drawing Number	Rev.
HADI	11:120/06	A

NOTE:

The Contractor is to check and verify all building levels and connections before work starts. This drawing must be read with and checked against other specialist drawings provided. The Contractor is to comply in all respects with the Building Regulations or not specifically stated on these drawings. This drawing is not intended to show details of ground relied upon to support the structure depicted must be investigated by the Contractor and suitable methods of foundation be provided.

Rev.	A	Scale bar and room names added	SCM 06/03/11	Date
------	---	--------------------------------	--------------	------

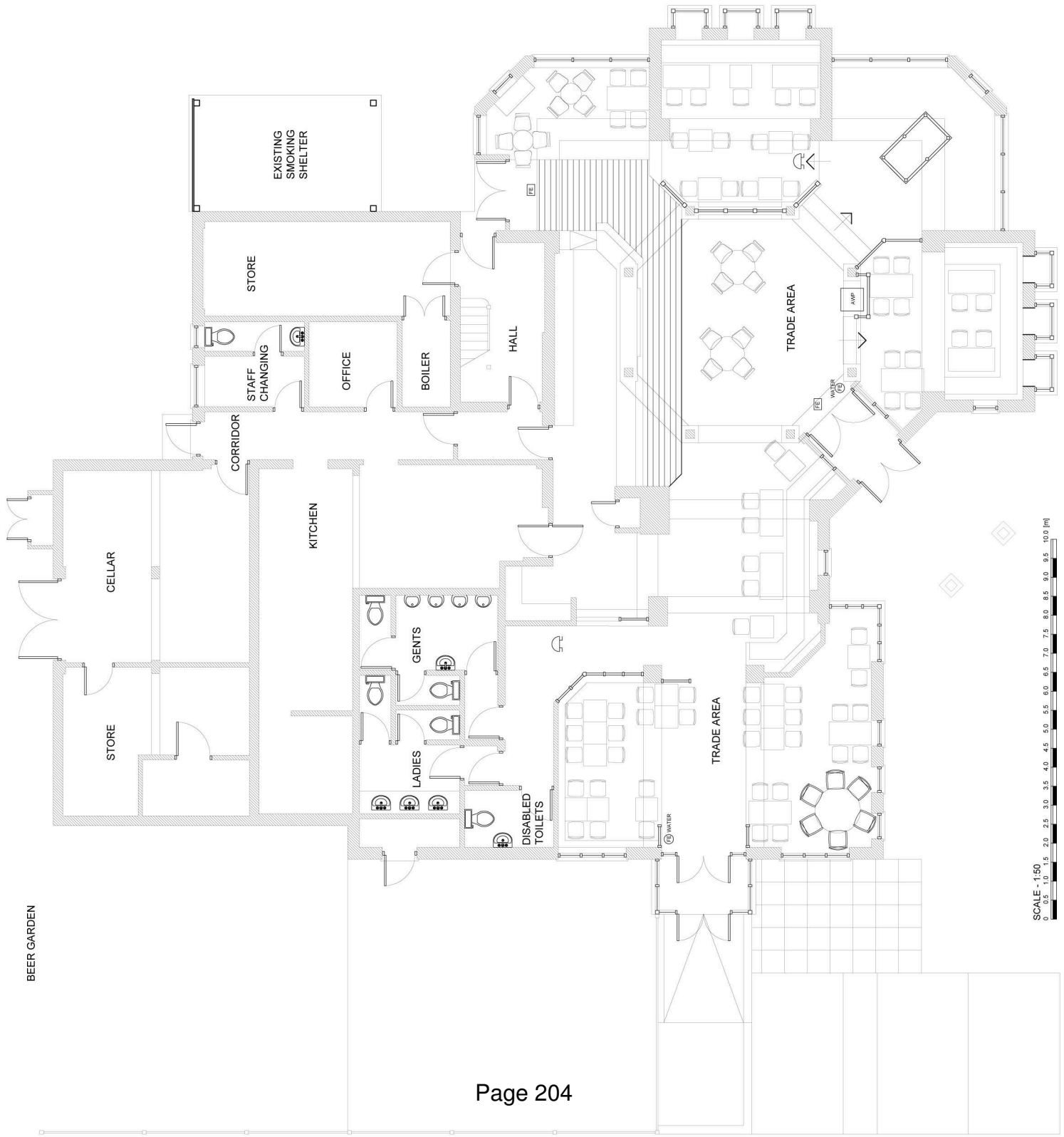
HARVEY
 ARCHITECT AND DESIGN TEAM LTD
 159 Alma Road, Mountbunbury, Wexford, W8B 5AB
 Tel: 053 932 5216
 Email: harvey@harveyarchitect.com

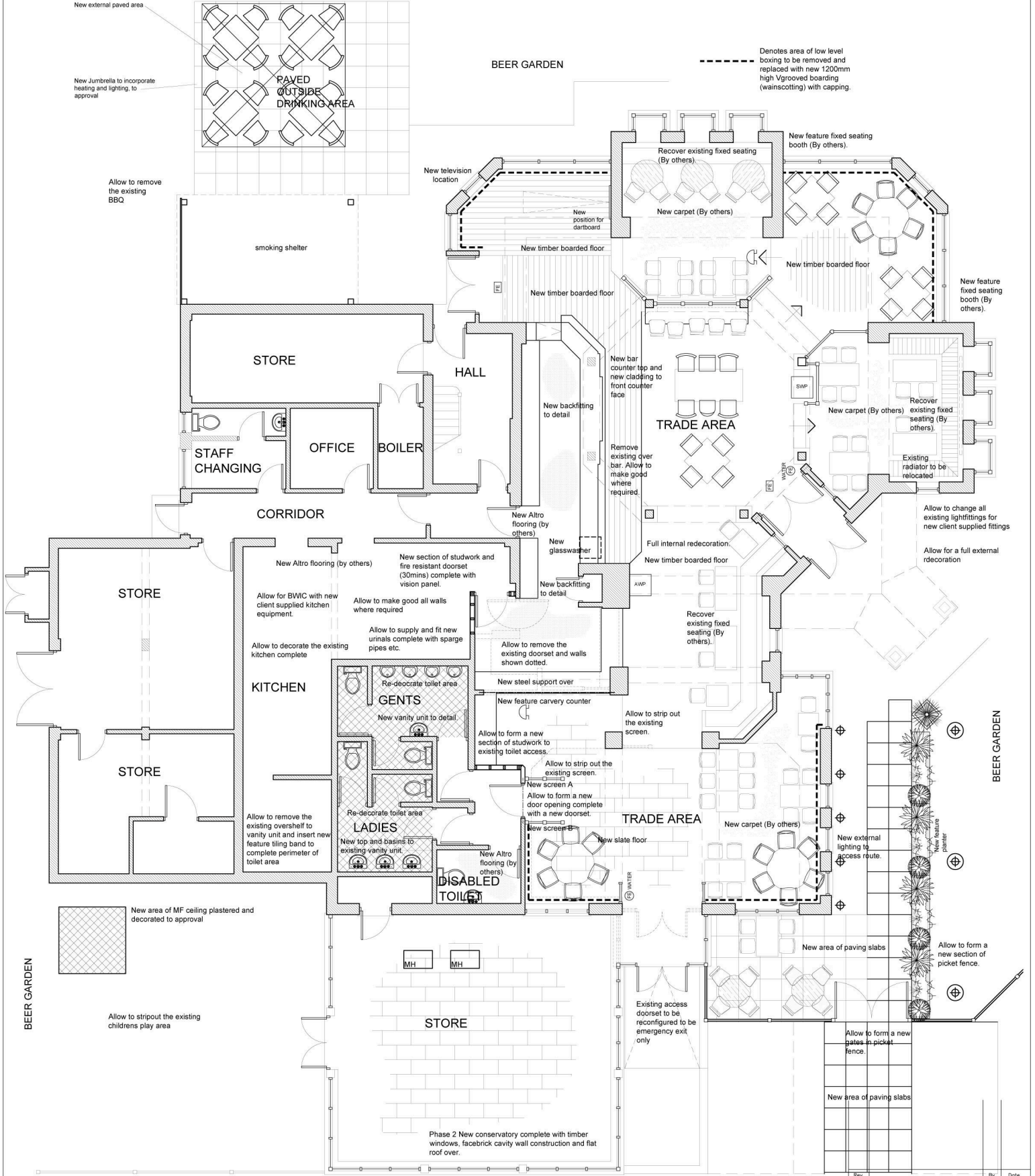
Brand: GREENE KING PUB PARTNERS

Site: **THE BREAKSPEAR ARMS**
 HAREFIELD

Title: EXISTING
 GROUND
 FLOOR PLAN

Project Manager/Checked	Drawn By	Scale	Date
SCM	SCM	1:50	05.01.2011
Arch./Issue	Drawn Number	Drawn Number	Rev.
HADT	11:120/01		A

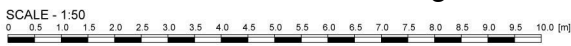




Rev.	By	Date
A	SCM	06.03.12

NOTE:

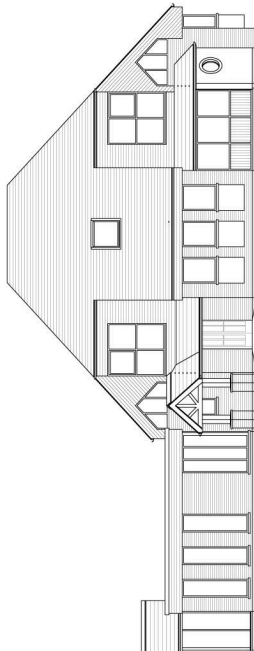
The Contractor is to check and verify all building and site dimensions, levels and sewer invert levels at connection points before work starts. This drawing must be read with and checked against any structural or other specialist drawings provided. The Contractor is to comply in all respects with the current Building Regulations whether or not specifically stated on these drawings. This drawing is not intended to show details of foundation or ground conditions. Each area of ground relied upon to support the structure depicted must be investigated by the Contractor and suitable methods of foundation be provided.



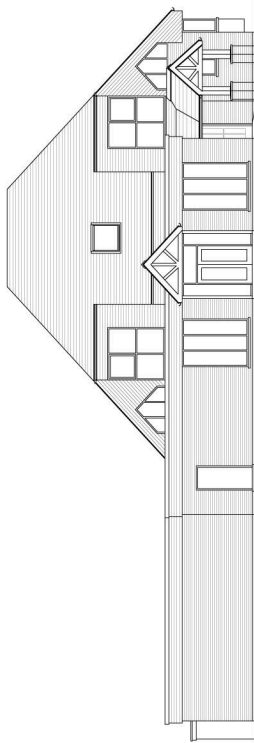
ARCHITECT AND DESIGN TEAM LTD 129 Alton Road, Bournemouth, Dorset, BH9 1AG Tel: 01202 521746 E-mail: office@hollister-architects.co.uk Fax: 01202 521775			
Brand: GREENE KING PUB PARTNERS			
Site: THE BREAKSPEARS ARMS HAREFIELD			
Title: PROPOSED GROUND FLOOR PLAN			
Project Manager/Checked:	Drawn By:	Scale:	Date:
HADT	SCM	1:50	05.01.12
Arch./Des.:	Drawing Number:	Rev.	
HADT	11:120/04	A	

NOTE:

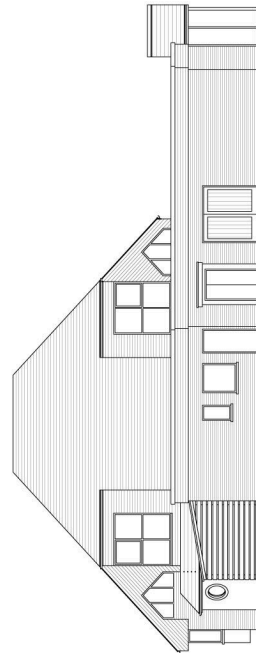
The Contractor is to check and verify all building and site dimensions, levels and sewer invert heights, and to ensure that all work is carried out in accordance with the specifications and drawings. This drawing must be read with and checked against any structural or other specialist drawings provided. The Contractor is to comply in all respects with the current Building Regulations whether or not specifically stated on these drawings. The Contractor is to ensure that the structure of foundation or ground conditions. Each area of ground relied upon to support the structure and any suitable methods of foundation be provided.



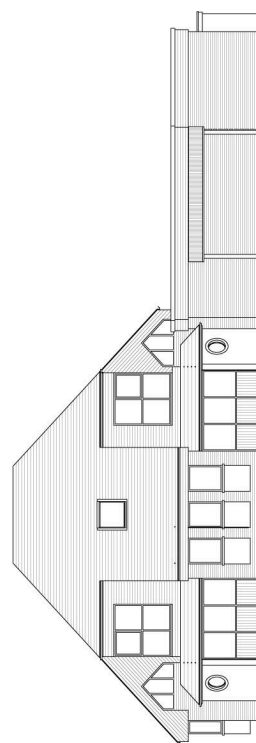
WEST ELEVATION



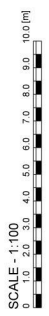
NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION

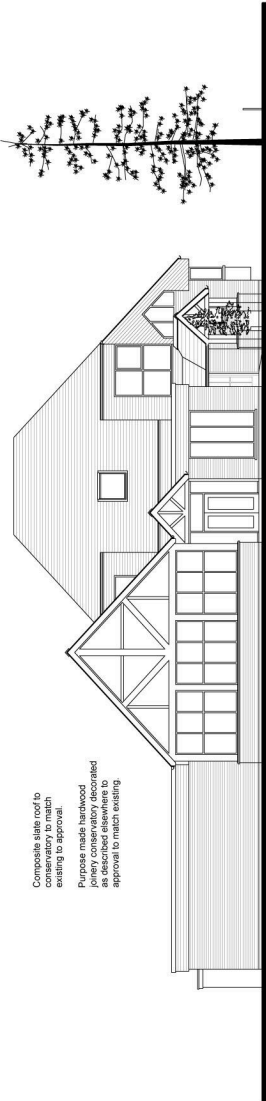


Rev.	Scale bar added & minor amendments	By	Date
A	Scale bar added & minor amendments	SCM	06.03.11

THE ENGINEERING GROUP
 129 Abney Road, Bournemouth, Dorset, BH3 1AA. Tel: 01202 121292
 E-mail: t.office@theengineeringgroup.co.uk Fax: 01202 618789

Brand	GREENE KING PUB PARTNERS
Site	HAREFIELD
THE BREAKSPEAR ARMS	
EXISTING ELEVATIONS	
Client/Owner/Contractor	SCM
Drawn By	SCM
Scale	1:100
Date	05.01.2011
Arch./Date	HADT
Drawing Number	11:120/02
Rev.	A

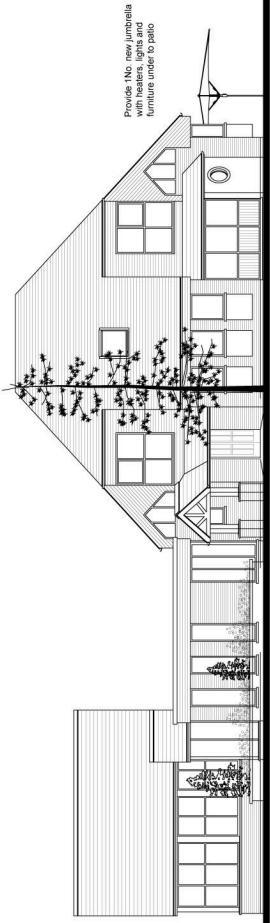
NOTE:
The Contractor is to check and verify all building and site dimensions, levels and sewer invert heights, and to ensure that all work is carried out in accordance with the approved drawings. This drawing must be read with and checked against any structural or other specialist drawings provided.
 The Contractor is to ensure compliance with the current Building Regulations whether or not specifically stated on these drawings. The Contractor is to ensure that the structure of foundation or ground conditions. Each area of ground relied upon to support the structure shall be investigated and approved by a structural engineer and suitable methods of foundation be provided.



NORTH ELEVATION

Composite slate roof to conservatory to match existing to approval.
 Purpose made hardwood joinery conservatory decorated as described elsewhere to approval to match existing.

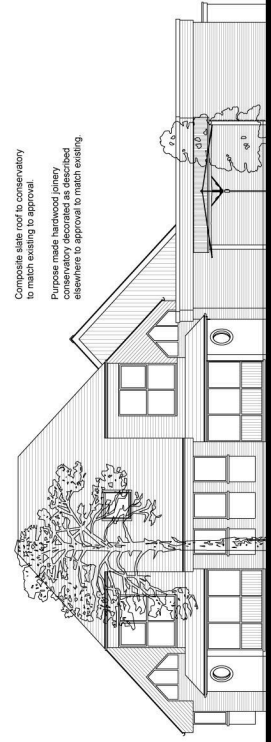
New facing brickwork to low level walls with matching mortar, all to match existing.



WEST ELEVATION

Composite slate roof to conservatory to match existing to approval.
 Purpose made hardwood joinery conservatory decorated as described elsewhere to approval to match existing.

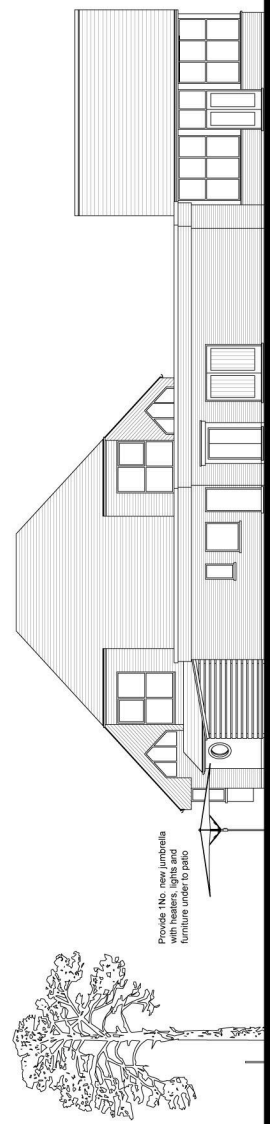
New facing brickwork to low level walls with matching mortar, all to match existing.



SOUTH ELEVATION

Composite slate roof to conservatory to match existing to approval.
 Purpose made hardwood joinery conservatory decorated as described elsewhere to approval to match existing.

Provide 1No. new jumbrella furniture under to patio



EAST ELEVATION

Provide 1No. new jumbrella furniture under to patio

Composite slate roof to conservatory to match existing to approval.
 Purpose made hardwood joinery conservatory decorated as described elsewhere to approval to match existing.
 New facing brickwork to low level walls with matching mortar, all to match existing.

Rev.	By	Date
A.	SCM	06.03.11

Scale bar added & minor amendments
 SCM 06.03.11

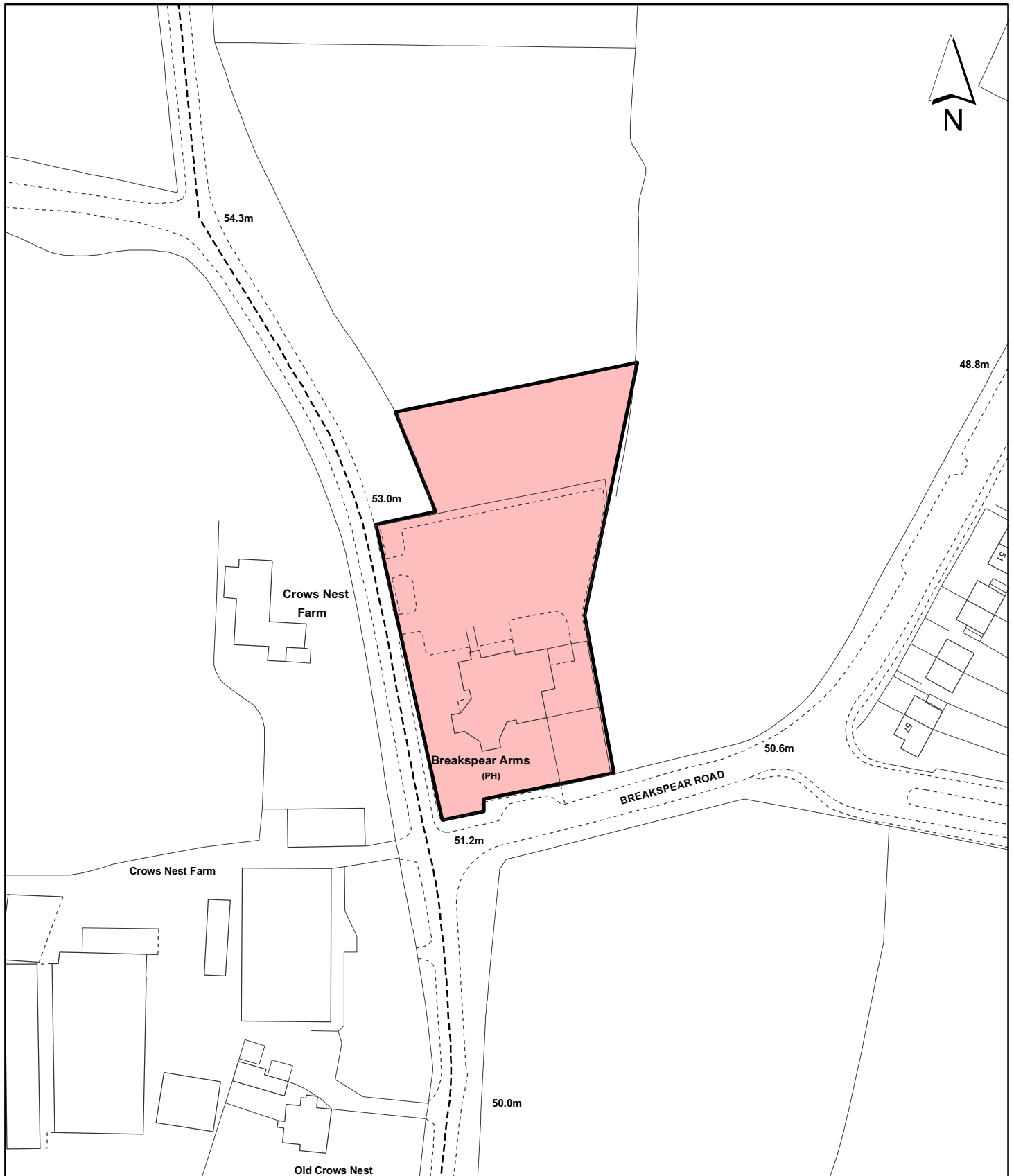
THE BREAKSPEAR ARMS
 HAREFIELD

PROPOSED ELEVATIONS


Client: **HADT**
 Drawn By: **SCM**
 Scale: **1:100**
 Date: **05.01.2011**

Project: **THE BREAKSPEAR ARMS**
 Drawing Number: **11:120/05**
 Rev: **A**

SCALE - 1:100
 0 1.0 2.0 3.0 4.0 5.0 6.0 7.0 8.0 9.0 10.0 [m]



Notes

 Site boundary

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Site Address	
The Breakspear Arms Breakspear Road North Harefield	
Planning Application Ref:	Scale
10615/APP/2012/488	1:1,250
Planning Committee	Date
North Page 208	May 2012

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



HILLINGDON
LONDON



HILLINGDON LONDON

Meeting:	North Planning Committee		
Date:	Thursday 7th June 2012	Time:	7.00pm
Place:	Committee Room 5, Civic Centre, Uxbridge		

ADDENDUM SHEET

Item: 6	Page: 1	Location: Lyon Court and 28-30 Pembroke Road, Ruislip
<i>Amendments/Additional Information:</i>		<i>Officer Comments</i>
<p>1. The following drawings are included within the plan pack but are not part of the latest set of drawings and are thus not for consideration:</p> <p>TMC-10049-L D1883 L.100 E 1250/SK/32 B</p> <p>2. Add the following additional Head of Term to the S106 Agreement:</p> <p>Education: £14,225</p> <p>Add the Following conditions:</p> <p>18. Prior to the commencement of the development hereby approved details of the access gate to the car park, incorporating facilities for its operation by disabled persons, and capable of being manually operated in the event of a power failure shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the access gate shall be installed in accordance with the approved details and maintained for so long as the development remains on site.</p> <p>REASON To provide safe and adequate access for pedestrians and vehicles accessing the new parking area in accordance with Policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).</p> <p>19. Notwithstanding the plans hereby</p>		

<p>approved no gates shall be erected to the front of the proposed dwelling house fronting Pembroke Road.</p> <p>REASON To ensure pedestrian and vehicular safety in accordance with Policies AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).</p>	
---	--

Item: 7	Page: 31	Location: Imada, 12 Kaduna Close, Eastcote
<i>Amendments/Additional Information:</i>		<i>Officer Comments</i>
<p>An e-mail has been received from the applicant as follows:</p> <p>"I note a discrepancy on the location plan scaled 1:1250 showing the building annotated as the Eastcote Lawn Tennis Club. This is incorrect. This error has been pointed out before, but it seems that no action has been taken to rectify the mistake.</p> <p>Please note that the building shown shaded on the location plan is owned by IMADA and I would be obliged that this error is rectified and brought to the attention of the Head of Planning & Enforcement Services and the Members of the Planning Committee.</p> <p>Please note that the building is owned by Imada and ensure that "Imada" is annotated on the shaded part shown on the location plan."</p>		<p>This particular plan is annotated by the Ordnance Survey and the Council cannot change it as it only has a licence to use any site plan from the Ordnance Survey.</p>

Item: 10	Page: 95	Location: Land at Willow Farm, Jackets Lane, Harefield
<i>Amendments/Additional Information:</i>		<i>Officer Comments</i>
<p>This item has been withdrawn from the agenda by the Head of Planning.</p>		

Item: 12	Page: 131	Location: The Breakspear Arms, Breakspear Road North, Harefield
<i>Amendments/Additional Information:</i>		<i>Officer Comments</i>
<p>This item has been withdrawn by the applicant.</p>		